

STATE OF NORTH DAKOTA

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# **Journal of the Senate**

of the

# **Forty-Fourth Session**

of the

# **Legislative Assembly**

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Begun and held at the Capitol Building at Bismarck,  
December 3, 4, 5, 1974 and January 7 to  
March 26, 1975, Inclusive.

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WAYNE SANSTEAD  
Minot, North Dakota  
President of the Senate

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

## MEMBERS OF THE SENATE, 1975

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Sessions
1	Pt. Williams	Frank Wenstrom	Williston	Banker	Married	1957-67-69-71-73-75
2	Divide & Pt. Williams	George Rait	Noonan	Farmer	Married	1965-67-69-71-73-75
3	Renville, Pt. Ward	L.D. (Lee) Christensen	Kenmare	Farmer	Married	1967-69-71-73-75
4	Burke, Mountrail	Stanley Wright	Stanley	Implement Dealer	Married	1973-75
5	Pt. Ward	Hal Christensen	Minot	Manager KHRT Radio	Married	1975
		Chester Reiten	Minot	President Radio and TV	Married	1973-75
		Rolland Redlin	Minot	Banker	Married	1959-61-63-63-75
		Jerome Walsh	Minot	Farmer and Businessman	Married	1975
6	Bottineau & Pt. McHenry	Walter Erdman	Bottineau	Farmer	Married	1971-73-75
7	Pierce & Pt. McHenry	Ernest Sands	Velva	Businessman	Married	1967-69-73-75
8	McLean	Shirley W. Lee	Turtle Lake	Housewife	Married	1973-75
9	Rolette & Pt. Towner	Phillip Berube	Rolla	Farmer	Married	1953-55-57-59-61-63-65-67-69 71-73-75
10	Cavalier, Towner	Frank Shablow	Langdon	Farmer	Married	1973-75
11	Pembina	F.K. (Kent) Vosper	Neche	Farmer	Married	1975
12	Benson, Eddy	S.F. (Buckshot) Hoffner	Esmond	Farmer	Married	1973-75
14	Foster, Wells	Clarence G. Schultz	Harvey	Merchant	Married	1967-69-71-73-75
15	Ramsey	H. Kent Jones	Webster	Farmer	Married	1971-73-75
16	Pt. Walsh	Elton W. Ringsak -	Grafton	Lt. Col. Retired, Lawyer	Married	1959-61-63-65-67-69-71-73-75
17	Nelson, Pt. Walsh	Lester G. Larson	Brocket	Farmer	Married	1965-67-69-71-73-75
18	Pt. Grand Forks	Stella H. Fritzell	Grand Forks	Retired Stockbroker	Widow	1973-75
		C.W. (Chuck) Goodman	Grand Forks	Businessman, Farm Management	Married	1973-75
		George Longmire	Grand Forks	Attorney	Married	1957-59-61-63-65-67-69-71-73-75
		Kenneth Tweten	Grand Forks	Farmer	Married	1973-75
19	Pt. Grand Forks	Duane Mutch	Larimore	Oil Broker, LP Gas Distributor	Married	1959-61-63-65-67-69-71-73-75
20	Trail, Pt. Cass	Gilman A. Strand	Portland	Farmer	Married	1973-75
21	Pt. Cass	Frank Conlin	Fargo	Businessman	Married	1975
		Pam Holand	Fargo	Housewife	Married	1975
		Don Homuth	West Fargo	Coordinator-NDSU	Married	1975
		Herschel Lashkowitz	Fargo	Attorney	Single	1965-75
		Roderic Schuster	Fargo	Attorney	Married	1975
22	Pt. Cass	Ernest G. Pyle	Casselton	Farmer, Bank Director	Married	1967-69-71-73-75
23	Griggs, Steele, Pt. Barnes	Arthur Gronhovd	Finley	Retired Farmer	Married	1971-73-75
24	Pt. Barnes	Theron L. Strinden	Litchville	Businessman	Married	1963-65-69-71-73-75



**MEMBERS OF THE SENATE, 1975 (Continued)**

Dist.	County	Name	Address	Business or Occupation	Marital Status	Member During Sessions of
25	Pt. Richland	Russell T. Thane	Wahpeton	Farmer, Stock Feeder	Married	1971-73-75
26	Dickey, Sargent	James Smykowski	Cayuga	Farmer, Auctioneer, Real Estate	Married	1973-75
27	Ransom, Pt. Richland	Kenneth Morgan	Walcott	Farmer	Married	1957-59-61-63-65-67-69-71-73-75
28	LaMoure, Logan	Claire A. Sandness	LaMoure	Farmer	Married	1973-75
29	Stutsman	Robert Melland	Jamestown	Businessman	Married	1967-69-71-73-75
		David E. Nething	Jamestown	Attorney	Married	1967-69-71-73-75
30	Emmons, McIntosh	Lawrence L. (Pete) Naaden	Braddock	Farmer, Rancher	Married	1973-75
31	Kidder, Sheridan, Pt. Burleigh	Harry Iszler	Streeter	Rancher	Married	1973-75
32	Pt. Burleigh	Evan Lips	Bismarck	Insurance	Married	1961-63-65-67-69-71-73-75
		Jay Schultz	Bismarck	Rancher, Cattle Feeder	Married	1973-75
		I. E. (Esky) Solberg	Bismarck	Consultant	Married	1973-75
33	Mercer, Oliver, Pt. Morton	Robert L. Stroup	Hazen	Retail Lumberman	Married	1967-69-71-73-75
34	Pt. Morton	Emil E. Kautzmann	Mandan	Banker	Married	1963-65-67-69-71-73-75
35	Grant, Sioux, Pt. Morton	Francis Barth	Solen	Farmer, Rancher	Married	1971-73-75
36	Dunn, McKenzie	J. Garvin Jacobson	Alexander	Farmer, Rancher	Married	1967-69-71-73-75
37	Pt. Stark	Howard A. Freed	Dickinson	Attorney	Married	1967-69-71-73-75
38	Adams, Hettinger, Pt. Stark	Robert M. Nasset	Regent	Farmer	Married	1967-69-71-73-75
39	Billings, Bowman, Golden Valley, Slope, Pt. Stark	John F. Maher	Bowman	Businessman	Married	1975

# OFFICERS AND EMPLOYEES

OF THE

SENATE OF NORTH DAKOTA

OF THE

FORTY-FOURTH LEGISLATIVE ASSEMBLY

Name	Position	Address
Leo Leidholm	Secretary of the Senate	Underwood
Arthur Herk	Assistant Secretary of the Senate	Fingal
Doris McMahon	Desk Reporter	Bismarck
J. Vernon Asheim	Bill Clerk	Mohall
Mary Alice Simonson	Chief Stenographer & Payroll Clerk	Bismarck
Peggy Ormseth	Chief Committee Clerk	Bismarck
Gladys Derrick	Appropriations Committee Clerk	Bismarck
Albert Bradley	Sergeant-at-Arms	Rock Lake
Wanda Froelich	Chief Page	Mandan
Olger Sandven	Deputy Sergeant-at-Arms	York
Peggy Stenehjerm	Chief Telephone Attendant	Bismarck
Eileen Gerl	Secretary to the President	Mandan
Lois J. Scherr	Secretary of the Majority Floor Leader	Bismarck
Mona Ziegler	Secretary to the Minority Floor Leader	Bismarck
Thomas Schneider	Calendar Clerk	Bismarck
Sandi Chesrown	Committee Clerk	Linton
Elsie Christensen	Committee Clerk	Bismarck
Charlotte Kamins	Committee Clerk	Bismarck
Lyla Flagg	Committee Clerk	Bismarck
Delma Bechtel	Committee Clerk	Bismarck
Marjorie Trangsrud	Committee Clerk	Devils Lake
Carol Kainz	Committee Clerk-Steno	Dickinson
Susan Hylander	Committee Clerk-Steno	Valley City
Lorraine Moos	Committee Clerk-Steno	Mandan
Linda Johnson	Committee Clerk-Steno	Bismarck
Janna Tjaden	Enrolling and Engrossing Clerk	Bismarck
Ruth Moyer	Assistant Enrolling and Engrossing Clerk	Mandan
Julleen Cunningham	Journal Proofreader	Bismarck
Patricia Martin	Journal Proofreader	Bismarck
Christine Hill	Stenographer	Bismarck
Jane Thoenke	Stenographer	Almont

## OFFICERS AND EMPLOYEES — (Continued)

NAME	POSITION	ADDRESS
Yvonne Dosch .....	Stenographer .....	Bismarck
Francine Gill .....	Stenographer .....	Mandan
Cindy Dietz .....	Stenographer .....	Cathay
Joan Von Rueden .....	Stenographer .....	Bismarck
Hilda Stokres .....	Telephone Attendant .....	Grand Forks
Phyllis Connolly .....	Telephone Attendant .....	Dunn Center
John Dockter .....	Parking Lot Attendant .....	Bismarck
Ralph Scott .....	Assistant Sergeant-at-Arms .....	Jamestown
Milbern Clendenen .....	Assistant Sergeant-at-Arms .....	New Salem
Sewall Peterson .....	Assistant Sergeant-at-Arms .....	Minot
Stanley Schultz .....	Assistant Sergeant-at-Arms .....	Lisbon
Esther Davis .....	Information Desk Attendant .....	Mandan
Alvin Wollan .....	Page .....	Keene
Karen Schmidt .....	Page .....	Streeter
Desiree Wildfant .....	Page .....	Bismarck
Jean Meschke .....	Page .....	Minot
Elaine Stern .....	Page .....	Garrison
Bob Evanencko .....	Bill Book Clerk .....	Butte
Sheryl Manstrom .....	Bill Book Clerk .....	Wyndmere
Joanne Hetland .....	Bill Book Clerk .....	Bismarck
Richard Wittmayer .....	Bill Room Clerk .....	Hazen
Willard Yule .....	Bill Room Clerk .....	Bismarck
Hazel Ludemann .....	Journal Room Clerk .....	Bismarck
Cliff Bender .....	Journal Room Clerk .....	Bismarck
Kari Lee .....	Assistant Appropriations Committee Clerk .....	Bismarck
Fred Bosch .....	Custodian .....	Bismarck
Lucas Giesinger .....	Custodian .....	Bismarck
Joe Emineth .....	Custodian .....	Bismarck
Edwin Keller .....	Custodian .....	Bismarck

## SENATE MEMBERS

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

## House of Representative Members

DIST.	COUNTY	NAME	ADDRESS
1	Pt. Williams	Charles Scofield	Williston
1	Pt. Williams	Dean Winkjer	Williston
2	Divide & Pt. Williams	Irven Jacobson	Alamo
2	Divide & Pt. Williams	Olaf Opedahl	Tioga
3	Renville & Pt. Ward	Richard J. Backes	Glenburn
3	Renville & Pt. Ward	George (Bud) Benedict	Berthold
4	Burke, Mountrail	Larry E. Tinjum	Powers Lake
4	Burke, Mountrail	Ruth Meiers	Ross
5	Pt. Ward	Art Ekblad	Minot
5	Pt. Ward	Brynhild Haugland	Minot
5	Pt. Ward	Marge Kermott	Minot
5	Pt. Ward	James A. Peterson	Minot
5	Pt. Ward	Roy D. Rued	Minot
5	Pt. Ward	E. Michael Timm	Minot
5	Pt. Ward	Janet Wentz	Minot
5	Pt. Ward	Garry Bye	Minot
6	Bottineau & Pt. McHenry	Arnold Nemyr	Newburg
6	Bottineau & Pt. McHenry	Lawrence Marsden	Bottineau
7	Pierce & Pt. McHenry	Fern E. Lee	Towner
7	Pierce & Pt. McHenry	Richard Rocheleau	Rugby
8	McLean	Layton W. Freborg	Underwood
8	McLean	Gordon Matheny	Emmet
9	Rolette	Oscar Solberg	Rolla
9	Rolette	Gerhart Wilkie	Rolla
10	Cavalier, Towner	Eugene Nicholas	Cando
10	Cavalier, Towner	John McGauvran	Osnabrock
11	Pembina	Alice Olson	Cavalier
11	Pembina	Charles F. Fleming	Hamilton
12	Benson, Eddy	Joe B. Leibhan	Esmond
12	Benson, Eddy	Byron Langley	Warwick
14	Foster, Wells	Steve Farrington	Harvey
14	Foster, Wells	Bert F. Miller	Harvey
15	Ramsey	Dean Hildebrand	Devils Lake
15	Ramsey	Charles F. Mertens	Devils Lake
16	Pt. Walsh	Odell Berg	Nash
16	Pt. Walsh	Leonard Fagerholt	Hoople
17	Nelson, Pt. Walsh	Howard C. Johnson	Fairdale
17	Nelson, Pt. Walsh	Henry Lundene	Adams
18	Pt. Grand Forks	Neil Hensrud	Grand Forks
18	Pt. Grand Forks	Arthur Raymond	Grand Forks
18	Pt. Grand Forks	Earl Strinden	Grand Forks
18	Pt. Grand Forks	Eliot Glassheim	Grand Forks
18	Pt. Grand Forks	Ben G. Gustafson	Grand Forks
18	Pt. Grand Forks	Terry Irving	Grand Forks
18	Pt. Grand Forks	Charles Orange	Grand Forks
18	Pt. Grand Forks	Dan Rylance	Grand Forks
19	Pt. Grand Forks	Oben Gunderson	McCanna
19	Pt. Grand Forks	Enoch Thorsgard	Northwood
20	Trail, Pt. Cass	Malcolm Tweten	Buxton
20	Trail, Pt. Cass	Herbert A. Anderson	Hillsboro
21	Pt. Cass	A.G. (Art) Bunker	Fargo
21	Pt. Cass	Aloha Eagles	Fargo
21	Pt. Cass	Peter Hilleboe	Fargo

## House Members (Continued)

DIST.	COUNTY	NAME	ADDRESS
21	Pt. Cass	Jens Tennesfos	Fargo
21	Pt. Cass	Cheryl A. Watkins	Fargo
21	Pt. Cass	L.E. Berger	West Fargo
21	Pt. Cass	Kay Cann	Fargo
21	Pt. Cass	Patricia (Tish) Kelly	Fargo
21	Pt. Cass	Luther Kristensen	Fargo
21	Pt. Cass	Ray Metzger	Fargo
22	Pt. Cass	Anna Powers	Leonard
22	Pt. Cass	Francis E. (Hank) Weber	Wheatland
23	Griggs, Steele, Pt. Barnes	Arnold J. Gronneberg	Hannaford
23	Griggs, Steele, Pt. Barnes	Bruce Laughlin	Finley
24	Pt. Barnes	Lynn Clancy	Valley City
24	Pt. Barnes	Ralph M. Winge	Litchville
25	Pt. Richland	LeRoy Hausauer	Wahpeton
25	Pt. Richland	Warren Schuett	Wahpeton
26	Dickey, Sargent	LeRoy Erickson	Delamere
26	Dickey, Sargent	E.C. (Gene) Laske	Oakes
27	Ransom, Pt. Richland	Lawrence Dick	Englevale
27	Ransom, Pt. Richland	Ralph Dotzenrod	Wyndmere
28	LaMoure, Logan	William F. Gackle	Kulm
28	LaMoure, Logan	Reuben Metz	Alfred
29	Stutsman	Robert R. Reimers	Carrington
29	Stutsman	Mike Unhjem	Jamestown
29	Stutsman	Gordon Larson	Sydney
29	Stutsman	Duane Rau	Medina
30	Emmons, McIntosh	William E. Kretschmar	Venturia
30	Emmons, McIntosh	Wilbur VanderVorst	Hague
31	Kidder, Sheridan, Pt. Burleigh	Theodore (Ted) A. Lang	Sterling
31	Kidder, Sheridan, Pt. Burleigh	Orville Schindler	McClusky
32	Pt. Burleigh	Myron H. Atkinson	Bismarck
32	Pt. Burleigh	Alvin Hausauer	Bismarck
32	Pt. Burleigh	Robert W. Martinson	Bismarck
32	Pt. Burleigh	Edward Metzger	Bismarck
32	Pt. Burleigh	Vernon E. Wagner	Bismarck
32	Pt. Burleigh	Gerald A. Halmrast	Bismarck
33	Mercer, Oliver, Pt. Morton	Clarence Jaeger	Beulah
33	Mercer, Oliver, Pt. Morton	Ralph Hickle	Center
34	Pt. Morton	Alvin (Al) Royse	Mandan
34	Pt. Morton	Corliss (Mrs. Bill) Mushik	Mandan
35	Grant, Sioux, Pt. Morton	Albert L. Rivinius	Elgin
35	Grant, Sioux, Pt. Morton	Walter A. Meyer	Raleigh
36	Dunn, McKenzie	Ralph M. Christensen	Watford City
36	Dunn, McKenzie	J.R. (Jack) Murphy	Killdeer
37	Pt. Stark	William G. Goetz	Dickinson
37	Pt. Stark	Jack D. Olin	Dickinson
38	Adams, Hettinger, Pt. Stark	Kenneth Knudson	Taylor
38	Adams, Hettinger, Pt. Stark	Clarence Martin	Lefor
39	Billings, Bowman, Golden Valley, Slope, Pt. Stark	Karnes Johnson	Sentinel Butte
39	Billings, Bowman, Golden Valley, Slope, Pt. Stark	Earl C. Rundle	New England

## Organizational and Orientation Session December 3, 4, 5, 1974

# Journal of the Senate

Forty-Fourth Legislative Assembly

TUESDAY, DECEMBER 3, 1974

### FIRST DAY OF LEGISLATIVE ORGANIZATIONAL SESSION

At the hour of nine o'clock a.m. on the third day of December, 1974, according to the Constitution and Statutes of the State of North Dakota, the holdover members and members elected to the Senate of the Forty-Fourth 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 Wayne G. Sanstead, Lieutenant Governor of the State of North Dakota.

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

**STATE OF NORTH DAKOTA**  
Department of State  
Bismarck  
December 2, 1974

Secretary of the Senate  
Forty-fourth Legislative Assembly  
Bismarck, North Dakota 58505

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-fourth Legislative Assembly of the State of North Dakota:

Dist. County	Name	Address
1. Pt. Williams	Frank Wenstrom	Williston
3. Renville, Pt. Ward	L.D. (Lee) Christensen	Kenmare
5. Pt. Ward	Hal Christensen	Minot
	Chester Reiten	Minot
	Rolland Redlin	Minot
	Jerome Walsh	Minot
7. Pierce & Pt. McHenry	Ernest M. Sands	Velva
9. Rolette	Phillip Berube	Belcourt
11. Pembina	F.K. (Kent) Vosper	Neché
15. Ramsey	Kent Jones	Webster
17. Nelson, Pt. Walsh	Lester G. Larson	Brocket
19. Pt. Grand Forks	Duane Mutch	Larimore
21. Pt. Cass	Frank Conlin	Fargo
	Pam Holand	Fargo
	Don Homuth	West Fargo
	Herschel Lashkowitz	Fargo
	Roderic Schuster	Fargo

Dist. County	Name	Address
23. Griggs, Steele, Pt. Barnes	Arthur Gronhovd	Finley
25. Pt. Richland	Russell T. Thane	Wahpeton
27. Ransom, Pt. Richland	Kenneth Morgan	Walcott
29. Stutsman	Robert Melland	Jamestown
	David E. Nething	Jamestown
31. Kidder, Sheridan	Harry Iszler	Streeter
33. Mercer, Oliver, Pt. Morton	Robert L. Stroup	Hazen
35. Grant, Sioux, Pt. Morton	Francis Barth	Solen
37. Pt. Stark	Howard A. Freed	Dickinson
39. Billings, Bowman, Golden Valley, Slope, Pt. Stark	John F. Maher	Bowman

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 2nd day of December, 1974.

BEN MEIER

Secretary of State

State of North Dakota

Great Seal.

### STATE OF NORTH DAKOTA

Department of State

Bismarck

December 2, 1974

Secretary of Senate

Forty-fourth Legislative Assembly

Bismarck, North Dakota 58505

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 1972, and duly qualified by the forty-third Legislative Assembly.

Dist. County	Name	Address
2. Divide & Pt. Williams	George Rait	Noonan
4. Burke, Mountrail	Stanley Wright	Stanley
6. Bottineau & Pt. McHenry	Walter Erdman	Bottineau
8. McLean	Shirley W. Lee	Turtle Lake
10. Cavalier, Towner	Frank Shablow	Langdon
12. Benson, Eddy	S.F. (Buckshot) Hoffner	Esmond
14. Foster, Wells	Clarence G. Schultz	Harvey
16. Pt. Walsh	Elton W. Ringsak	Grafton
18. Pt. Grand Forks	Stella H. Fritzell	Grand Forks
	C.W. (Chuck) Goodman	Grand Forks
	George Longmire	Grand Forks
	Kenneth Tweten	Grand Forks
20. Trail, Pt. Cass	Gilman A. Strand	Portland
22. Pt. Cass	Ernest G. Pyle	Casselton
24. Pt. Barnes	Theron L. Strinden	Litchville
26. Dickey, Sargent	James Smykowski	Cayuga
28. LaMoure, Logan	Claire A. Sandness	LaMoure
30. Emmons, McIntosh	Lawrence L. Naaden (Pete)	Braddock
32. Pt. Burleigh	Evan Lips	Bismarck
	Jay Schultz	Bismarck
	I.E. (Esky) Solberg	Bismarck
34. Pt. Morton	Emil E. Kautzmann	Mandan
36. Dunn, McKenzie	J. Garvin Jacobson	Alexander
38. Adams, Hettinger, Pt. Stark	Robert M. Nasset	Regent



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 2nd day of December, 1974.

BEN MEIER  
Secretary of State  
State of North Dakota

Great Seal.

STATE OF NORTH DAKOTA  
COUNTY OF STARK  
IN THE MATTER OF THE )  
DEMAND AND APPLICATION OF )  
JOHN F. GENGLER FOR A RE- )  
COUNT OF ALL BALLOTS CAST )  
FOR THE OFFICE OF NORTH )  
DAKOTA STATE SENATOR, )  
37th DISTRICT, IN NOVEMBER )  
5, 1974, GENERAL ELECTION )

IN DISTRICT COURT  
SIXTH JUDICIAL DISTRICT  
  
DEMAND AND APPLICATION  
FOR RECOUNT OF BALLOTS  
10333

TO THE HONORABLE NORBERT J. MUGGLI, CHIEF JUDGE, SIXTH JUDICIAL DISTRICT, STATE OF NORTH DAKOTA.  
STATE OF NORTH DAKOTA )

COUNTY OF STARK )  
JOHN F. GENGLER, being first duly sworn represents and shows to the Court as follows:

I.

That your applicant is the Democratic candidate for election to the office of North Dakota State Senator, 37th Legislative District, State of North Dakota, in the November 5, 1974, general election.

II.

That your applicant is opposed in said general election by the Honorable Howard Freed, incumbant Republican North Dakota State Senator, 37th Legislative District, State of North Dakota.

III.

That the North Dakota Canvassing Board has certified on the 19th day of November, 1974, that each candidate for said office received the following votes:

Howard Freed: 2086 votes  
John F. Gengler: 2078 votes

IV.

That Howard Freed received the highest votes cast for a candidate for said office; that the difference in the votes cast for Howard Freed and your applicant is 8 votes; that your applicant has failed to be elected to said office by less than 1/2 of 1 per cent of the highest vote cast for a candidate for the said office.

V.

That your applicant, John F. Gengler, hereby respectfully demands and makes application, pursuant to the provisions of North Dakota Century Code Section 16-13-47.1, for a recount of all ballots cast in said November 5, 1974, general election for the office of North Dakota State Senate, 37th Legislative District, State of North Dakota, in the County of Stark, in the Sixth Judicial District.

VI.

That your applicant requests that the recount of all ballots be made in the personal presence of a Judge of the District Court, Sixth Judicial District, and in the personal presence of the candidates or their authorized representatives; that your applicant requests that all costs of the recount be born by Stark County, North Dakota.

## VII.

That your applicant requests the Court to adopt and establish rules to be used in the recount of ballots in order to assure due process to the candidates.

WHEREFORE, John F. Gengler, prays the Court issue its Order as follows:

1. Directing a recount of all ballots cast for said office in the County of Stark, 37th Legislative District, Sixth Judicial District, State of North Dakota, pursuant to the provisions of the North Dakota Century Code Section 16-13-47.1;

2. Directing the County Judge and the County Canvassing Board in said County to deliver all ballots pertaining to said office for the conduct of the recount before a Judge of the District Court, at such time and place as said and determined by the Court;

3. Directing that the recount of all ballots in such County shall be made by the County Canvassing Board therein in the personal presence of a Judge of the District Court and in the personal presence of the candidates or their authorized representatives;

4. Directing that all costs of the recount be born by Stark County, North Dakota;

5. Establishing Court rules to be used in the recount to assure due process; and

6. For such relief as the Court deems fit in the premises.

Dated this 25th day of November, 1974.

JOHN F. GENGLER

Subscribed and sworn to before me this 25th day of November, 1974.

CAROL M. DEGENSTEIN,  
Notary Public

Stark County, North Dakota

My Commission Expires: 7-19-78

(SEAL)

Personal service of the attached Demand and Application for Recount of Ballots is hereby admitted, by true and correct copy thereof, this 27th day of November, 1974, at Dickinson, North Dakota.

NORBERT J. MUGGLI,

Presiding Judge

Sixth Judicial District

The President announced that without objection Senator Freed would be seated, subject to the recount.

## ROLL CALL

Roll call revealed 48 present and 3 absent.

Those present were:

Barth	Homuth	Morgan	Schuster
Berube	Iszler	Mutch	Shablow
Christensen, H.	Jacobson	Naaden	Smykowski
Christensen, L.	Jones	Nasset	Solberg
Conlin	Kautzmann	Nothing	Strand
Erdman	Larson	Pyle	Strinden
Freed	Lashkowitz	Rait	Thane
Fritzell	Lee	Redlin	Tweten
Goodman	Lips	Reiten	Vosper
Gronhovd	Longmire	Sandness	Walsh
Hoffner	Maher	Schultz, C.	Wenstrom
Holand	Melland	Schultz, J.	Wright

Those absent were:

Ringsak            Sands                            Stroup

A quorum was declared by the Lieutenant Governor.

Senator Nasset moved that a committee of two be appointed to escort

Chief Justice Ralph Erickstad of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the oath of office to the newly elected Senators. The Lieutenant Governor appointed as such committee Senators Freed and Berube. Chief Justice Erickstad then administered the oath of office to the newly elected Senators, with the exception of Senator Sands who was absent.

Prayer by Reverend Warren K. Johnson, First Lutheran Church, Bismarck:

We are gathered here in Your presence today to thank You for Your many blessings. We thank You for the privilege of living in the land where the people rule. We thank You for Your grace that is new each day. We are humble in Your presence. We ask for grace and guidance. We see a world filled with needs and problems. Help us as a nation; guide us as a state. Give us grace and wisdom sufficient to meet the test of our time. Bring health and physical stamina to each of our lawmakers. Bring mental clarity and sensitive spirit. Help us to do the greatest good for the most in a lasting way. Give each of us a sense of mutual respect and recognize the gifts of God in each. Bring wholeness, bring feeling, bring peace to our world. We ask this in the name of the Prince of Peace, Jesus Christ. Amen.

Senator Nasset moved that the Senate recess until 1:30 p.m., which motion prevailed.

The Senate reconvened, pursuant to recess taken.

Senator Nething moved that the name of Leo Leidholm of McLean County be placed in nomination for the office of Secretary of the Senate. Senator Pyle 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, 49; nays, 0; 2 absent and not voting.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Shablow
Berube	Jacobson	Naaden	Smykowski
Christensen, H.	Jones	Nasset	Solberg
Christensen, L.	Kautzmann	Nething	Strand
Conlin	Larson	Pyle	Strinden
Erdman	Lashkowitz	Rait	Stroup
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goodman	Longmire	Sandness	Vosper
Gronhovd	Maher	Schultz, C.	Walsh
Hoffner	Melland	Schultz, J.	Wenstrom
Holand	Morgan	Schuster	Wright

Absent and not voting:

Ringsak                 Sands

Leo Leidholm was declared elected Secretary of the Senate.

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

Senator Nething moved that the name of Dormilee Diede of Burleigh County be placed in nomination for the office of temporary Desk Reporter of the Senate. Senator Pyle moved that nominations cease, which motion prevailed.

#### ROLL CALL

The question being on the selection of Dormilee Diede as temporary Desk Reporter of the Senate, the roll was called and there were ayes 49, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Shablow
Berube	Jacobson	Naaden	Smykowski
Christensen, H.	Jones	Nasset	Solberg
Christensen, L.	Kautzmann	Nothing	Strand
Conlin	Larson	Pyle	Strinden
Erdman	Lashkowitz	Rait	Stroup
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goodman	Longmire	Sandness	Vosper
Gronhovd	Maher	Schultz, C.	Walsh
Hoffner	Melland	Schultz, J.	Wenstrom
Holand	Morgan	Schuster	Wright
Homuth			

Absent and not voting:

Ringsak Sands

Dormilee Diede was declared elected temporary Desk Reporter of the Senate.

The President then administered the oath of office to the temporary Desk Reporter of the Senate.

Senator Nothing moved that a committee of one be appointed to escort Mrs. Robert Stroup to the rostrum for the purpose of witnessing her Senator administered the oath of office.

The President appointed as such committee Senator Nasset.

Senator Nothing moved that a committee of two be appointed to escort Chief Justice Ralph Erickstad of the Supreme Court of the State of North Dakota to the rostrum for the purpose of administering the oath of office to Senator Stroup. The President appointed as such committee Senators Freed and Berube.

Chief Justice Erickstad then administered the oath of office to Senator Stroup.

Senator Nothing moved that the name of A.E. Bradley of Towner County be placed in nomination for the position of Sergeant-at-Arms. Senator Pyle 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 49, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Barth	Iszler	Mutch	Shablow
Berube	Jacobson	Naaden	Smykowski
Christensen, H.	Jones	Nasset	Solberg
Christensen, L.	Kautzmann	Nothing	Strand
Conlin	Larson	Pyle	Strinden
Erdman	Lashkowitz	Rait	Stroup
Freed	Lee	Redlin	Thane
Fritzell	Lips	Reiten	Tweten
Goodman	Longmire	Sandness	Vosper
Gronhovd	Maher	Schultz, C.	Walsh
Hoffner	Melland	Schultz, J.	Wenstrom
Holand	Morgan	Schuster	Wright
Homuth			

Absent and not voting:

Ringsak Sands

A.E. Bradley was declared elected Sergeant-at-Arms of the Senate.

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

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

**PROPOSED AMENDMENTS TO SENATE RULES AND JOINT RULES SECTION 1. AMENDMENT.)** Senate Rule No. 4 is hereby amended to read as follows:

**4. ORDER OF BUSINESS**

The order of business shall be as follows:

1. Prayer by the Chaplain.
2. Calling of Roll.
3. Reference to the Journal.
4. Presentation of Petitions and Communications.
5. Reports of Standing Committees.
6. a. Consideration of amendments; **and**  
b. **Committee reports for Indefinite Postponement.**
7. Reports of Select Committees.
8. Motions and Resolutions.
9. First Reading of Senate Bills, Memorials, and Resolutions.
10. Consideration of Bills and Resolutions on Consent Calendar.
11. Second Reading of Senate Bills, Memorials, and Resolutions.
12. Consideration of messages from the House.
13. First Reading of House Bills, Memorials, and Resolutions.
14. Second Reading of the same.
15. Unfinished Business.
16. Signing of Bills, Memorials, and Resolutions.
17. Announcements.

**SECTION 2. AMENDMENT.)** Senate Rule No. 9 is hereby amended to read as follows:

**9. DUTIES OF THE SERGEANT-AT-ARMS**

The Sergeant-at-Arms of the Senate, under the direction of the presiding officer, shall be the executive officer of the body for the enforcement of all rules adopted by the Senate for the regulation of the Senate. The Senate floor shall be under his immediate supervision, and he shall see that the Deputy Sergeant-at-Arms and the Assistant Sergeant-at-Arms perform the duties to which they are especially assigned and perform all other services and duties pertaining to his office and as directed by the President of the Senate. **The Sergeant-at-Arms shall clear the floor of the Senate Chamber in front of the railing of all persons, except legislators, legislative employees, and members of the press, during the time period commencing fifteen minutes before the Senate convenes on any legislative day until the Senate recesses for that calendar day.** The Sergeant-at-Arms shall also act as the supply clerk for the Senate, and shall be responsible for the ordering and distributing of supplies and stationery needed by Senators and Senate employees. The Sergeant-at-Arms may maintain a supply room, if space is available, and shall have sole control over such supply room, provided that such supply may be operated jointly in cooperation with the House Sergeant-at-Arms.

**SECTION 3. AMENDMENT.)** Senate Rule No. 13 is hereby amended to read as follows:

**13. RULES OF DEBATE**

No member shall speak more than twice on the same subject without leave of the Senate, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time ((, without unanimous consent of the Senate)); provided this rule shall not apply to the Majority and Minority Floor Leaders and the Chairman in charge of a bill.

**SECTION 4. AMENDMENT.)** Senate Rule No. 20 is hereby amended to read as follows:

## 20. STATING OF QUESTION AND DIVISION

Questions shall be put in substantially the following form: "As many as are in favor of (as the case may be) say aye"; and after the affirmative voice is expressed, "As many as are opposed, say nay." If the President is in doubt or a division be called for, the Senate shall divide; those in the affirmative of the question shall rise from their seats and afterwards those in the negative. The President will use only the total ayes and nays to determine if the question prevailed, and the fact that the question prevailed or failed shall be entered in the Journal without mention of the ayes or nays.

SECTION 5. AMENDMENT.) Senate Rule No. 23 is hereby amended to read as follows:

### 23. AYE AND NAY VOTE

((The)) Except as required by the Constitution or these rules, the ayes and nays shall not be ordered unless demanded by one-sixth of the members present ((, except on the passage of bills, joint resolutions, and concurrent resolutions to amend the Constitution of this State, or to ratify an amendment to the Constitution of the United States, in which case ayes and nays shall be had without demand)). No member or any other person shall remain by the Secretary's desk when the ayes and nays are being called. When the ayes and nays or ordered pursuant to this rule, the results will be printed in the Journal in their entirety.

SECTION 6. AMENDMENT.) Senate Rule No. 27 is hereby amended to read as follows:

### 27. SUSPENSION OF RULES

No standing rule or order of the Senate shall be reconsidered or suspended except by a vote of two-thirds of the members-elect ((, and no motion to suspend the rules and pass a bill shall be entertained except by unanimous consent, unless the bill has first been printed and considered by a committee, nor shall any standing rule or order requiring unanimous consent be reconsidered or suspended without unanimous consent)).

SECTION 7. AMENDMENT.) Senate Rule No. 29 is hereby amended to read as follows:

### 29. WHEN INTRODUCED

No bill shall be introduced after the fifteenth legislative day, nor shall any resolution, except those resolutions hereinafter provided for, be introduced after the ((thirtieth)) eighteenth legislative day, except upon the approval of a majority of the Committee on Delayed Bills or upon two-thirds vote of the Senate. No bill introduced at the request of an executive agency shall be introduced after the fifth legislative day, except upon approval of a majority of the Committee on Delayed Bills. Resolutions which propose amendments to the United States Constitution or the Constitution of North Dakota, and resolutions directing the Legislative Council to carry out a study, shall not be introduced after the thirty-third legislative day, and shall be reported back from the standing committee, if referred, no later than the forty-fourth legislative day. A resolution proposing a constitutional amendment or directing a Legislative Council study which is not reported back as provided in this rule shall automatically be placed on the calendar without recommendation, or, in the case of Legislative Council study resolutions, shall be re-referred in accordance with Senate Rule No. 36.

SECTION 8. AMENDMENT.) Senate Rule No. 38 is hereby amended to read as follows:

### 38. BILLS TO COMMITTEE ON APPROPRIATIONS

All bills or resolutions carrying an appropriation of ((two)) five thousand dollars or more shall be referred or re-referred to and acted upon by the Committee on Appropriations, and all bills or resolutions affecting a change in the audit or fiscal procedures of a state agency or institution shall be originally referred to and acted upon by that Com-

mittee, before final action by the Senate thereon, unless otherwise ordered by a majority vote of the members present.

SECTION 9. AMENDMENT.) Subsection 2 of Senate Rule No. 39 is hereby amended to read as follows:

2. Appropriations: (13 members)

All bills calling for appropriations in excess of ((two)) five thousand dollars. All bills and resolutions proposing a change in the audit or fiscal procedures of state agencies or institutions.

SECTION 10. AMENDMENT.) Senate Rule No. 44 is hereby amended to read as follows:

44. DISPOSITION OF MEASURES

No bill or resolution, except an appropriations measure, may be held in a committee for more than twenty-one legislative days after it is referred to the committee, unless an extension of time is granted by the Senate. ((If the bill or resolution is not reported as required by this rule and such time is not extended, it shall automatically go on the calendar of bills without recommendation)) All Senate bills and resolutions, except resolutions proposing amendments to the Constitutions of the United States or North Dakota, or resolutions directing an interim study by the Legislative Council, shall be reported back to the Senate no later than the thirty-first legislative day, and if not so reported back, shall automatically be placed on the calendar without recommendation. The same rule shall apply to all ((Senate bills not reported back by the thirty-first legislative day and)) House bills and resolutions not reported back to the Senate by the forty-seventh legislative day.

SECTION 11. AMENDMENT.) Senate Rule No. 46 is hereby amended to read as follows:

46. REPORT OF COMMITTEES

The report of a committees hall be for passage, for indefinite postponement, for amendment, or without recommendation. If for indefinite postponement, the committee report shall be considered on the next legislative day under the Sixth Order of Business. If the report is for amendment, the proposed amendments shall be fully set forth in the report. If such report is adopted, the ((bill)) measure shall thereupon go on the calendar for the next legislative day for action of the Senate as to amendments under the Sixth Order of Business. No action shall be taken upon amendments until a full mimeographed or printed copy of the report is in the hands of the members. Upon receiving the report, the Secretary shall cause copies thereof to be made and placed on the desk of each member; provided, however, that upon a two-thirds vote of the members-elect, this may be suspended, and the amendment acted on immediately after the report of the committee.

If ((a report or motion recommending a bill)) the committee report recommends the measure for passage without amendment ((is adopted)), the ((bill)) measure shall go on the calendar or consent calendar for the next legislative day for second reading and final passage.

If a report or motion for indefinite postponement is adopted, it shall have the effect of entirely removing the ((bill or resolution)) measure from before the Senate for that session (unless revived by motion to reconsider). The passage of a motion for the adoption of a report recommending amendments has the effect of adopting the report but not the amendments. A member may also move that a report for indefinite postponement be substituted for the regular committee report. If such a motion carries, the question of indefinite postponement of the measure shall be laid over until the next legislative day, when it will be considered under the Sixth Order of Business.

SECTION 12.) Senate Rule No. 55.1 is hereby created to read as follows:

### 55.1 RECORDED ROLL CALL VOTES

No action by the Senate which may result in final disposition of a bill, or resolution proposing a constitutional amendment, shall be taken except by a recorded roll call vote, and the vote of each member, or a record of his absence or failure to vote, shall be recorded in the Journal. As used in this Rule, "final disposition" includes any procedure which, barring reconsideration, results in the Senate being unable to give further consideration during that legislative Session to the particular measure which was under consideration.

SECTION 13. AMENDMENT.) Joint Rule No. 16 is hereby amended to read as follows:

#### 16. UNCONTESTED BILLS — CONSENT CALENDAR

Each standing committee may report an uncontested bill or resolution out of committee and may include in its committee report a recommendation that it be placed on the consent calendar. As used in this rule, "uncontested bill" (or "resolution") means any bill or resolution, except those containing appropriations, which receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present provided a quorum is present.

Following the ((adoption)) presentation of a committee report recommending passage, or the adoption of committee amendments thereto, if any, all bills or resolutions reported by the committee as uncontested shall be placed on the consent calendar by the Secretary of the Senate or Chief Clerk of the House, and shall be known as "consent calendar bills" (or "resolutions"). Any consent calendar bill or resolution which is amended from the floor shall cease to be a consent calendar bill or resolution and shall be placed on the regular calendar. Upon objection of ((any member)) one-third of the members-elect to the placement or retention of any bill or resolution on the consent calendar, such shall cease to be a consent calendar bill or resolution and shall be placed on the regular calendar. No consent calendar bill or resolution shall be considered for adoption on the same legislative day it is placed on the consent calendar.

SECTION 14. REPEAL.) Joint Legislative Rule No. 23 is hereby repealed.

#### SELECTION OF SENATE SEATS

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

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

Senator Nething moved that a committee of seven be appointed to form the Committee on Committees, which motion prevailed. The President appointed as such committee Senators Nething, Pyle, Strinden, Stroup, Nasset, Freed and Berube.

Senator Nething moved that a committee of three be appointed to act as the Committee on Arrangements for Senate Committee Rooms, which motion prevailed. The President appointed as such committee Senators Melland, C. Schultz and L. Christensen.

Senator Nething moved that a committee of eight be appointed to act as a Committee on Employment, which motion prevailed. The President appointed as such committee Senators Solberg, Morgan, Lee, Iszler, Sands, Redlin, Larson and Holand.

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

Senator Nething moved that a committee of nine be appointed to act as



a Committee on Senate and Joint Rules, which motion prevailed. The President appointed as such committee Senators Nething, Pyle, Nasset, Melland, Longmire, Strinden, L. Christensen, Barth and Hoffner.

Senator Nething moved that a committee of three be appointed to act as a Committee on Photography, which motion prevailed. The President appointed as such committee Senators Jay Schultz, Chrnm., H. Christensen, Grønhovd.

The President appointed Senators Fritzell, Naaden and Schuster to act with a like committee from the House to plan for the joint session to be held on January 7, 1975.

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

Senator Nething moved that the Senate recess until December 4, 1974, at 9:00 a.m.

LEO LEIDHOLM, Secretary



SECOND DAY OF  
LEGISLATIVE ORGANIZATIONAL SESSION

Bismarck, December 4, 1974

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

Roll call revealed the presence of all Senators with the exception of Senators Maher, Mutch, Naaden, Ringsak and Sands.

A quorum was declared by the President.

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

SENATE MEMORIAL RESOLUTION

Senator Nething requested the unanimous consent of the Senate to introduce Senate Memorial Resolution No. 1, which request was granted.

FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senator Wenstrom introduced:

Senate Memorial Resolution No. 1.

**Senate Memorial Resolution No. 1.** A Memorial Resolution extending sympathy and condolence to Senator Ernest Sands and his family upon the death of his mother-in-law.

Was read the first time.

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

SENATE MEMORIAL RESOLUTION No. 1

Introduced by Senator Wenstrom

1 A memorial resolution extending sympathy and condolence

1a to

2 Senator Ernest Sands and his family upon the death of

2a his

3 mother-in-law.

4

5 WHEREAS, God in His infinite wisdom has seen fit

5a to summon

6 from our midst Mrs. Averil Yeager, mother of Ione Sands,

6a who

7 is the wife of our colleague, Senator Ernest Sands; and

8 WHEREAS, Senator Ernest Sands is held in the highest

9 esteem by all members of the Legislative Assembly, who

9a share

10 with him and his family in their sorrow;

11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF

11a THE

12 STATE OF NORTH DAKOTA:

13 That we express our deepest sorrow and extend to

13a Senator

14 Ernest Sands and his family our sincere sympathy and

14a condolence

15 in this their time of sorrow; and

16 BE IT FURTHER RESOLVED, that this resolution be

16a entered in

17 the journal, and the Secretary of State is hereby  
17a directed to  
18 present an enrolled copy to Senator Ernest Sands and  
18a members  
19 of his family.

**SECOND READING OF A SENATE MEMORIAL RESOLUTION**

**Senate Memorial Resolution No. 1.** A Memorial Resolution extending sympathy and condolence to Senator Ernest Sands and his family upon the death of his mother-in-law.

Which has been read.

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

Senator Nething moved that the Senate recess until 9:00 a.m., December 5, 1974, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRD DAY OF  
LEGISLATIVE ORGANIZATIONAL SESSION

Bismarck, December 5, 1974

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

Roll call revealed the presence of all Senators with the exception of Senators Freed, Longmire, Mutch, Naaden, Nasset, Ringsak and Sands.

A quorum was declared by the President.

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

Senator Nething moved that the Senate recess for a joint session with the House until 1:30 p.m., which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Rules appointed to recommend legislative rules has had the same under consideration and recommends that the Senate and Joint Rules of the Forty-third Legislative Assembly be adopted as the Permanent Senate and Joint Rules of the Forty-fourth Legislative Assembly, with amendments, and that the reading of this report be dispensed with:

**PROPOSED AMENDMENTS TO SENATE RULES AND JOINT RULES SECTION 1. AMENDMENT.)** Senate Rule No. 4 is hereby amended to read as follows:

**4. ORDER OF BUSINESS**

The order of business shall be as follows:

1. Prayer by the Chaplain.
2. Calling of Roll.
3. Reference to the Journal.
4. Presentation of Petitions and Communications.
5. Reports of Standing Committees.
6. a. Consideration of amendments; and  
b. Committee reports for Indefinite Postponement.
7. Reports of Select Committees.
8. Motions and Resolutions.
9. First Reading of Senate Bills, Memorials, and Resolutions.
10. Consideration of Bills and Resolutions on Consent Calendar.
11. Second Reading of Senate Bills, Memorials, and Resolutions.
12. Consideration of messages from the House.
13. First Reading of House Bills, Memorials, and Resolutions.
14. Second Reading of the same.
15. Unfinished Business.
16. Signing of Bills, Memorials, and Resolutions.
17. Announcements.

**SECTION 2. AMENDMENT.)** Senate Rules No. 9 is hereby amended to read as follows:

**9. DUTIES OF THE SERGEANT-AT-ARMS**

The Sergeant-at-Arms of the Senate, under the direction of the presiding officer, shall be the executive officer of the body for the enforcement of all rules adopted by the Senate for the regulation of the Senate. The Senate floor shall be under his immediate supervision, and he shall see that the Deputy Sergeant-at-Arms and the Assistant Sergeant-at-Arms perform the duties to which they are especially assigned and

perform all other services and duties pertaining to his office and as directed by the President of the Senate. The Sergeant-at-Arms shall clear the floor of the Senate Chamber in front of the railing of all persons, except legislators, legislative employees, and members of the press, during the time period commencing fifteen minutes before the Senate convenes on any legislative day until the Senate recesses for that calendar day. The Sergeant-at-Arms shall also act as the supply clerk for the Senate, and shall be responsible for the ordering and distributing of supplies and stationery needed by Senators and Senate employees. The Sergeant-at-Arms may maintain a supply room, if space is available, and shall have sole control over such supply room, provided that such supply may be operated jointly in cooperation with the House Sergeant-at-Arms.

SECTION 3. AMENDMENT.) Senate Rule No. 13 is hereby amended to read as follows:

### 13. RULES OF DEBATE

No member shall speak more than twice on the same subject without leave of the Senate, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time ((, without unanimous consent of the Senate)); provided this rule shall not apply to the Majority and Minority Floor Leaders and the Chairman in charge of a bill.

SECTION 4. AMENDMENT.) Senate Rule No. 20 is hereby amended to read as follows:

### 20. STATING OF QUESTION AND DIVISION

Questions shall be put in substantially the following form: "As many as are in favor of (as the case may be) say aye"; and after the affirmative voice is expressed, "As many as are opposed, say nay." If the President is in doubt or a division be called for, the Senate shall divide; those in the affirmative of the question shall rise from their seats and afterwards those in the negative. The President will use only the total ayes and nays to determine if the question prevailed, and the fact that the question prevailed or failed shall be entered in the Journal without mention of the ayes or nays.

SECTION 5. AMENDMENT.) Senate Rule No. 23 is hereby amended to read as follows:

### 23. AYE AND NAY VOTE

((The)) Except as required by the Constitution or these rules, the ayes and nays shall not be ordered unless demanded by one-sixth of the members present ((, except on the passage of bills, joint resolutions, and concurrent resolutions to amend the Constitution of this State, or to ratify an amendment to the Constitution of the United States, in which case ayes and nays shall be had without demand)). No member or any other person shall remain by the Secretary's desk when the ayes and nays are being called. When the ayes and nays or ordered pursuant to this rule, the results will be printed in the Journal in their entirety.

SECTION 6. AMENDMENT.) Senate Rule No. 27 is hereby amended to read as follows:

### 27. SUSPENSION OF RULES

No standing rule or order of the Senate shall be reconsidered or suspended except by a vote of two-thirds of the members-elect ((, and no motion to suspend the rules and pass a bill shall be entertained except by unanimous consent, unless the bill has first been printed and considered by a committee, nor shall any standing rule or order requiring unanimous consent be reconsidered or suspended without unanimous consent)).

SECTION 7. AMENDMENT.) Senate Rule No. 29 is hereby amended to read as follows:

### 29. WHEN INTRODUCED

No bill shall be introduced after the fifteenth legislative day, nor shall

any resolution, except those resolutions hereinafter provided for, be introduced after the (((thirtieth))) eighteenth legislative day, except upon the approval of a majority of the Committee on Delayed Bills or upon two-thirds vote of the Senate. No bill introduced at the request of an executive agency shall be introduced after the fifth legislative day, except upon approval of a majority of the Committee on Delayed Bills. Resolutions which propose amendments to the United States Constitution or the Constitution of North Dakota, and resolutions directing the Legislative Council to carry out a study, shall not be introduced after the thirty-third legislative day, and shall be reported back from the standing committee, if referred, no later than the forty-fourth legislative day. A resolution proposing a constitutional amendment or directing a Legislative Council study which is not reported back as provided in this rule shall automatically be placed on the calendar without recommendation, or, in the case of Legislative Council study resolutions, shall be re-referred in accordance with Senate Rule No. 36.

SECTION 8. AMENDMENT.) Senate Rule No. 38 is hereby amended to read as follows:

#### 38. BILLS TO COMMITTEE ON APPROPRIATIONS

All bills or resolutions carrying an appropriation of (((two))) five thousand dollars or more shall be referred or re-referred to and acted upon by the Committee on Appropriations, and all bills or resolutions affecting a change in the audit or fiscal procedures of a state agency or institution shall be originally referred to and acted upon by that Committee, before final action by the Senate thereon, unless otherwise ordered by a majority vote of the members present.

SECTION 9. AMENDMENT.) Subsection 2 of Senate Rule No. 39 is hereby amended to read as follows:

#### 2. Appropriations: (13 members)

All bills calling for appropriations in excess of (((two))) five thousand dollars. All bills and resolutions proposing a change in the audit or fiscal procedures of state agencies or institutions.

SECTION 10. AMENDMENT.) Senate Rule No. 44 is hereby amended to read as follows:

#### 44. DISPOSITION OF MEASURES

No bill or resolution, except an appropriations measure, may be held in a committee for more than twenty-one legislative days after it is referred to the committee, unless an extension of time is granted by the Senate. ((If the bill or resolution is not reported as required by this rule and such time is not extended, it shall automatically go on the calendar of bills without recommendation))) All Senate bills and resolutions, except resolutions proposing amendments to the Constitutions of the United States or North Dakota, or resolutions directing an interim study by the Legislative Council, shall be reported back to the Senate no later than the thirty-first legislative day, and if not so reported back, shall automatically be placed on the calendar without recommendation. The same rule shall apply to all (((Senate bills not reported back by the thirty-first legislative day and))) House bills and resolutions not reported back to the Senate by the forty-seventh legislative day.

SECTION 11. AMENDMENT.) Senate Rule No. 46 is hereby amended to read as follows:

#### 46. REPORT OF COMMITTEES

The report of a committee shall be for passage, for indefinite postponement, for amendment, or without recommendation. If for indefinite postponement, the committee report shall be considered on the next legislative day under the Sixth Order of Business. If the report is for amendment, the proposed amendments shall be fully set forth in the report. If such report is adopted, the (((bill))) measure shall thereupon

go on the calendar for the next legislative day for action of the Senate as to amendments under the Sixth Order of Business. No action shall be taken upon amendments until a full mimeographed or printed copy of the report is in the hands of the members. Upon receiving the report, the Secretary shall cause copies thereof to be made and placed on the desk of each member; provided, however, that upon a two-thirds vote of the members-elect, this may be suspended, and the amendment acted on immediately after the report of the committee.

If (((a report or motion recommending a bill))) the committee report recommends the measure for passage without amendment ((is adopted)), the ((bill)) measure shall go on the calendar or consent calendar for the next legislative day for second reading and final passage.

If a report or motion for indefinite postponement is adopted, it shall have the effect of entirely removing the ((bill or resolution)) measure from before the Senate for that session (unless revived by motion to reconsider). The passage of a motion for the adoption of a report recommending amendments has the effect of adopting the report but not the amendments. A member may also move that a report for indefinite postponement be substituted for the regular committee report. If such a motion carries, the question of indefinite postponement of the measure shall be laid over until the next legislative day, when it will be considered under the Sixth Order of Business.

SECTION 12.) Senate Rules No. 55.1 is hereby created to read as follows:

#### 55.1 RECORDED ROLL CALL VOTES

No action by the Senate which may result in final disposition of a bill, or resolution proposing a constitutional amendment, shall be taken except by a recorded roll call vote, and the vote of each member, or a record of his absence or failure to vote, shall be recorded in the Journal. As used in this Rule, "final disposition" includes any procedure which, barring reconsideration, results in the Senate being unable to give further consideration during that legislative Session to the particular measure which was under consideration.

SECTION 13. AMENDMENT.) Joint Rule No. 16 is hereby amended to read as follows:

#### 16. UNCONTESTED BILLS — CONSENT CALENDAR

Each standing committee may report an uncontested bill or resolution out of committee and may include in its committee report a recommendation that it be placed on the consent calendar. As used in this rule, "uncontested bill" (or "resolution") means any bill or resolution, except those containing appropriations, which receives a do-pass or do-pass-as-amended recommendation from the committee to which it is referred, by unanimous vote of the members present provided a quorum is present.

Following the ((adoption)) presentation of a committee report recommending passage, or the adoption of committee amendments thereto, if any, all bills or resolutions reported by the committee as uncontested shall be placed on the consent calendar by the Secretary of the Senate or Chief Clerk of the House, and shall be known as "consent calendar bills" (or "resolutions"). Any consent calendar bill or resolution which is amended from the floor shall cease to be a consent calendar bill or resolution and shall be placed on the regular calendar. Upon objection of ((any member)) one-third of the members-elect to the placement or retention of any bill or resolution on the consent calendar, such shall cease to be a consent calendar bill or resolution and shall be placed on the regular calendar. No consent calendar bill or resolution shall be considered for adoption on the same legislative day it is placed on the consent calendar.



SECTION 14. REPEAL.) Joint Legislative Rule No. 23 is hereby repealed.

Senator Nothing moved that the report of the Procedural Committee on Rules be amended as follows:

AMENDMENTS TO SENATE RULES

SECTION 1. AMENDMENT.) Subsection 3 of Senate Rule No. 39 is hereby amended to read as follows:

SECTION 2. AMENDMENT.) Subsection 9 of Senate Rule No. 39 is hereby amended to read as follows:

9. Political Subdivisions: (((8))) 7 members)

Cities; Counties; Townships; Park Districts; Apportionment.

SECTION 3. AMENDMENT.) Subsection 10 of Senate Rule No. 39 is hereby amended to read as follows:

10. Social Welfare and Veterans' Affairs: (((7))) 8 members)

Public Welfare; Public Health; Public Safety; Temperance; Matters Affecting the Military and Veterans.

SECTION 4. AMENDMENT.) Subsection 11 of Senate Rule No. 39 is hereby amended to read as follows:

11. Transportation: (((8))) 7 members)

Highways and Bridges; Railroads; Motor Vehicles; Airlines and Airports.

Which motion prevailed.

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

AMENDMENT TO SENATE RULE

SECTION 1. AMENDMENT.) Senate Rule No. 25 is hereby amended to read as follows:

25. PROCEDURE IN EXCUSING MEMBER VOTING

When a member asks to be excused, or declines to vote on a call of his name, he shall be required to assign his reasons therefore; and having assigned them, the presiding officer shall submit the question to the Senate, "Shall the member, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. These proceedings shall ((be had after the vote has been taken and before the Chair has announced the vote)) occur prior to the taking of the vote.

Senator Melland moved that Senate Rule No. 25 be further amended as follows:

In the first sentence insert triple parentheses before the word "on" and after the word "name".

Which motion prevailed.

Senator Nothing moved that the report be adopted, which motion prevailed and the report was adopted, as amended.

ELECTION OF PRESIDENT PRO TEM

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

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

Senator Nothing moved that nominations cease, which motion prevailed.

ROLL CALL

The question being on the selection of President Pro Tem, the roll was called and revealed Melland 32, Erdman 17, absent and not voting 3.

Those voting for Melland were:

Christensen, H.	Kautzmann	Pyle	Strinden
Erdman	Lee	Reiten	Stroup
Freed	Lips	Sandness	Thane
Fritzell	Morgan	Schultz, C.	Tweten
Goodman	Mutch	Schultz, J.	Vosper

Iszler	Naaden	Smykowski	Wenstrom
Jacobson	Nasset	Solberg	Wright
Jones	Nething	Strand	

Those voting for Erdman were:

Barth	Hoffner	Lashkowitz	Redlin
Berube	Holand	Maher	Schuster
Christensen, L.	Homuth	Melland	Shablow
Conlin	Larson	Rait	Walsh
Gronhovd			

Those Absent and not voting:

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

#### REPORT OF SELECT COMMITTEES

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

#### SENATE COMMITTEE ASSIGNMENTS

#### SENATE STANDING COMMITTEES

#### APPROPRIATIONS COMMITTEE

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

#### FINANCE AND TAXATION COMMITTEE

Stroup, Chairman  
 Goodman, Vice Chairman  
 Wright  
 Lee  
 J. Schultz  
 Barth  
 Conlin  
 Shablow

#### JUDICIARY COMMITTEE

Freed, Chairman  
 Iszler, Vice Chairman  
 Ringsak  
 Sands  
 H. Christensen  
 Schuster  
 Lashkowitz

#### EDUCATION COMMITTEE

Nasset, Chairman  
 Tweten, Vice Chairman  
 Strand  
 Solberg

Sandness  
Berube  
L. Christensen  
Redlin

**INDUSTRY, BUSINESS AND LABOR COMMITTEE**

Kautzmann, Chairman  
Reiten, Vice Chairman  
Jacobson  
Mutch  
Fritzell  
Gronhovd  
Homuth

**STATE AND FEDERAL GOVERNMENT COMMITTEE**

Jones, Chairman  
Smykowski, Vice Chairman  
Morgan  
Vosper  
Hoffner  
Holand  
Rait

**AGRICULTURE COMMITTEE**

Morgan, Chairman  
Wright, Vice Chairman  
Jones  
Vosper  
Redlin  
Barth  
Homuth

**SOCIAL WELFARE AND VETERANS AFFAIRS COMMITTEE**

Ringsak, Chairman  
Sandness, Vice Chairman  
Kautzmann  
Freed  
H. Christensen  
Holand  
Rait  
Conlin

**TRANSPORTATION COMMITTEE**

Mutch, Chairman  
Solberg, Vice Chairman  
Iszler  
Strand  
Tveten  
Gronhovd  
Lashkowitz

**NATURAL RESOURCES**

Jacobson, Chairman  
Lee, Vice Chairman  
Fritzell  
Stroup  
Nasset  
Schuster  
L. Christensen

**POLITICAL SUBDIVISIONS**

Sands, Chairman  
J. Schultz, Vice Chairman  
Goodman  
Reiten

Smykowski  
Shablow  
Berube

## SENATE PROCEDURAL COMMITTEES

## CORRECTION AND REVISION OF JOURNAL

Sandness, Chrnm.

Vosper  
Shablow

## DELAYED BILLS

Thane, Chrnm.

Naaden  
C. Schultz  
Hoffner  
Barth

## EMPLOYMENT

Solberg, Chrnm.

Morgan  
Lee

Iszler  
Sands

Larson  
Holand  
Redlin

## ENROLLING AND ENGROSSING

Strand, Chrnm.

Vosper  
Fritzell  
Walsh  
Maher

## LEGISLATIVE COUNCIL RESOLUTIONS

Goodman, Chrnm.

Wenstrom  
H. Christensen  
Rait  
Erdman

## RULES

Nething, Chrnm.

Pyle  
Nasset  
Melland  
Longmire

Strinden  
Hoffner  
Barth

L. Christensen

## PHOTOGRAPHY

J. Schultz, Chrnm.

H. Christensen  
Gronhovd

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

Senator Hoffner requested a Roll Call vote, which request was granted.

## ROLL CALL

The roll was called and there were ayes, 31; nays, 17; absent and not voting 3.

Those voting aye were:

Christensen, H.	Lee	Pyle	Strinden
Freed	Lips	Reiten	Stroup
Fritzell	Melland	Sandness	Thane

Goodman	Morgan	Schultz, C.	Tweten
Iszler	Mutch	Schultz, J.	Vosper
Jacobson	Naaden	Smykowski	Wenstrom
Jones	Nasset	Solberg	Wright
Kautzmann	Nething	Strand	

Those voting nay were:

Barth	Gronhovd	Larson	Redlin
Berube	Hoffner	Lashkowitz	Schuster
Christensen, L.	Holand	Maher	Shablow
Conlin	Homuth	Rait	Walsh
Erdman			

Those absent and not voting:

Longmire	Ringsak	Sands
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The report was adopted on a recorded Roll Call vote.

REPORT OF SELECT COMMITTEES

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

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

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

REPORT OF SELECT COMMITTEES

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

Mary Alice Simonson, Bismarck	Chief Steno and Payroll Clerk
Lois J. Scherr	Secretary (Majority Floor Leader)

Senator Solberg moved that the report be adopted, which motion prevailed and the report was adopted, on a Roll Call vote.

The final passage of the bill, as amended.

ROLL CALL

The roll was called and there were ayes, 47; nays, 0; absent and not voting 4.

Those voting aye were:

Barth	Iszler	Naaden	Smykowski
Berube	Jacobson	Nasset	Solberg
Christensen, H.	Jones	Nething	Strand
Christensen, L.	Kautzmann	Pyle	Strinden
Conlin	Larson	Rait	Stroup
Erdman	Lashkowitz	Redlin	Thane
Freed	Lee	Reiten	Tweten
Fritzell	Lips	Sandness	Vosper
Goodman	Maher	Schultz, C.	Walsh
Hoffner	Melland	Schultz, J.	Wenstrom

Holand	Morgan	Schuster	Wright
Homuth	Mutch	Shablow	
Those absent and not voting:			
Gronhovd	Longmire	Ringsak	Sands

#### PERSONAL PRIVILEGE

Senator Nothing..

Mr. President, Ladies and Gentlemen of the Senate:

You are aware of the extension of the offers of cooperation from the Executive Branch and each house of the legislature. Accomplishment of these efforts should be constantly in our minds from the time we convene on January 7th at 12:00 Noon until we adjourn sine die in mid March.

However, I also want to direct your attention to the fact that we as members of this Senate, and our colleague House members, are the Legislative Branch of government. We are a separate and distinct entity of government and our responsibilities are also separate and distinct. With us rests the responsibility and challenge of providing the legislation for the direction of our State through 1976.

Because of these constitutional duties, it seems fitting and proper that you should be made aware of some of the overriding objectives of the leadership of the Majority.

We are living in our economic period of extreme inflation. Perhaps indirectly we are responsible for some of it. However, there are certain ways we can directly aid in reducing it. Inflation is from government and private industry spending money without increasing production. This legislature must review every appropriation to determine if the money spent will increase productivity. If it does not we must modify the expenditures.

Paying our current state employees a fair and equitable salary is not inflationary. The employment of new employees without increasing productivity is. Our emphasis must be for the benefit of the current employee.

Another non-inflationary objective is the setting aside of funds for the payment of the Vietnam Bonus Bonds. We can then repeal the tax now paid by all of our taxpayers including recipients of the bonus.

We must not spend our projected income for the next biennium beyond the existing tax structure. And we must carefully guard our expenditures so as not to require a tax increase in the 1977-79 biennium.

Economic development in North Dakota is of continuous concern to us. We have been blessed with many resources in our State, both natural and human. Our responsibility is to permit the orderly and most beneficial development of both. We must properly support and continue to improve agriculture research in our State. We must provide a fair and equitable program of taxation for our resource development. This legislature has previously indicated its support of a severance tax on coal and shall again recognize its desirability as well as the proper distribution of the same. We shall consider a better utilization of the Bank of North Dakota to provide financial assistance thru local banks to improve agriculture development. Our overriding consideration must be positive legislation for economic development in North Dakota to encourage our sons and daughters to remain here. It can be done. In District No. 29 we have a nonpolluting industrial plant employing about 375 persons. The average age of management is 29; the average age of the employee is 22. We need more of this all over North Dakota.

Your Majority will again be demonstrating strong consideration for properly funding elementary and secondary education. We believe a high standard of education can be provided in North Dakota without placing an unfair burden on the taxpayer's real estate.

Our municipalities need assistance from us in many areas. One of these will be the establishment of a municipal bond bank at the Bank of North Dakota. This will enable all communities to have access to a bond market thus permitting them to not only find a source of money for their improvements but also to obtain the lowest rate of interest available.

Mr. President, Ladies and Gentlemen of the Senate, North Dakota does not experience as large a crime rate as many other states. Yet we do have an ever increasing amount of vandalism and other nonperson crimes such as shoplifting which is actually larceny. This is true not only in our cities but also in our rural areas. We, therefore, must support legislation designed to aid law enforcement and to deter the commission of these senseless, costly, childish acts. We must also work closely with the Attorney General's Office regarding law enforcement as it relates to drug abuse.

In addition, this legislature shall continue its efforts to assist our state institutions in obtaining the results they seek.

In conclusion, Mr. President, the Majority respectfully encourages each individual member of the Minority to advance and support their ideas on how to keep North Dakota the great state that it is. We can readily recognize that as the single objective of all of us. Our differences will only be how to attain it. When you cast your vote, vote your conviction to the best of your ability. Voting in such a manner is as telling the truth and your constituents will forever respect you.

#### COMMUNICATION

FROM: Senator Elton Ringsak

TO: North Dakota State Senate

I am having a vacation in the Rehab Hospital in Grand Forks, where they are flushing out my mean blood and putting in love only.

My congratulations to Bob on his election as President Pro Tem of the Senate.

My congratulations to the Majority and Minority Floor Leaders and Assistants, and all Committee Chairmen.

My special congratulations to the members of each committee who do all the work.

May I request that Senator Melland excuse the absent Senators in his unique, reverent, benevolent manner.

Best wishes and a happy Christmas to all.

SENATOR RINGSAK

Senator Melland moved that Senator Ringsak's message to the North Dakota State Senate be printed in the Journal, which motion prevailed.

Senator Nething moved that the Senate recess until 12:00 noon, January 7, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary







Doris McMahon was declared elected Desk Reporter. The President then administered the oath of office to the Desk Reporter.

#### FIRST READING OF SENATE BILLS

Committee on Appropriations introduced:

**Senate Bill No. 2001.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the State of North Dakota.

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

Committee on Appropriations introduced:

**Senate Bill No. 2002.** A Bill for an Act making an appropriation for defraying the expenses of various divisions thereof of the state of North Dakota and which are under the supervision of the director of accounts and purchases.

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

Committee on Appropriations introduced:

**Senate Bill No. 2003.** A Bill for an Act making an appropriation for defraying expenses of the judicial branch of the government of the state of North Dakota.

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

Committee on Appropriations introduced:

**Senate Bill No. 2004.** A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands.

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

Committee on Appropriations introduced:

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

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

Committee on Appropriations introduced:

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

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

Committee on Appropriations introduced:

**Senate Bill No. 2007.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions.

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

Committee on Appropriations introduced:

**Senate Bill No. 2008.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

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

Committee on Appropriations introduced:

**Senate Bill No. 2009.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

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

Committee on Appropriations introduced:

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

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

Committee on Appropriations introduced:

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

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

Committee on Appropriations introduced:

**Senate Bill No. 2012.** A Bill for an Act making an appropriation for defraying expenses of the pardon board and parole office.

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

Committee on Appropriations introduced:

**Senate Bill No. 2013.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general.

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

Committee on Appropriations introduced:

**Senate Bill No. 2014.** A Bill for an Act to appropriate money for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

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

Committee on Appropriations introduced:

**Senate Bill No. 2015.** A Bill for an Act making an appropriation for defraying expenses of the North Dakota educational broadcasting council.

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

Senators Wenstrom, Lips, Larson, Barth introduced:

**Senate Bill No. 2016.** A Bill for an Act to provide for a periodic review of employee bond coverage, and to amend and reenact sections 26-23-01, 26-23-02.1, 26-23-05, 26-23-06, 26-23-07, 26-23-08, 26-23-09, 26-23-10, 26-23-11, 26-23-15, 26-23-17, 26-23-18, 26-23-19, 26-23-20, 26-23-22, 43-04-06, 43-05-05, 43-10-03, 43-11-07, 43-13-06, 43-15-07, 43-19.1-09, 43-25-06, and 43-35-06, relating to public official and employee bond coverage as provided under the state bonding fund.

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

Senators Wenstrom, Lips, Larson, Barth introduced:

**Senate Bill No. 2017.** A Bill for an Act to create and enact section 6-01-31 of the North Dakota Century Code, providing that certain accounts with financial institutions be subject to inspection, audit, or examination by the state auditor, the commissioner of banking, or the attorney general.

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

Senators Barth, Larson, Lips, Wenstrom introduced:

**Senate Bill No. 2018.** A Bill for an Act to amend and reenact subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to the authority of the state auditor to examine the books and records of state agencies and occupational and professional boards and commissions.

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

Senators Strinden, Melland, Erdman, Nasset, Thane, Wenstrom introduced:

**Senate Bill No. 2019.** A Bill for an Act providing for the creation of a preliminary planning revolving fund for the prepayment 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.

Senators Melland, Erdman, Nasset, Strinden, Thane, Wenstrom introduced:

**Senate Bill No. 2020.** A Bill for an Act to amend and reenact sections 15-55-02 and 15-55-18 of the North Dakota Century Code, relating to the issuance of revenue bonds by institutions under the control of the board of higher education, junior colleges, and off-campus educational centers.

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

Senators Goodman, Reiten, Strand introduced:

**Senate Bill No. 2021.** A Bill for an Act to amend and reenact section 15-47-34 of the North Dakota Century Code, relating to the education of deaf-blind children.

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

Senators Strand, Reiten introduced:

**Senate Bill No. 2022.** 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 and educational centers and to change the formula for computing such aid.

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

Senators Goodman, Reiten, Strand introduced:

**Senate Bill No. 2023.** A Bill for an Act to amend and reenact section 15-18-08 of the North Dakota Century Code, relating to standards for state aid and to provide for an annual review of institutional budgets for junior colleges and educational centers by the state board of public school education.

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

Senators Strand, Reiten introduced:

**Senate Bill No. 2024.** A Bill for an Act to amend and reenact section 15-18-09 of the North Dakota Century Code, relating to the verification of students attending junior colleges and educational centers for state aid purposes.

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

Senators Redlin, Lips, Solberg, Tweten introduced:

**Senate Bill No. 2025.** A Bill for an Act to amend and reenact sections 15-45-01 and 15-45-04 of the North Dakota Century Code, relating to the establishment of kindergartens and providing for an election for a mill levy for kindergartens.

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

Senators Lips, Redlin, Berube, Solberg, Tweten introduced:

**Senate Bill No. 2026.** A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program; to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-16, 15-40.2-03, and 57-15-14 of the North Dakota Century Code, relating to foundation program payments, tax levy limitations in school districts, aid for transportation, and tuition payments for school districts; to repeal section 57-58-02 of the North Dakota Century Code, relating to computation of grants-in-aid to county equalization funds; and declaring legislative intent.

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

Senators Tweten, Solberg, Berube introduced:

**Senate Bill No. 2027.** A Bill for an Act to amend and reenact sections 15-40.1-03, 15-40.1-04, and subsection 3 of section 57-51-15 of the North Dakota Century Code, relating to the school districts' share of oil and gas gross production tax proceeds.

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

Senators Lips, Redlin introduced:

**Senate Bill No. 2028.** A Bill for an Act to amend and reenact subsection 6 of section 21-03-07 of the North Dakota Century Code, relating to the vote required for passage of school district bond issues.

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

Senators Redlin, Lips introduced:

**Senate Bill No. 2029.** A Bill for an Act to amend and reenact section 57-15-16 of the North Dakota Century Code, to provide for majority votes in elections concerning school building funds.

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

Senators Redlin, Solberg, Tweten introduced:

**Senate Bill No. 2030.** A Bill for an Act to require that a statement of full consideration be filed with certain deeds or with the state tax commissioner; and providing a penalty.

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

Senators J. Schultz, Shablow introduced:

**Senate Bill No. 2031.** A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of the proceeds of such tax; and to provide a penalty.

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

Senators J. Schultz, Shablow introduced:

**Senate Bill No. 2032.** A Bill for an Act to provide a tax for the privilege of converting coal into synthetic natural gas or electrical power, to provide that such tax be limited to certain large plants, to provide that such tax be in lieu of certain other taxes, to provide for the administration and collection of such tax, to provide powers and duties for the state tax commissioner, and to provide a penalty.

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

Senators Shablow, J. Schultz introduced:

**Senate Bill No. 2033.** A Bill for an Act to provide for a state program to reimburse political subdivisions for impact expenditures resulting from coal development, to provide for the administration of such program, and to provide for a legislative council coal development impact committee to approve impact grants.

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

Senator Kautzmann introduced:

**Senate Bill No. 2034.** A Bill for an Act to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment; to amend and reenact subdivision b of subsection 5 of section 65-01-02 of the North Dakota Century Code, relating to the exclusions from the definition of employee; and providing for an effective date.

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

Senators Mutch, Kautzmann introduced:

**Senate Bill No. 2035.** A Bill for an Act to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment; and providing for an effective date.

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

Senator Kautzmann introduced:

**Senate Bill No. 2036.** A Bill for an Act to create and enact subsection 22 of section 65-01-02 of the North Dakota Century Code, relating to the definition of weekly wage of the claimant; and to amend and reenact subsection 21 of section 65-01-02 and section 65-05-09 of the North Dakota Century Code, relating to the definition of average weekly wage in the state and the weekly and aggregate workmen's compensation paid for temporary or permanent disability.

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

Senator Kautzmann introduced:

**Senate Bill No. 2037.** A Bill for an Act to provide for an advisory council to the workmen's compensation bureau.

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

Senator Kautzmann introduced:

**Senate Bill No. 2038.** A Bill for an Act to amend and reenact sections 6-03-63 and 47-14-09 of the North Dakota Century Code, relating to the interest rates payable by a state banking association on deposits and to usury; providing a penalty; and declaring an emergency.

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

Senators Freed, Jones introduced:

**Senate Bill No. 2039.** A Bill for an Act to create and enact sections 11-19A-07.1, 12-44-25.1, 16-01-17, 25-01-16, 44-06-13.1, 45-11-09, 57-15-58, and 57-36-33; to amend and reenact sections 1-03-03, 2-03-10, 2-03-13, 2-04-12, 2-05-17, 2-05-18, 2-07-13, 4-02-06, 4-02-07, 4-09-24, 4-10-22, 4-10.1-15, subsection 10 of section 4-11-23, sections 4-12-20, 4-13-14, 4-13.1-13, 4-14-07, 4-14-10, 4-18.1-14, 4-21.1-16, 4-24-06, 4-25-03, 4-26-12, 4-27-12, 4-28-09, 4-28.1-05, 4-30-53, 4-33-08, 4-34-10, 5-01-04, 5-01-08, 5-01-08.1, 5-01-09, 5-01-10, 5-01-11, 5-02-01, 5-02-05, 5-02-06, 5-03-01, 5-03-06, 6-01-29, 6-03-10, 6-03-20, 6-03-38, 6-03-56, 6-03-60, 6-03-61, 6-03-63, 6-03-72, 6-05-16, 6-06-05, 6-07-06, 6-07-08, 6-08-09, 6-08-11, 6-08-14, 6-08-15, subsection 1 of section 6-08-16, sections 6-08-16.1, 6-08-28, 6-10-08, 7-02-06, 7-03-07, 7-03-09, 7-05-04, 7-08-01, 7-08-04, 8-10-07.2, 8-10-07.3, 8-10-09, 8-10-10, 10-04-18, subsection 2 of section 10-15-35, section 10-15-53, subsection 2 of section 10-15-58, sections 10-23-03, 10-23-08, 10-28-03, 10-28-04, 11-09-09, 11-09-38, 11-10-22, 11-13-10, 11-14-05, 11-15-28, 11-16-04, 11-16-05, 11-17-05, 11-18-06, 11-19A-07, 11-20-15, 11-21-09, 11-28-09, 11-28-20, 11-29-33, 11-33-21, 12-44-28, 12-44-33, 12-44-36, 12-44-37, 12-47-23, 12-47-24, 12-53-12, 12-53-

15, 12-59-06, 12-59-10, 13-01-11, 13-01-12, 13-01-13, 13-05-10, 13-06-02, 14-03-28, 14-07-15, 14-07-16, 14-09-22, 14-10-05, 14-10-06, 14-10-08, 14-10-16, 15-04-18, 15-04-19, 15-04-22, 15-05-08, 15-06-23, 15-34-1-05, 15-35-14, 15-35-16, 15-35-17, 15-43-12, 15-47-15, 15-49-01, 15-49-02, 15-49-03, 15-49-04, 15-49-06, 15-49-08, 15-49-09, 15-49-10.1, 15-49-11, 15-50-07, 16-01-11, 16-12-09, 16-12-14, 16-14-10, 16-14-12, 16-18-09, 16-20-06, 16-20-08, 16-20-09, 16-20-17.1, 16-20-17.2, 16-20-17.3, 16-20-19, 16-20-24, 16-21-05, 18-01-11, 18-01-13, 18-01-15, 18-01-33, 18-08-01, 18-08-07, 18-08-09, 18-08-11, 18-09-13, 19-01-09, 19-02-17, 19-02-20, subsection 1 of section 19-20.1-04, sections 19-03.1-23, 19-03.1-24, 19-03.1-25, 19-03.1-26, 19-03.1-30, 19-04-01, 19-04-03, 19-04-04, 19-05-16, 19-06-08, 19-07-06, 19-08-06, 19-10-18, 19-10-22, 19-10-23, 19-11-06, 19-13.1-12, 19-14-08, 19-16.1-10, 19-16.1-11, 19-17-05, 19-17-06, 19-18-08, 19-20.1-17, 19-21-09, 19-22-05, 19-22.1-03, 20.1-01-01, 20.1-01-08, 20.1-01-09, 20.1-01-23, 20.1-03-01, 20.1-03-16, 20.1-03-21, 20.1-03-27, 20.1-04-01, 20.1-05-01, 20.1-06-01, 20.1-07-01, 20.1-08-01, 20.1-09-01, 20.1-11-01, 20.1-12-01, 20.1-13-01, 21-01-03, 21-02-04, 21-03-26, 21-04-04, 21-04-23, 21-05-08, 21-10-09, 23-01-15, subsection 1 of section 23-01-17, sections 23-02-14, 23-02-27, 23-02-33, 23-02-42, 23-02-43, 23-05-11, 23-05-12, 23-06-05, 23-06-06, 23-06-11, 23-06-12, 23-06-17, 23-06-18, 23-06-24, 23-06-26, 23-06-27, 23-06-28, 23-06-29, 23-07-07.4, 23-07-21, 23-09-08, 23-09-20, 23-09-21, 23-10-12, 23-12-03, 23-12-07, 23-13-03, 23-13-05, 23-13-06, 23-15-06, 23-16-11, 23-17-10, 23-19-09, 23-20-06, 23-20.1-10, 23-21.1-09, 23-23-04, 23-25-10, 23-26-09, 23-27-05, 23-28-06, 24-03-05, 24-03-11, 24-06-27, 24-09-06, 24-10-03, 24-12-05, 24-15-05, 24-16-12, 25-01.1-35, 25-01.1-36, 25-03-22, 25-03-28, 25-13-04, 26-01-15, subsection 4 of section 26-02-36, sections 26-03A-09, 26-04-08, 26-04-09, 26-07-09, 26-07-17, 26-09-02, 26-09-03, 26-09-04, 26-10-14, 26-12-51, 26-12-52, 26-16-14, 26-17-01.14, 26-20-08, 26-21.1-06, 26-23-07, 26-25-27, 26-26-20, 26-27-21, 26-27.1-25, 26-27.2-24, 26-28-17, 26-29-16, 26-31-06, 26-33-05, 26-37-18, 27-07-16, 27-08-15, subdivision d of subsection 1 of section 27-09.1-07, subdivision e of subsection 2 of section 27-09.1-08, section 27-09.1-16, subsection 2 of section 27-09.1-17, sections 27-10-06, 27-10-14, 27-10-16, 27-10-17, 27-10-22, 27-11-01, 27-13-05, 27-13-08, 27-13-09, 27-13-11, 27-13-12, 27-18-04, subsection 1 of section 27-20-53, sections 28-03-06, 28-32-11, 29-6i 15, 29-01-16, 29-03-09, 29-03-10, 29-04-03, 29-05-12, 29-05-25, 29-06-08, 29-06-27, subsection 4 of section 29-09-02, sections 29-12-05, 29-16-05, 29-21-21, 29-21-29, 29-26-21, 29-27-01, 29-27-03, 29-27-04, 29-29-18, subsection 3 of section 29-30-01, sections 29-30-11, 29-30-16, 29-32-05, 31-01-09, 32-13-08, 32-13-11, 32-22-10, 32-22-38, 32-36-28, 32-36-29, 33-01-08, 33-01-25, 33-12-24, 33-12-28, 34-01-04, 34-01-05, 34-01-06, 34-01-15, 34-01-17, 34-05-03, 34-06-19, 34-06.1-09, 34-07-21, 34-13-02, subsection 11 of section 34-13-15, sections 34-13-16, 34-14-07, 35-05-03, 35-09-04, 35-27-26, 36-01-18, 36-01-28, 36-01-30, 36-04-09, 36-04-21, 36-05-14, 36-05-15, 36-06-02, 36-06-03, 36-06-04, 36-07-14, 36-09-15, 36-09-17, 36-09-20, 36-09-22, 36-09-23, 36-11-01, 36-11-06, 36-11-19, 36-12-06, 36-13-08, 36-14-09, 36-14-13, 36-14-16, 36-14-21, 36-15-19, 36-15-21, 36-20-08, 36-21-01, 36-21.1-02, 36-21.1-03, 36-21.1-04, 36-21.1-05, 36-21.1-07, 36-21.1-08, 36-21.1-09, 36-21.1-11, 36-23.1-04, 36-23.1-06, 37-01-13, 37-01-16, 37-01-20, 37-01-21, 37-01-25.1, 38-01-08, 38-04-10, 38-06-62.1, 38-06-64, 38-08-16, 38-14-12, 39-01-02, 39-01-07, subsection 4 of section 39-01-15, sections 39-03-11, 39-03-12, 39-03A-25, subsection 3 of section 39-04-18, sections 39-04-41, 39-04A-08, 39-05-11, 39-05-17, 39-05-28, 39-05-33, subsection 5 of section 39-06-17, sections 39-06-40, 39-06-40.1, 39-06-42, 39-06.1-04, 39-07-06, 39-07-08, 39-08-01, 39-08-02, 39-08-03, 39-08-04, 39-08-05, 39-08-19, 39-10-65, 39-12-21, 39-16-30, 39-16.1-21, 39-18-07, 39-21-51, 39-22-07, 39-22-13, 39-23-10, subdivision c of subsection 5 of section 39-24-09, sections 39-24-11, 39-25-08, 39-26-03, 40-01-08, subsections 26 and 27 of section 40-05-02, sections 40-11-12, 40-18-12, 40-48-38, subsection 3 of section 40-49-12, sections 40-50-08, 41-02-48, 41-03-80, 42-01-15, 42-02-01, 42-02-02, 42-02-04, 42-02-07, 42-02-10, 43-01-20, 43-02-16, 43-02-17, 43-03-21, subsections 4 and 5 of section 43-04-45, sections 43-05-17, 43-06-19, 43-07-18, 43-07-21, 43-09-23, 43-10-20, 43-10-24, 43-10.1-08, 43-11-35, 43-12-24, 43-13-27, 43-15-29, 43-15-32, 43-15-42, 43-15-43, 43-15-44, 43-17-33, 43-17-34, 43-17-36, 43-18-23, 43-18-24, 43-18.1-09, 43-19.1-31, 43-20-09, 43-21-12, 43-22-09, subdivision f of subsection 1 of section

43-23-11.1, sections 43-23-17, 43-23.1-23, 43-25-19, 43-26-12, 43-26-14, 43-27-10, 43-28-25, 43-29-17, 43-30-10, 43-31-17, 43-32-31, 43-33-18, 43-34-13, 43-35-22, 43-36-25, 44-06-13, 44-08-05, 44-08-05.1, 45-11-08, 46-02-17, 46-02-19, 46-05-05, 47-14-11, 47-19-07, 47-20.1-12, 47-21-11, 47-23-10, 47-27-03, 48-05-06, 48-09-05, 49-04-14, 49-07-01, 49-08-16, 49-11-19, 49-11-22, 49-11-23, 49-11-29, 49-13-20, 49-13-27, 49-17-05, 49-17-06, 49-21-20, 50-01-18, 50-09-13, 50-10-08, 50-11-10, 50-12-17, 50-18-08, 50-19-15, 50-20-06, 50-22-05, 50-24-31, 51-04-05, 51-04-10, 51-05-04, 51-05-08, 51-05-10, 51-05-11, 51-05-13, 51-06-03, 51-07-04, 51-07-04.1, 51-07-12, 51-07-13, 51-08-01, 51-08-03, 51-09-02, 51-10-05, 51-10-14, 51-12-02, 51-12-13, 51-13-07, 51-14-05, 51-16-02, 51-17-17, 51-18-09, 52-01-04, 52-06-40, 52-09-18, 53-01-19, 53-02-08, 53-02-15, 53-03-08, 53-04-08, 53-05-06, 53-06-11, 54-03-18, 54-03-2-15, 54-05-09, 54-05-10, 54-06-08, 54-06-12, 54-10-23, 54-10-25, 54-11-12, 54-16-05, 54-16-10, 54-21.1-11, 54-23-50, 54-23-51, 54-27-13, 54-27-17, 54-41-05, 55-02-03, 55-03-07, subsection 8 of section 55-08-03, subsection 1 of section 57-02-08.1, sections 57-02-48, 57-02-49, 57-05-05, 57-05-09, 57-15-35, 57-22-14, 57-33.1-12, 57-35.1-09, 57-35.2-07, 57-36-04, subsection 3 of section 57-36-09, sections 57-36-32, 57-37-30, subsection 2 of section 57-38-45, subsection 4 of section 57-38-59, subsections 2 and 5 of section 57-39.2-18, sections 57-39.2-23, 57-40.2-08, 57-40.2-12, subsection 4 of section 57-40.2-15, sections 57-40.3-11, 57-45-05, 57-51-22, 57-52-19, 57-53-08, 57-54-23, 57-55-07, 57-55-08, 58-07-04, 58-08-08, 60-02-10, 60-02-12, 60-02-21, 60-02-29, 60-02-39, 60-03-05, 60-03-06, 60-03-07, 60-07-10, 60-09-05, 61-01-07, 61-01-09, 61-01-16, 61-01-22, 61-01-25, 61-04-12, 61-14-06, 61-14-07, 61-14-08, 61-14-09, 61-14-10, 61-14-11, 61-14-15, 61-15-08, 61-16-44, 61-20-04, subsection 4 of section 61-21-39, sections 61-21-57, 61-21-08, 62-01-11, 62-01-20, 62-03-03, 62-04-01, 62-04-03, 62-04-05, subsection 1 of section 63-01.1-15, sections 64-03-01, 64-03-02, 64-03-03, 64-03-05, 64-03-06, 64-03-07, 64-03-09, 64-04-05, 65-01-05, 65-01-10, 65-03-02, 65-04-15, 65-05-24, 65-12-07, 65-12-08; and to repeal chapters 19-19, 24-11, and 36-10; and sections 2-05-09, 4-01-18, 4-02.1-24, 4-24-01, 4-24-02, 4-24-03, 4-24-04, 4-24-05, 5-01-03, 5-01-05.3, 5-01-12, 5-02-07, 5-02-08, 6-08-05, 6-08-12, 6-08-13, 6-08-17, 6-08-18, 6-08-19, 6-09-13, 7-08-06, 8-08-06, 8-08-10, 8-10-06, 8-10-07, 8-10-07.1, 8-10-08, 11-15-15, 11-15-23, 11-18-12, 11-23-11, 11-29-32, 12-44-22, 12-44-25, 12-44-26, 12-44-27, 12-44-39, 12-46-07, 12-46-21, 12-48.1-04, 12-49-04, 12-52-06, 12-60-14, 14-07-18, 15-08-21, 15-35-08, 15-35-13, 15-40.1-20, 15-49-07, 15-62.1-14, 16-01-08, 16-01-12, 16-12-15, 16-13-06, 16-16-25, 16-18-18, 16-18-19, 16-20-11, 16-20-13, 16-20-14, 18-01-12, 18-08-03, 19-01-15, 19-03.1-29, subsections 1, 2, and 3 of section 19-03.1-31, sections 19-04-02, 19-04-07, subsections 1 and 2 of section 19-05-13, sections 19-05-15, 21-03-33, 21-03-48, 21-03-49, 21-05-04, 21-07-04, 23-02-34, 23-02-41, 23-05-10, 23-09-13, 23-09-15, 23-10-08, 23-12-02, 23-12-05, 23-12-06, 24-02-14, 24-09-13, 24-09-14, 24-12-06, 25-03-18, 25-05-29, 26-06-11, 26-06-12, 26-07-16, 26-12-50, 27-07-17, 27-07-18, 27-10-01, 27-10-02, 28-26-05, 29-06-13.1, 29-08-27, subsection 8 of section 29-17-36, sections 29-27-06, 29-28-34, 29-29-19, 31-01-08, 33-12-29, 33-12-30, 33-12-31, 33-12-32, 34-01-07, 34-01-09, 34-01-10, 34-01-18, subsection 8 of section 34-13-15, sections 35-01-26, 35-22-13, 35-27-08, 36-06-08, 36-09-16, 36-14-17, 36-14-18, 36-21-04, 37-01-17, 37-01-18, 37-25-09, 38-04-03, 39-02-07, 39-04-42, 39-05-07, 39-05-16, 39-05-25, 39-05-34, subsection 3 of section 39-08-01, sections 39-08-12, 39-21-47, 40-09-15, 40-13-06, 40-13-12, 40-50-10, 43-04-47, 43-28-26, 44-04-02, 44-04-11, 44-04-17, 44-08-15, 46-02-16, 47-16-24, 48-05-05, 49-07-02, 49-07-04, 49-07-05, 49-11-07, 49-12-02, 49-12-05, 49-12-07, 49-12-08, 49-12-09, 49-12-10, 49-12-12, 49-12-16, 49-12-22, 49-12-24, 49-13-15, 49-13-17, 49-13-19, 49-13-21, 49-13-23, 49-13-26, 49-13-28, 49-15-18, 49-17-02, 49-17-03, 49-17-04, 49-18-44, 49-19-22, 49-19-24, 49-19-25, 49-20-12, 49-20-13, 49-21-21, 50-01-23, 50-01-24, 50-01-25, 50-09-23, 50-24-39, 51-05-06, 51-07-08, 51-08-04, 51-08-05, 51-12-04, 51-12-05, 51-12-06, 51-12-07, 52-06-38, 52-06-39, 52-09-19, 53-05-07, 54-05-01, 54-06-09.1, 54-14-06, 54-16-07, subsection 4 of section 57-02-08.1, section 57-02-13, subsection 3 of section 57-02-21, sections 57-02-45, 57-15-18, 57-15-33, 57-15-40, 57-22-33, 57-24-05, 57-35-15, 57-36-20, 57-36-21, subsection 4 of section 57-36-25, subsection 5 of section 57-36-26, section 57-37-32, subsection 2 of section 57-38-57, subsection 3 of section 57-39.2-18, subsection 2 of section 57-40.2-15, sections



57-45-15, 57-51-13, 58-12-06, 60-02-34, 60-05-05, 60-06-06, 61-01-10, 61-01-11, 61-01-12, 61-01-13, 61-01-18, 61-06-23, 61-08-15, 62-01-02, 62-02-06, 62-04-02, 64-03-04, 64-03-08, 65-01-07, and 65-05-31, all of the North Dakota Century Code, relating to the definitions of crime and criminal procedure.

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

Senators Freed, Jones introduced:

**Senate Bill No. 2040.** A Bill for an Act to create and enact subsection 32 of section 12.1-01-04, subsection 6 of section 12.1-32-01, section 12.1-32-01.1, subsection 7 of section 12.1-32-02, and section 12.1-32-03.1 of the North Dakota Century Code; to amend and reenact subsections 6, 25, and 27 of section 12.1-01-04, section 12.1-01-05, subdivision b of subsection 1 of section 12.1-03-01, subsection 1 of section 12.1-05-03, subdivision d of subsection 2 of section 12.1-05-07, subsection 1 of section 12.1-08-01, subsection 1 of section 12.1-08-02, subsection 1 of section 12.1-08-03, subdivision d of subsection 2 of section 12.1-11-02, subdivision b of subsection 1 of section 12.1-11-05, sections 12.1-11-06, 12.1-13-01, 12.1-13-04, and 12.1-14-03, subsection 3 of section 12.1-16-01, subsection 2 of section 12.1-17-01, sections 12.1-17-07 and 12.1-22-05, subdivision b of subsection 2 of section 12.1-23-05, section 12.1-23-06, subsection 1 of section 12.1-23-09, subsection 1 of section 12.1-25-02, section 12.1-27-04, subsection 4 of section 12.1-28-01, subsection 1 of section 12.1-29-05, subsection 1 of section 12.1-32-02, subsection 6 of section 12.1-32-02, subdivision o of subsection 2 of section 12.1-32-07, subsection 1 of section 12.1-32-08, subdivision c of subsection 1 of section 12.1-32-09, section 12.1-32-11, and the introductory language of section 12.1-32-12 of the North Dakota Century Code and all as contained in chapter 104 or chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to definitions of terms, definitions of offenses, sentencing alternatives, defenses to criminal charges, justifications on the use of force, classifications of offenses, and providing penalties; and to repeal subsections 9 and 20 of section 12.1-01-04 of the North Dakota Century Code as contained in section 1 of chapter 116 of the 1973 Session Laws of the state of North Dakota, and section 12.1-02-04 of the North Dakota Century Code as contained in section 2 of chapter 116 of the 1973 Session Laws of the state of North Dakota, defining certain terms, and setting forth instances where mistake of fact or law is a defense.

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

Senators Hoffner, Barth, Iszler, Kautzmann, Nething introduced:

**Senate Bill No. 2041.** A Bill for an Act to create and enact a new subsection to section 11-15-03, a new subsection to section 39-06.1-01, a new subsection to section 39-06.1-05, section 39-08-03.1, and a new subsection to section 40-05-02, all of the North Dakota Century Code, and to amend and reenact section 39-06-01, subsection 9 of section 39-06-03, subdivision d of subsection 3 of section 39-06-17, sections 39-06-19.1, 39-06-27, 39-06.1-02, subsections 2, 3, and 4 of section 39-06.1-03, section 39-06.1-04, subsections 1, 2, 4, and 6 of section 39-06.1-05, section 39-06.1-07, subsections 2 and 3 of section 39-06.1-10, subsection 2 of section 39-06.1-13, sections 39-07-07, 39-07-08, 39-08-07, 39-08-08, and subsection 15 of section 40-05-02 of the North Dakota Century Code, relating to sheriffs' powers and duties, to the powers of cities to pass certain ordinances, to administrative disposition of certain traffic offenses, to a system of demerits entered against traffic offenders' driving records, to the definition of certain traffic offenses, to traffic arrest procedures, to procedures relating to the issuance, suspension, and revocation of drivers' licenses, and to provide penalties.

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

Senators Hoffner, Barth, Iszler, Kautzmann introduced:

**Senate Bill No. 2042.** A Bill for an Act to amend and reenact sections 12-48-01, 12-48-02, 12-48-03, 12-48-03.1, 12-48-05, 12-48-06, 12-48-14, and 54-23-24 of the North Dakota Century Code, relating to the operation and funding of

certain industries at the penitentiary, to inventory at the twine plant, and to compensation of inmates; and to repeal sections 12-48-04, 12-48-07, 12-48-12, 12-48-13, 12-48-23, and chapter 12-49 of the North Dakota Century Code, relating to inmate labor on highways, to prison industries, to the employment and equipping of inmates to work in those industries, and to the deposit of industry receipts in the general fund.

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

Senators Hoffner, Barth, Iszler, Kautzmann, Nething introduced:

**Senate Bill No. 2043.** A Bill for an Act to amend and reenact section 12-48.1-02 of the North Dakota Century Code, relating to the eligibility of penitentiary inmates for work release programs.

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

Senators Kautzmann, Barth, Iszler introduced:

**Senate Bill No. 2044.** A Bill for an Act to amend and reenact sections 12-46-10.1 and 12-46-18 of the North Dakota Century Code, relating to the disciplinary committee and to the employment and compensation of students at the state industrial school.

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

Senators Kautzmann, Barth, Iszler introduced:

**Senate Bill No. 2045.** A Bill for an Act to amend and reenact sections 12-46-13, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, and 12-52-07 of the North Dakota Century Code, relating to the state industrial school, who may be sent there, and to parole and discharge from that institution; and to repeal sections 12-46-16 and 12-52-06 of the North Dakota Century Code, relating to penalties for violation of parole from the state industrial school and to the minority of persons committed to the state industrial school.

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

Senators Nething, Kautzmann, Iszler, Barth introduced:

**Senate Bill No. 2046.** A Bill for an Act to create and enact sections 12-46-24 and 12-51-11 of the North Dakota Century Code, relating to the delivery to, or possession of, alcoholic beverages or controlled substances by inmates of the state farm or the state industrial school; to amend and reenact sections 12-44-25, 12-44-27, 12-44-28, 12-47-21, 12-48-05, 12-48.1-04, the first paragraphs of subsections 1 and 2 of section 19-03.1-23, subsection 3 of section 19-03.1-23, and sections 19-03.1-29 and 48-05-06 of the North Dakota Century Code, relating to the delivery or possession of alcoholic beverages or controlled substances, and to the delivery or possession of such substances to, or by, inmates of the penitentiary or a county jail, or to certain state institutions; providing for termination of certain provisions of the Act on a date certain; and providing penalties.

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

Senators Kautzmann, Barth, Iszler introduced:

**Senate Bill No. 2047.** A Bill for an Act to create and enact subsection 6 of section 27-20-36, and to amend and reenact subsections 1 and 10 of section 27-20-02, section 27-20-09, subsections 1 and 4 of section 27-20-34, subsection 5 of section 27-20-36, and subsection 1 of section 27-20-56 of the North Dakota Century Code, relating to the definitions of "child" and "minor traffic offense", transfers to the juvenile court from other courts, limitations of time on orders of disposition of the juvenile court, and relating to appeals from juvenile court to the supreme court, and to waiver of juvenile jurisdiction in certain instances.

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

Senators Barth, Hoffner, Iszler, Kautzmann introduced:

**Senate Bill No. 2048.** A Bill for an Act to amend and reenact section 29-30-14 of the North Dakota Century Code, relating to the per diem paid to agents returning fugitives from justice.

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

Senators Nasset, Wenstrom, Longmire, Erdman introduced:

**Senate Bill No. 2049.** A Bill for an Act to amend and reenact section 15-52-03 of the North Dakota Century Code, relating to the medical center advisory council.

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

Senators L. Christensen, Fritzell, Morgan, Rait, Stroup, Wright introduced:

**Senate Bill No. 2050.** A Bill for an Act to provide for energy conversion facility and transmission facility siting authority by the public service commission; providing a penalty; providing an appropriation; and declaring an emergency.

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

Senators L. Christensen, Fritzell, Stroup, Wright introduced:

**Senate Bill No. 2051.** A Bill for an Act relating to city planning and development; to provide for zoning, official maps, subdivision regulations, and other official controls; to provide a penalty; and to repeal chapters 40-47 and 40-48 of the North Dakota Century Code, relating to municipal zoning and municipal master plans and planning commissions.

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

Senators L. Christensen, Fritzell, Jacobson, Rait, Stroup, Wright introduced:

**Senate Bill No. 2052.** A Bill for an Act to provide for county planning and development and to provide for zoning and other official controls; to provide a penalty; and to repeal chapter 11-33 of the North Dakota Century Code, relating to county planning and zoning, and sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code, relating to township planning and zoning.

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

Senators L. Christensen, Fritzell, Jacobson, Stroup introduced:

**Senate Bill No. 2053.** A Bill for an Act to create and enact sections 11-35-03, 11-35-04, and 11-35-05 of the North Dakota Century Code, relating to the implementation and filing of plans developed by joint planning commissions and judicial review of actions of such commissions; to amend and reenact sections 11-35-01 and 11-35-02 of the North Dakota Century Code, relating to the appointment of regional planning commissions and zoning of territory adjacent to cities; and to repeal sections 54-34.1-10, 54-34.1-11, 54-34.1-12, 54-34.1-13, and 54-34.1-14 of the North Dakota Century Code, relating to the establishment and powers of regional planning commissions and the implementation and filing of plans developed by regional planning commissions.

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

Senators L. Christensen, Fritzell, Jacobson, Rait, Stroup introduced:

**Senate Bill No. 2054.** A Bill for an Act to provide for review and comment authority by the state planning division on plans and applications for state permits; to amend and reenact sections 54-34.1-01, 54-34.1-02, 54-34.1-03, 54-34.1-04, 54-34.1-05, 54-34.1-06, 54-34.1-08, and 54-34.1-09 of the

North Dakota Century Code, relating to definitions, establishment, purpose, and authority of the division, the state planning fund, duties of the director, authority of the division to give assistance to planning agencies, and authority of planning agencies to apply for grants; and to repeal section 54-34.1-15 of the North Dakota Century Code, relating to the authority of planning agencies to apply for grants from the federal government.

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

Senators Stroup, L. Christensen, Fritzell, Jacobson, Morgan introduced:

**Senate Bill No. 2055.** A Bill for an Act to create and enact section 40-02-05.1 of the North Dakota Century Code, relating to incorporation of a city by order of the board of county commissioners; and to amend and reenact subsections 3 and 4 of section 40-01-01 and sections 40-02-01, 40-02-02, 40-02-03, 40-02-04, 40-02-05, 40-02-06, 40-02-07, 40-02-08, 40-02-09, 40-02-10, 40-02-11, 40-02-12, 40-02-13, 40-02-14, 40-02-15, 40-02-16, and 40-04-01 of the North Dakota Century Code, relating to definitions, requirements for incorporation as a city, conduct of the election for incorporation, issuance by the board of county commissioners of an order of incorporation, division of property between the city and township, and arbitration of differences.

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

Senators Fritzell, L. Christensen, Morgan, Lee, Walsh introduced:

**Senate Bill No. 2056.** A Bill for an Act to repeal sections 36-07-04, 36-07-05, and 36-07-06 of the North Dakota Century Code, relating to the construction and operation of rendering plants.

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

Senators Lee, L. Christensen, Fritzell, Walsh introduced:

**Senate Bill No. 2057.** A Bill for an Act to repeal sections 23-12-01 and 23-12-02 of the North Dakota Century Code, relating to the disinfecting of secondhand goods.

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

Senator L. Christensen introduced:

**Senate Bill No. 2058.** A Bill for an Act to create and enact section 47-10-25 of the North Dakota Century Code, relating to the meaning of the terms "minerals" or "all other minerals" in a deed, grant, or conveyance of the title to real property.

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

Senator L. Christensen introduced:

**Senate Bill No. 2059.** A Bill for an Act to provide for legislative intent, to provide the authority to cancel coal leases by either party, to provide for a maximum term of years in a coal lease, to require that the advance royalty provision of a lease be acknowledged specially in order to be valid, to require percentage royalties in future leases and imply a percentage royalty term, to require the tax commissioner to annually determine the average price per ton of coal, to prohibit the waiver by the parties of any of the terms of this Act, and to declare an emergency.

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

Senators Redlin, Rait, Sandness introduced:

**Senate Bill No. 2060.** A Bill for an Act relating to the distribution, storage, transportation, use and application and disposal of pesticides; providing for the examination of such materials and the licensing of pesticide dealers and commercial applicators, and certification of ap-

placators of restricted use pesticides; imposing penalties; and for other purposes.

Was read the first time and referred to the committee on Agriculture. Senators Sandness, Redlin, Rait, Smykowski introduced:

**Senate Bill No. 2061.** A Bill for an Act to amend and reenact sections 28-01-40 and 28-01-41 of the North Dakota Century Code, relating to the requirement for reports of loss through spraying by aircraft, and to the contents of verified reports of damage by aircraft.

Was read the first time and referred to the committee on Agriculture. Senator Gronhovd introduced:

**Senate Bill No. 2062.** A Bill for an Act to create and enact a new section to Title 39 of the North Dakota Century Code to require footrests for passengers on motorcycles and to prohibit the use of handlebars over fifteen inches in height on motorcycles.

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

Senator Gronhovd introduced:

**Senate Bill No. 2063.** A Bill for an Act to create and enact a new section to Title 39 of the North Dakota Century Code, to require the use of protective headgear and eye-protective devices, and to give the motor vehicle registrar the authority to approve or disapprove protective headgear and eye-protective devices.

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

Senators H. Christensen, Gronhovd, Solberg introduced:

**Senate Bill No. 2064.** A Bill for an Act to create and enact a new subsection to section 39-08-01 of the North Dakota Century Code, and to amend and reenact subsection 1 of section 39-08-01 of the North Dakota Century Code, relating to operating a motor vehicle under the influence of alcohol or drugs and to the unavailability of the defense of legal entitlement to use alcohol or a drug.

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

Senators Solberg, H. Christensen, Gronhovd introduced:

**Senate Bill No. 2065.** A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to penalties for conviction of driving while under the influence of alcohol or drugs.

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

Senator Gronhovd introduced:

**Senate Bill No. 2066.** A Bill for an Act to create and enact a new subsection to section 39-21-40 of the North Dakota Century Code, relating to restrictions as to tire equipment.

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

Senators Solberg, H. Christensen, Gronhovd introduced:

**Senate Bill No. 2067.** A Bill for an Act to create and enact sections 39-10-07.1, 39-10-07.2, 39-10-26.1, 39-10-33.1, 39-10-33.2, 39-10-33.3, 39-10-33.4, and 39-10-33.5 of the North Dakota Century Code, relating to lane-direction-control signals, display of unauthorized signs, signals, and markings, highway construction and maintenance, pedestrians' rights-of-way on sidewalks, pedestrians yielding to authorized emergency vehicles, blind pedestrians' rights-of-way, pedestrians under the influence of alcohol or drugs, and bridge and railroad signals; to amend and reenact sections 39-10-05, 39-10-08, 39-10-14, 39-10-15, 39-10-16, 39-10-17, 39-10-26, 39-10-27, 39-10-29, 39-10-33, 39-10-34, 39-10-35, 39-10-36, 39-10-38, 39-10-43, and 39-10-64 of the North Dakota Century Code, relating to traffic-control signal legends, driving on the right side of the roadway, limitations on driving on the left side of the roadway, no-passing zones, one-way roadways and rotary

traffic islands, driving on roadways laned for traffic, operation of vehicles on approach of authorized emergency vehicles, pedestrian obedience to traffic regulations, pedestrian crossing at other than crosswalks, pedestrians on roadways, pedestrians soliciting rides or business, required position and method of turning, prohibition of turn on curve or crest of grade, turning movements and required signals, vehicles required to stop at railroad crossings, and prohibition against driving through safety zone; and to repeal sections 24-09-06, 39-10-31, and 39-13-04 of the North Dakota Century Code, relating to vehicles carrying school children, passengers for hire, and explosives being required to stop at railroad crossings; protection of blind or incapacitated persons; and signs erected by unauthorized persons and signs containing advertising.

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

Senators Solberg, Gronhovd introduced:

Senate Bill No. 2068. A Bill for an Act to create and enact chapters 39-10.1 and 39-10.2 of the North Dakota Century Code, relating to bicycle and motorcycle laws; to create and enact sections 39-09-04.1, 39-10-52.1, 39-10-52.2, 39-10-68, 39-10-69, 39-10-70, and 39-10-71 of the North Dakota Century Code, relating to special speed limitations, driving on sidewalks, riding in house trailers, stopping when traffic is obstructed, charging violations and rule in civil actions, racing on highways, and fleeing or attempting to elude a police officer; to amend and reenact sections 39-10-02.1, 39-10-21, 39-10-47, 39-10-48, 39-10-50, 39-18-04, and 39-18-05 of the North Dakota Century Code, relating to speed limits on bridges, causeways, and viaducts, persons riding bicycles or animals or driving animal-drawn vehicles, restrictions on use of controlled-access highways, stopping, standing, or parking outside of business or residence districts, officers authorized to remove illegally stopped vehicles, additional parking regulations, safety devices and requirements, and size of mobile homes on roadways and oversize permits; and to repeal sections 39-09-05, 39-10-53, 39-10-60, 39-10-61, 39-10-62, 39-10-63, 39-10-63.1, 39-21-48, and 39-21-49 of the North Dakota Century Code, relating to driving faster than posted speed on a bridge, causeway, or viaduct, riding on motorcycles, riding on bicycles, clinging to vehicles, riding on roadways and bicycle paths, carrying articles on bicycles, lamps, and other equipment on bicycles, crash helmets required for operators of and passengers on motorcycles, and limitation on number of riders on motorcycles.

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

Senators Solberg, Gronhovd introduced:

Senate Bill No. 2069. A Bill for an Act to create and enact sections 39-10-01.1, 39-10-07.3, and 39-10-43.1 of the North Dakota Century Code, relating to required obedience to traffic laws, interference with official traffic-control devices or railroad signs or signals, and moving heavy equipment at railroad grade crossings; to amend and reenact section 24-01-14, subsection 1 of section 39-01-01, sections 39-01-08, 39-07-05, 39-08-03, 39-08-08, 39-08-17, 39-08-18, 39-09-01, 39-09-02, 39-09-03, 39-09-04, 39-09-09, 39-10-01, 39-10-02, 39-10-04, 39-10-06, 39-10-07, 39-10-11, 39-10-12, 39-10-13, 39-10-18, 39-10-19, 39-10-22, 39-10-23, 39-10-24, 39-10-25, 39-10-28, 39-10-30, 39-10-39, 39-10-41, 39-10-42, 39-10-45, 39-10-46, 39-10-51, 39-10-52, 39-10-54.1, 39-10-55, 39-10-56, 39-10-57, 39-10-58, and 39-13-03 of the North Dakota Century Code, relating to determination of speed, definitions within Title 39, insurance on vehicles owned by the state and political subdivisions of the state, applicability of chapters 39-08 through 39-13, the penalty for reckless driving, duty of driver upon striking fixtures upon a highway, reporting of traffic convictions, open bottle law, care required in operating a vehicle,

speed limitations, local authorities setting speed limitations, speed limits on bridges, causeways, and viaducts, minimum speed limits, provisions of chapter referring to vehicles upon the highways, obedience to police officers, obedience to and required traffic-control devices, pedestrian control signals, flashing signals, overtaking a vehicle on the left, overtaking on the right, following too closely, driving on divided highways, vehicle approaching or entering intersection, vehicle turning left, vehicle entering stop or yield intersection, vehicle entering highway from private road or turning left to enter private road, pedestrian right-of-way in crosswalks, drivers to exercise due care, signals and signal lamps, obedience to signal indicating approach of train, all vehicles to stop at certain railroad crossings, emerging from alley, driveway, or building, overtaking and passing school bus, unattended motor vehicles, limitations on backing, opening and closing vehicle doors, driving on mountain highways, coasting prohibited, following fire apparatus prohibited, crossing fire hose, enforceability of local parking regulations where signs are not legible or not in proper position; and to repeal sections 39-07-04 and 39-09-08 of the North Dakota Century Code, relating to powers of local authorities and regulation of speed control signs.

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

Senator Solberg introduced:

**Senate Bill No. 2070.** A Bill for an Act to provide for annual motor vehicle inspection by the superintendent of the highway patrol; providing a penalty; and providing for an appropriation.

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

Senator Lips introduced:

**Senate Bill No. 2071.** A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to legislative council budget section approval of certain emergency commission action.

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

Senator Naaden introduced:

**Senate Bill No. 2072.** A Bill for an Act to amend and reenact section 15-28-02 of the North Dakota Century Code, relating to rural and city members of school boards.

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

Senators Morgan, Smykowski, Barth introduced:

**Senate Bill No. 2073.** A Bill for an Act to amend and reenact subsection 6 of section 20.1-01-02 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 Wenstrom introduced:

**Senate Bill No. 2074.** A Bill for an Act to amend and reenact section 10 of chapter 462 of the 1969 Session Laws as contained in chapter 443 of the 1973 Session Laws of North Dakota, relating to the custody and sale or distribution of the constitutional convention journal and debates.

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

Senator Wenstrom introduced:

**Senate Bill No. 2075.** A Bill for an Act to provide that teachers at state institutions may be eligible to receive additional benefits in accordance with the provisions for teachers' retirement under the teachers' fund for retirement.

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

Senator Lips introduced:

**Senate Bill No. 2076.** A Bill for an Act to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to compensation for members of the retirement board.

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

Senator Lips introduced:

**Senate Bill No. 2077.** A Bill for an Act to amend and reenact section 54-21-06 of the North Dakota Century Code to remove necessity for approval of senate for appointee position of director of institutions, and declaring an emergency.

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

Senator Longmire introduced:

**Senate Bill No. 2078.** A Bill for an Act to amend and reenact section 43-31-02 of the North Dakota Century Code, relating to the devices to be used for detection of deception.

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

Senator Rait introduced:

**Senate Bill No. 2079.** A Bill for an Act relating to and defining abandoned personal property, providing methods for the same to be taken into custody of the state; for its recovery by the rightful owner; for an administrator; for a penalty; and to repeal sections 6-08-24.1, 12-45-07, 25-01-15, 54-01-02.1, 54-01-02.2, and 54-01-02.3 of the North Dakota Century Code, relating to unclaimed funds.

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

Senator Hoffner introduced:

**Senate Bill No. 2080.** A Bill for an Act to provide that all votes taken by the legislative assembly, or by standing committees thereof, with respect to all bills and certain concurrent resolutions, shall be recorded in the journal of the appropriate house, and declaring an emergency.

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

Senator Redlin introduced:

**Senate Bill No. 2081.** A Bill for an Act to create and enact section 11-10-24 of the North Dakota Century Code, providing authorization for the establishment of an association of county governments; and to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the powers of boards of county commissioners.

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

Senators Redlin, Reiten introduced:

**Senate Bill No. 2082.** A Bill for an Act to amend and reenact section 11-15-29 of the North Dakota Century Code, relating to sheriffs' and deputies' uniforms.

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

Senators Redlin, Reiten introduced:

**Senate Bill No. 2083.** 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 Rait, Barth introduced:

**Senate Bill No. 2084.** A Bill for an Act to require that mineral interests which have been severed from the surface be filed for record; to provide



a method of filing and verifying ownership of severed mineral interests, forfeiture for failure to refile, publication of the requirements of this Act, and a filing fee; to repeal subsection 2 of section 11-18-03 of the North Dakota Century Code; and providing for an appropriation.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2085.** A Bill for an Act to increase the daily compensation of members of the merit system council to forty-five dollars.

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

Senator Stroup introduced:

**Senate Bill No. 2086.** A Bill for an Act to provide for annual reports to the state soil conservation committee of surface mining operations for minerals other than coal, annual reports by the state soil conservation committee to local soil conservation districts of surface mining operations conducted within the districts, and exemption of certain surface mining operations.

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

Senator Stroup introduced:

**Senate Bill No. 2087.** A Bill for an Act to amend and reenact sections 39-17-10 and 47-14-05 of the North Dakota Century Code, relating to the interest rate on moneys due to the unsatisfied judgment fund and to the legal rate of interest when the rate is not otherwise specified.

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

Senator Stroup introduced:

**Senate Bill No. 2088.** A Bill for an Act creating the West River Conservancy District in order to coordinate and facilitate the development and utilization of the water and related land resources of southwestern North Dakota, and defining its purposes, objectives, functions, powers, and duties.

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

Senator Stroup introduced:

**Senate Bill No. 2089.** A Bill for an Act to create and enact a new section to chapter 40-57.1 of the North Dakota Century Code to exclude certain large industries from eligibility for tax exemptions for new industries.

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

Committee on Appropriations introduced:

**Senate Bill No. 2090.** A Bill for an Act making an appropriation for defraying expenses of the state park service and declaring an emergency.

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

Committee on Appropriations introduced:

**Senate Bill No. 2091.** 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.

Senator Stroup introduced:

**Senate Bill No. 2092.** A Bill for an Act to provide additional compensation for certain county officials for the extra effort involved in assessing severed mineral interests.

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

Senator Stroup introduced:

**Senate Bill No. 2093.** A Bill for an Act to amend and reenact section 57-24-30 of the North Dakota Century Code, relating to the rights of surface owners when severed coal and mineral interests are sold for nonpayment of taxes.

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

Senator Stroup introduced:

**Senate Bill No. 2094.** A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for the deposit of the proceeds of such tax in a special coal development fund in the state treasury; and to provide a penalty.

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

Senator Stroup introduced:

**Senate Bill No. 2095.** A Bill for an Act to amend and reenact sections 38-14-01, 38-14-02, 38-14-03, 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-07, and 38-14-12 of the North Dakota Century Code, relating to policy, definitions, licensing of mining operations, notice of intention to mine, duties of the operator, limitations in granting permits, bond of the operator, providing an appropriation, and providing a penalty.

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

Senator Sands introduced:

**Senate Bill No. 2096.** A Bill for an Act to amend section 1-03-02 of the North Dakota Century Code, relating to when a day following a holiday shall be a holiday.

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

Senator L. Christensen introduced:

**Senate Bill No. 2097.** A Bill for an Act to create and enact chapter 54-55 and sections 4-19-01.1, 4-19-01.2, 20.1-02-03.1, 38-14-02.1, 53-07-01.1, 55-08-03.1, subsections 6 and 7 of section 61-02-02, sections 61-02-02.1, 61-02-76, 61-02-77, 61-02-78, and 61-03-04.1 of the North Dakota Century Code, establishing a department of natural resources; providing for the duties and authority of the commissioner of natural resources, and the department's operation, personnel, powers and duties; establishing divisions of such department with existing agencies; substituting the commissioner of natural resources for the state forester, the state game and fish commissioner, the reclamation division of the public service commission, the state outdoor recreation agency, the director of the state park service, the state engineer, and the state water conservation commission; creating a water management advisory board and providing for meetings, duties, and compensation of the board; to amend and reenact sections 4-19-01, 4-19-02, 4-19-03, 4-19-04, 4-19-05, 4-19-06, 4-19-07, 4-19-08, 4-19-09, 15-11-08, 15-11-14, 20.1-01-02, 20.1-02-14, the initial paragraph of section 20.1-02-15, sections 20.1-02-17, 20.1-02-19, 38-14-02, 38-14-03, the initial paragraph of section 38-14-03.1, sections 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-06, 38-14-07, 38-14-07.1, 38-14-08, 38-14-09, 38-14-10, 38-14-12, 38-14-13, 53-07-01, 55-08-01, 55-08-03, 55-08-05, 55-08-06, 55-08-06.1, 55-08-07, 55-08-07.1, 55-08-08, 55-08-12, subsection 1 of section 61-02-02, sections 61-02-03, the initial paragraph of section 61-02-14, sections 61-02-15, 61-02-16, 61-02-17, 61-02-18, 61-02-19, 61-02-20, 61-02-21, 61-02-22, 61-02-23, 61-02-24, 61-02-25, 61-02-26, 61-02-27, 61-02-28, 61-02-29, 61-02-30, 61-02-32, 61-02-33, 61-02-34, 61-02-35, 61-02-36, 61-02-37, 61-02-38, 61-02-39, 61-02-40, 61-

02-41, 61-02-42, 61-02-43, 61-02-44, 61-02-45, 61-02-46, 61-02-47, 61-02-48, 61-02-50, 61-02-52, 61-02-53, 61-02-55, 61-02-56, 61-02-57, 61-02-59, 61-02-61, 61-02-62, 61-02-63, 61-02-64, 61-02-64.1, 61-02-65, 61-02-66, 61-02-67, 61-02-71, 61-02-72, 61-02-75, 61-03-05, 61-03-06, 61-03-07, 61-03-08, 61-03-09, 61-03-11, 61-03-12, 61-03-15, 61-03-16, 61-03-17, 61-03-18, 61-03-19, 61-03-20, and 61-03-21 of the North Dakota Century Code, relating to the state nursery, and the position, powers, and duties of the state forester, the duties of the state board of higher education, the personnel, powers, and duties of the game and fish department and the public service commission, the licensing of surface mining 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 the position, powers, and duties of the state engineer; and to repeal sections 15-11-09, 15-11-11, 15-11-12, 15-11-13, 15-11-15, 20.1-02-01, 20.1-02-02, 20.1-02-06, 53-07-03, 61-02-04, 61-02-05, 61-02-06, 61-02-07, 61-02-08, 61-02-09, 61-02-10, 61-02-11, 61-02-12, 61-02-13, 61-02-69, 61-03-01, 61-03-02, 61-03-03, 61-03-04, 61-03-13, and 61-03-14 of the North Dakota Century Code, relating to the duties of the state board of higher education, the position, powers, and duties of the state geologist, the game and fish commissioner, the duties of the state outdoor recreation agency, and the personnel, powers, and duties of the state water conservation commission and the office of the state engineer; providing an effective date; providing an appropriation; and declaring an emergency.

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

Senator J. Schultz introduced:

**Senate Bill No. 2098.** 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 an effective date.

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

Senator J. Schultz introduced:

**Senate Bill No. 2099.** A Bill for an Act to create and enact a new subsection to section 57-37-11 of the North Dakota Century Code, to provide an exemption from the estate tax of property of persons who died while missing in action, and to provide an effective date.

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

Senator Lips introduced:

**Senate Bill No. 2100.** 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 minimum tax assessable for the business privilege tax.

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

Senator Freed introduced:

**Senate Bill No. 2101.** A Bill for an Act to amend and reenact section 27-05-03.2 of the North Dakota Century Code, relating to retirement pay for disabled judges.

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

Senator H. Christensen introduced:

**Senate Bill No. 2102.** A Bill for an Act requiring all beverage containers to be returnable, providing a penalty, and providing an effective date.

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

Senator Solberg introduced:

**Senate Bill No. 2103.** A Bill for an Act to provide minimum requirements for the construction and equipment of motorcycles.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2104.** A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code to allow the director of state parks to lease, sell, or exchange lands held by the park service.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2105.** A Bill for an Act to amend and reenact section 55-08-06 of the North Dakota Century Code to allow the director of state parks to prescribe the size and character of motor vehicle permits and to increase the fee from four to five dollars.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2106.** A Bill for an Act to amend and reenact section 55-08-07.1 of the North Dakota Century Code to allow the state park service concession fund to pay for supplies, costs, travel expenses, and repair, replacement, and maintenance.

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

Senator Longmire introduced:

**Senate Bill No. 2107.** A Bill for an Act to amend and reenact subsection 8 of section 15-29-08 of the North Dakota Century Code, relating to the powers of school boards to make payment for purchases in advance of delivery.

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

Senator Stroup introduced:

**Senate Bill No. 2108.** A Bill for an Act to provide a privilege tax on certain coal development processing plants, to provide for the administration and collection of such tax, to provide duties for the state tax commissioner and the state board of equalization, and to provide a penalty.

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

Senators Longmire, Barth, L. Christensen, Wenstrom introduced:

**Senate Bill No. 2109.** A Bill for an Act to create and enact three subsections of section 15-65-03; to amend and reenact subsection 4 of section 15-65-03 of the North Dakota Century Code relating to powers and duties of the North Dakota Educational broadcasting council; and to repeal section 15-65-04 of the North Dakota Century Code relating to prohibitions placed on the North Dakota educational broadcasting council.

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

Committee on Appropriations introduced:

**Senate Bill No. 2110.** A Bill for an Act making an appropriation for defraying expenses of the various departments of the government of the state of North Dakota and declaring an emergency.

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

Committee on Appropriations introduced:

**Senate Bill No. 2111.** 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 Lips introduced:

**Senate Bill No. 2112.** A Bill for an Act to authorize the director of institutions to sell and convey certain land owned by the state of North Dakota upon which there is a right-of-way easement.

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

Senators Longmire, Tweten introduced:

**Senate Bill No. 2113.** A Bill for an Act to create and enact section 15-39.2-04 of the North Dakota Century Code, to provide that beneficiaries of certain deceased teachers may elect certain retirement options.

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

Committee on Social Welfare introduced:

**Senate Bill No. 2114.** A Bill for an Act to amend and reenact section 15-54-08 of the North Dakota Century Code, relating to health certificates.

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

Committee on Education introduced:

**Senate Bill No. 2115.** A Bill for an Act to amend and reenact subsection 1 of section 15-53.1-41 of the North Dakota Century Code, relating to dissolution of school districts.

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

Committee on Industry, Business & Labor introduced:

**Senate Bill No. 2116.** A Bill for an Act to amend and reenact section 65-05-25 of the North Dakota Century Code, relating to lump sum settlements.

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

Senators Lee, Stroup introduced:

**Senate Bill No. 2117.** A Bill for an Act to amend and reenact section 11-15-03.1 of the North Dakota Century Code, relating to the salary of county sheriff.

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

Committee on Industry, Business & Labor introduced:

**Senate Bill No. 2118.** A Bill for an Act to create and enact a new subsection to section 43-30-04 of the North Dakota Century Code, relating to private detective licensing powers of attorney general; to amend and reenact subsection 5 of section 43-30-05 of the North Dakota Century Code relating to qualifications of applicant; to amend and reenact section 43-30-07 of the North Dakota Century Code, relating to private detective identification-card and to amend and reenact section 43-30-09 of the North Dakota Century Code, relating to detective agency license.

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

Committee on Industry, Business & Labor introduced:

**Senate Bill No. 2119.** A Bill for an Act to amend and reenact subsection 5 of section 43-31-07 of the North Dakota Century Code, relating to examinations for licensing of detection of deception examiners; and to amend and reenact section 43-31-15 of the North Dakota Century Code, relating to exemptions from licensing of detection of deception examiners.

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

Committee on Political Subdivisions introduced:

**Senate Bill No. 2120.** A Bill for an Act to amend and reenact section 23-14-11 of the North Dakota Century Code, relating to the authorizing and disbursing of health district funds.

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

Committee on State and Federal Government introduced:

Senate Bill No. 2121. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, relating to holidays.

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

Committee on Education introduced:

Senate Bill No. 2122. A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, relating to special education.

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

Committee on Industry, Business & Labor introduced:

Senate Bill No. 2123. A Bill for an Act to amend and reenact section 43-03-16 of the North Dakota Century Code, relating to architects' certificates of registration, and the duties of the secretary of the board of architecture.

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

Committee on Industry, Business & Labor introduced:

Senate Bill No. 2124. A Bill for an Act to provide for the elimination of industrial injury or disease through the proper application of safety and health standards and the charging of additional premium and seeking of injunctive relief against employers who place an unreasonable risk upon the North Dakota workmen's compensation fund by failing to comply with such standards; to amend and reenact section 65-04-01 of the North Dakota Century Code, relating to the charging of additional premium; to amend and reenact section 65-04-27.1 of the North Dakota Century Code, relating to injunctive procedure for safety violations; and to repeal chapters 65-03 and 65-11 of the North Dakota Century Code, relating to the safety engineer and safety regulations.

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

Committee on Industry, Business & Labor introduced:

Senate Bill No. 2125. A Bill for an Act to amend and reenact section 65-05-15 of the North Dakota Century Code, relating to aggravation of a preexisting condition and the benefits paid.

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

Committee on Transportation introduced:

Senate Bill No. 2126. A Bill for an Act to provide for uniformity and control of traffic control devices, including markings, signs, and signals, used on all streets and highways, in accordance with national standards; to prohibit the manufacture or sale of non-conforming devices; and to repeal sections 24-01-08, 24-01-09, 24-01-09.1, 24-01-09.2, 39-13-02 and 39-13-03 of the North Dakota Century Code.

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

Committee on Transportation introduced:

Senate Bill No. 2127. A Bill for an Act to amend and reenact section 24-03-12 of the North Dakota Century Code, relating to the authority to acquire material, equipment and supplies.

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

Committee on State and Federal Government introduced:

Senate Bill No. 2128. A Bill for an Act to amend and reenact section 24-02-19 of the North Dakota Century Code, relating to the advertisement for the request for bids.

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

Senator Lips introduced:

Senate Bill No. 2129. A Bill for an Act to amend and reenact section 15-39.2-01 of the North Dakota Century Code, relating to teacher retirement options, to require the adjustment of certain annuities calculated pursuant to chapter 15-39.2, and declaring an emergency.

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

Senator J. Schultz introduced:

Senate Bill No. 2130. A Bill for an Act to provide for the deduction of contributions to certain retirement plans for state income tax purposes in the same amount as permitted for federal income tax purposes, to provide an effective date, and declaring an emergency.

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

Senator H. Christensen introduced:

Senate Bill No. 2131. A Bill for an Act to amend and reenact subsection 5 of section 20.1-01-05 of the North Dakota Century Code, relating to unauthorized methods of taking game birds and game animals.

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

Senator Freed introduced:

Senate Bill No. 2132. A Bill for an Act to amend and reenact section 37-01-34 and 37-01-36 of the North Dakota Century Code, relating to the recording and availability of veterans of the armed forces.

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

Senator Freed introduced:

Senate Bill No. 2133. A Bill for an Act to amend and reenact sections 51-07-01, 51-07-02, and 51-07-03 of the North Dakota Century Code, relating to price recovery by implement dealers, car dealers, or motorcycle dealers upon discontinuance of contract, relating to the determination of prices, and relating to liability for failure to pay a specified sum upon cancellation of a contract.

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

Senator Stroup introduced:

Senate Bill No. 2134. A Bill for an Act to amend and reenact section 38-14-04 of the North Dakota Century Code, relating to obtaining a permit to strip mine land for the purpose of obtaining the minerals thereunder.

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

Senator Stroup introduced:

Senate Bill No. 2135. A Bill for an Act to amend and reenact section 38-14-04 of the North Dakota Century Code, relating to obtaining a permit to strip mine land for the purpose of obtaining the minerals thereunder.

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

Senators Strand, Tweten introduced:

Senate Bill No. 2136. A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide an additional adjustment for adopted children for state income tax purposes.

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

Senators Longmire, Homuth, Thane introduced:

Senate Bill No. 2137. A Bill for an Act to amend and reenact section 40-38-04 of the North Dakota Century Code, relating to powers and duties of public library boards.

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

Senator Lashkowitz introduced:

**Senate Bill No. 2138.** A Bill for an Act to create and enact three new sections to chapter 12.1-30 as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to the operation of business establishments on veterans' day, and providing a penalty.

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

Senator Lips introduced:

**Senate Bill No. 2139.** A Bill for an Act to create and enact a new subsection to section 50-01-09, a new section to chapter 50-03, and a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the administration and financing of the food stamp program in North Dakota and relating to the powers and duties of the county welfare board and the social service board of North Dakota.

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

Senator J. Schultz introduced:

**Senate Bill No. 2140.** A Bill for an Act to amend and reenact subsection 2 of section 57-39.2-10 of the North Dakota Century Code, relating to required sales tax records and providing for the removal of the good faith requirement whenever a retailer accepts a resale certificate.

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

Senator Lips introduced:

**Senate Bill No. 2141.** A Bill for an Act to amend and reenact section 40-22-37 of the North Dakota Century Code, relating to investment of retainage on municipal construction contract payments.

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

Committee on Transportation introduced:

**Senate Bill No. 2142.** A Bill for an Act to amend and reenact subsection 42 of section 24-01-01.1, sections 24-01-01.2, 24-01-02, 24-01-05 and 24-02-08 of the North Dakota Century Code, relating to the definition, mileage, and designation of the state and county road systems and the coordination of systems.

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

Committee on Industry, Business & Labor introduced:

**Senate Bill No. 2143.** A Bill for an Act to amend and reenact section 65-01-11 of the North Dakota Century Code, relating to burden of proof in compensation matters, official death certificates, and heart attacks and strokes; to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to the rule-making power of the workmen's compensation bureau; to amend and reenact section 65-02-11 of the North Dakota Century Code, relating to rules of evidence, investigations, and examination of witnesses, and the cost of expert witnesses; to amend and reenact section 65-02-12 of the North Dakota Century Code, relating to hearings by one member of the workmen's compensation bureau and approval by majority of the bureau; to amend and reenact section 65-04-22 of the North Dakota Century Code, relating to time when premium is in default; to amend and reenact section 65-04-23 of the North Dakota Century Code, relating to penalties for default in premium; to amend and reenact section 65-04-24 of the North Dakota Century Code, relating to collection of premium; to amend and reenact section 65-04-25 of the North Dakota Century Code, relating to collection of premium from a



nonresident employer; to amend and reenact section 65-04-31 of the North Dakota Century Code, relating to the investment of the fund; to amend and reenact section 65-05-12 of the North Dakota Century Code, relating to permanent partial disability; to amend and reenact section 65-05-14 of the North Dakota Century Code, relating to compensation paid for the loss of use of a member; to amend and reenact section 65-09-02 of the North Dakota Century Code, relating to application for compensation, hearing, and time for filing; and to amend and reenact section 65-09-03 of the North Dakota Century Code, relating to awards, notice to interested parties, and judgment.

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

Committee on Industry, Business & Labor introduced:

Senate Bill No. 2144. A Bill for an Act to amend and reenact section 65-12-02 of the North Dakota Century Code, relating to qualifications of the chief boiler inspector and deputy inspectors; to amend and reenact section 65-12-06 of the North Dakota Century Code, relating to certificates of inspection; to amend and reenact section 65-12-08 of the North Dakota Century Code, relating to rules and regulations regarding the installation, use, operation, and inspection of boilers and the penalty for violation; to amend and reenact section 65-12-11 of the North Dakota Century Code, relating to inspection fees; and to amend and reenact section 65-12-12 of the North Dakota Century Code, relating to disposition of funds.

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

Committee on Industry, Business & Labor introduced:

Senate Bill No. 2145. A Bill for an Act to provide for the health and welfare by ensuring workmen's compensation claimants services necessary to assist the claimant and the claimant's family in the adjustments required by the injury to the end that the claimant may receive comprehensive rehabilitation services; to amend and reenact sections 65-05-07 and 65-05-28 of the North Dakota Century Code, relating to services and articles furnished for rehabilitation and failure to cooperate; and to repeal section 65-02-14 of the North Dakota Century Code, relating to allowance during rehabilitation.

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

Senator H. Christensen introduced:

Senate Bill No. 2146. A Bill for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 and section 39-08-20 of the North Dakota Century Code, relating to point deduction for the offense of driving a motor vehicle without liability insurance and to driving a motor vehicle without liability insurance.

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

Senator Stroup introduced:

Senate Bill No. 2147. A Bill for an Act to create and enact chapter 38-12.1 of the North Dakota Century Code, relating to placing a requirement on persons exploring for coal to maintain logbooks of their activities and filing basic exploration data with the state geologist; providing for injunctive relief; and providing a penalty.

Was read the first time and referred to the committee on Agriculture. Committee on Natural Resources introduced:

Senate Bill No. 2148. A Bill for an Act to provide for a declaration of policy and purpose, relating to boating safety and uniformity of boating laws, a boating safety program, the termination of unsafe use of vessels, and the display of labels evidencing compliance with state or federal

regulations; to create and enact five new subsections to section 20.1-01-02 and a new subsection to section 20.1-13-03 of the North Dakota Century Code, relating to definitions and numbering and licensing of motorboats; to amend and reenact section 20.1-13-02, subsection 1 of section 20.1-13-03, subsection 9 of section 20.1-13-03, and section 20.1-13-08 of the North Dakota Century Code, relating to the operation of unnumbered and unlicensed motorboats, numbering and licensing of motorboats, reporting of theft and recovery of motorboats, filing of descriptions of collisions or accidents, and liability of persons involved in collisions or accidents; and to repeal subsection 1, subsection 2 and subsection 3 of section 20.1-13-05 of the North Dakota Century Code, relating to boat safety equipment.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2149.** A Bill for an Act to amend and reenact section 15-01-02.1 of the North Dakota Century Code, relating to setting and establishing fees by the board of university and school lands and the collection thereof.

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

Committee on Natural Resources introduced:

**Senate Bill No. 2150.** A Bill for an Act to amend and reenact sections 15-05-01 and 15-05-04 of the North Dakota Century Code, relating to leasing coal lands or coal in tracts under the control of the board of university and school lands for coal mining purposes and pasturage and meadow purposes; and to repeal sections 15-05-02 and 15-05-03, relating to rental for coal lands and regulations governing and the provision that the lease for coal mining purposes is not to interfere with the right to lease for pasture.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2151.** A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable the commissioner of insurance and to provide for authority in the commissioner of insurance to set and establish fees at the estimated cost of providing services and authorizing the commissioner to collect such fees.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2152.** A Bill for an Act to provide for authority for the board of university and school lands to invest permanent funds of the common schools in the construction of an office building; to establish the location of the office building; to provide a grant of land; to provide for the advertising and letting of construction bids; to provide for the rental of space to state agencies; to provide for a method of amortizing the capitol investment; and to provide for incidental authority in the board of university and school lands necessary to accomplish the purpose of this Act.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2153.** A Bill for an Act to amend and reenact sections 38-09-17, 38-09-18 and 38-11-02 of the North Dakota Century Code, relating to the bidding or offers of bonus and royalty for leases; terms of an oil and gas lease and the unit of operation and providing for a minimum delay rental of twenty-five cents per acre; the leasing of certain mineral rights in state lands and providing that rentals shall not be deducted from royalties.

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

Committee on Natural Resources introduced:

Senate Bill No. 2154. A Bill for an Act to create and enact two new subsections to section 20.1-01-02 of the North Dakota Century Code, relating to definitions of agricultural operator and farmstead unit; and to amend and reenact section 20.1-03-11 and section 20.1-08-04 of the North Dakota Century Code, relating to issuance of special deer hunting permits and lottery issuance of big game licenses.

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

Committee on Transportation introduced:

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 39-12-11 of the North Dakota Century Code, relating to the impoundment of overweight vehicles.

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

Committee on Transportation introduced:

Senate Bill No. 2156. A Bill for an Act to require that easements specifically describe the rights acquired and the area covered and to prohibit the acquisition of an easement interest exclusively for the storage, use or maintenance of surface water within one hundred feet of a rural public highway.

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

Committee on Transportation introduced:

Senate Bill No. 2157. A Bill for an Act to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to driver's licenses issued to operators.

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

Senator Lashkowitz introduced:

Senate Bill No. 2158. A Bill for an Act to amend and reenact section 16-17-06 of the North Dakota Century Code, relating to the number of votes required to elect a precinct committeeman.

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

Senator Lashkowitz introduced:

Senate Bill No. 2159. A Bill for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to public buildings and facilities accessible to the physically handicapped.

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

Senator Lashkowitz introduced:

Senate Bill No. 2160. A Bill for an Act to amend and reenact section 15-10.1-04 of the North Dakota Century Code, relating to limitations on reciprocal agreements entered into by the board of higher education.

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

Senators Lashkowitz, Homuth introduced:

Senate Bill No. 2161. A Bill for an Act to provide that consideration be given to the number of potential voters and the time in the voting booth in determining the number of voting machines used in any precinct.

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

Senators Lashkowitz, Homuth introduced:

Senate Bill No. 2162. A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the opening and closing of polls at all primary, general, and special elections.

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

Senators Lashkowitz, Homuth introduced:

**Senate Bill No. 2163.** A Bill for an Act to amend and reenact sections 16-01-16, 16-10-01, and 16-10-17 of the North Dakota Century Code, relating to election information distributed by the attorney general, qualifications of members of board of elections, and instructions by the state's attorney to members of boards of elections.

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

Senators Lashkowitz, Homuth, Schuster introduced:

**Senate Bill No. 2164.** A Bill for an Act to amend and reenact section 27-05-01 of the North Dakota Century Code to create two additional district judgeships; to assign one additional district judge to the first judicial district and the other to the fourth, fifth, and sixth judicial districts; and to provide for the appointment and chambers of such additional judges.

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

Committee on Political Subdivisions introduced:

**Senate Bill No. 2165.** A Bill for an Act to amend and reenact section 12-44-06 of the North Dakota Century Code, relating to the filing of jail rules in the Secretary of States office.

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

Committee on Natural Resources introduced:

**Senate Bill No. 2166.** A Bill for an Act to create and enact six new subsections to section 20.1-01-02 of the North Dakota Century Code, relating to definitions; to amend and reenact subsection 9 of section 20.1-01-02 and subsection 16 of section 20.1-02-05 of the North Dakota Century Code, relating to a definition, the power of the state game and fish commissioner to protect endangered species, and the creation of a penalty; and to repeal subsection 29 of section 20.1-01-02 of the North Dakota Century Code, relating to a definition.

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

Committee on Judiciary introduced:

**Senate Bill No. 2167.** A Bill for an Act to create and enact a new section of chapter 10-24 of the North Dakota Century Code, relating to the right of nonprofit corporations to restate their articles of incorporation and amend and reenact section 10-28-01 of the North Dakota Century Code, relating to filing fees for nonprofit corporations.

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

Committee on Agriculture introduced:

**Senate Bill No. 2168.** A Bill for an Act to amend and reenact section 19-14-02 of the North Dakota Century Code, relating to registration of livestock medicine.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2169.** A Bill for an Act to amend and reenact section 19-16.1-03 of the North Dakota Century Code, relating to registration of antifreeze.

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

Committee on Agriculture introduced:

**Senate Bill No. 2170.** A Bill for an Act to amend and reenact section 19-13.1-06 of the North Dakota Century Code, relating to registration of commercial feed products.

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

Committee on Industry, Business & Labor introduced:

**Senate Bill No. 2171.** A Bill for an Act to create and enact a new section to chapter 49-03 of the North Dakota Century Code, relating to limitation on certificates of public convenience and necessity.

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

Committee on Transportation introduced:

**Senate Bill No. 2172.** A Bill for an Act to amend and reenact section 49-18-21 of the North Dakota Century Code, relating to substituting the word permit in reference to certificates.

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

Committee on Industry, Business & Labor introduced:

**Senate Bill No. 2173.** A Bill for an Act to create and enact chapter 51-05.1 of the North Dakota Century Code relating to auctioneers and auction sales and the licensing of auctioneers and clerks, and providing for a penalty; and to repeal chapter 51-05 of the North Dakota Century Code.

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

Senators Homuth, Lashkowitz introduced:

**Senate Bill No. 2174.** A Bill for an Act to provide that in precincts using voting machines official ballots shall be available for use by electors who request such ballots.

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

Senator Melland introduced:

**Senate Bill No. 2175.** A Bill for an Act creating and enacting three new sections to chapter 54-35 of the North Dakota Century Code, relating to the powers and duties of the legislative council.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Melland, Erdman, Lips, Longmire, Naaden, Pyle, Strinden, Thane, Wenstrom introduced:

**Senate Concurrent Resolution No. 4001.** A concurrent resolution urging the Congress of the United States to pass amendments to the Fair Labor Standards Act to allow exemptions to the minimum wage provisions of the Act when the productivity of patient labor is less than that required of a full-time non-patient employee, and urging the North Dakota Congressional Delegation to propose such amendments.

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

Senators Reiten, Strand introduced:

**Senate Concurrent Resolution No. 4002. Alternative I.** A concurrent resolution for a constitutional amendment providing for a board of public education and a board of higher education; for the amendment of sections 82 and 83 of the Constitution of the state of North Dakota, relating to public education and to remove the superintendent of public instruction as a constitutional officer; for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

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

Senators Goodman, Reiten, Strand introduced:

**Senate Concurrent Resolution No. 4003. Alternative II.** A concurrent resolution for a constitutional amendment providing for a state commission of education; for the amendment of sections 82 and 83 of the Constitution of the state of North Dakota, relating to public education and to remove the superintendent of public instruction as a constitutional officer; for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

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

Senators Freed, Jones introduced:

**Senate Concurrent Resolution No. 4004.** A concurrent resolution directing the Legislative Council to carry out a study of the types and appropriateness of criminal liability which arises as a result of violation of administrative regulations; to study the case law and statutes relating to civil and criminal contempt; to study the desirability of appellate review of sentences; to study disqualifications attendant upon criminal liability; and to study the use of certain terminology in the domestic relations statutes.

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

Committee on Political Subdivisions introduced:

**Senate Concurrent Resolution No. 4005.** A concurrent resolution directing the legislative council to study the governmental organization and financing of public library service and the role of the state library in the provision and coordination of such public library service.

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

Senator Stroup introduced:

**Senate Concurrent Resolution No. 4006.** A concurrent resolution directing the Legislative Council to study and review the statutes relating to water rights and water appropriation in North Dakota.

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

Senators Redlin, Lips, Pyle, Homuth introduced:

**Senate Concurrent Resolution No. 4007.** A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, prohibiting states from denying a citizen equality of rights under law on account of sex.

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

Senator Melland introduced:

**Senate Concurrent Resolution No. 4008.** A concurrent resolution designating United States Highway No. 281 through the State of North Dakota as "American-Canadian Legion Memorial Highway".

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

Senator Lips introduced:

**Senate Concurrent Resolution No. 4009.** 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.

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

Committee on Agriculture introduced:

**Senate Concurrent Resolution No. 4010.** A concurrent resolution for the amendment of section 161 of the Constitution of the State of North Dakota, relating to the leasing of lands granted to the state for educational and charitable purposes.

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

Committee on Industry, Business & Labor introduced:

**Senate Concurrent Resolution No. 4011.** A concurrent resolution directing the legislative council to study and review the jurisdiction of the public service commission including the possibility of taking certain departments from the public service commission as well as adding other departments or agencies to the jurisdiction of the public service commission.

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

### CHAPLAINCY SCHEDULE JANUARY

Senate Sessions	Phone Number
7 Edwin Wehner, Cathedral of Holy Spirit .....	223-1033
8 David Walters, United Pentecostal .....	223-8125
9 Norman Winkelman, United Methodist .....	255-4281
10 Lynn Wolf, Church of Christ .....	223-5134
13 Richard Unkenholz, First Methodist .....	223-4401
14 D. T. Dret, .....	
15 R. Spicer, Salvation Army .....	223-1885
16 Paul Stuart, Regular Baptist Church .....	255-3542
17 Clarence Stomp, House of Prayer Lutheran .....	223-2202
20 David Steinfeld, Bismarck Baptist .....	223-4445
21 Arnold Spain, St. Anne's .....	223-1549
22 Claude Seeberger, Corpus Christi .....	255-4600
23 Walter Scott, Church of J.C. of Latter Day Saints .....	258-4724
24 E. C. Schumacher, 1st Evang. Church .....	223-6271
27 Thos. J. Sands, Church of God .....	223-8541
28 Gerald Ruelle, St. Alexius Hospital .....	223-5000
29 Alvin Reimnitz, Zion Lutheran .....	223-8286
30 Harold Rambo, United Church of Christ .....	223-2915
31 Robert Pless, Our Savior Evangelical Lutheran .....	255-1039

### FEBRUARY

3 Carl Perry, Assembly of God .....	255-0500
4 Ron Norman, Bismarck Baptist .....	223-4445
5 J.H. Nicolai, Trinity .....	223-3560
6 David J. Nelson, Church Cross .....	223-1001
7 Gerald Mertz, Faith Lutheran .....	223-2236
10 Arnold LaRue, Wesleyan .....	223-7238
11 Robert A. Lynne, Good Shepherd .....	255-1001
12 Phil Lint, McCabe Methodist .....	255-1160
13 Stanley Malmgren, First Baptist .....	223-8614
14 David Kramer, Good Shepherd .....	255-1001
17 David Knecht, McCabe Methodist .....	255-1160
18 Warren K. Johnson, First Lutheran .....	223-4340
19 S. J. Joannau, Seventh Day Adventist .....	255-1947
20 Gerald Holte, Assembly of God .....	255-0500
21 H. E. Hendrickson, Trinity Lutheran .....	223-3560
24 Gerhart Harms, Bethel Lutheran .....	255-1433
25 Theodore Gustin, St. Mary's .....	223-5562
26 Joseph Gwin, Church of God of Prophecy .....	255-3684
27 Robert P. Fischer, Wesleyan .....	223-7238
28 Donald Fischer, St. Anne's .....	223-1549

### MARCH

3 Matthew Fettig, Cathedral .....	223-1033
4 Robert A. Feehan, St. Mary's Church .....	223-5562
5 Donald DeKok, Reformed Church of America .....	223-3304
6 Harold W. Carrison, Church of Nazarene .....	223-0332
7 Donald Burton, Lord of Life Lutheran .....	223-2986
10 Burton Bundy, Grace Lutheran .....	258-3585
11 Randell Bunch, Capitol Heights Baptist .....	223-5479
12 Roger Bishop, Independent Bible Baptist .....	223-3858
13 E. J. Becwar, Ascension .....	223-3606
14 A. R. Alesen, First Methodist .....	223-4401

17	Joseph Agee, Mennonite Brethren	223-0793
18	B.R. Cook, Corpus Christi	255-4600
19	Theodore Gustin, St. Mary's	223-1433
20	Richard Unkenholz, First Methodist	223-4401
21	Alvin Reimnitz, Zion Lutheran	223-8286
24	Gerald Mertz, Faith Lutheran	223-2236
25	Clarence Stomp, House of Prayer Lutheran	223-2202
26	Phil Lint, McCabe Methodist	255-1160
27	A.R. Alesen, First Methodist	223-4401
28	E.J. Becwar, Ascension	223-3606
31	Claude Seeberger, Corpus Christi	255-4600

Senator Nething moved that at the conclusion of the Ninth Order of Business, the Senate will stand recessed until 1:00 P.M. January 8, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



FIRST DAY AFTER RECESS AND SECOND DAY

Bismarck, January 8, 1975

The Senate convened at 1:00 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:

Arthur Herk	Assistant Secretary of the Senate
J. Vernon Asheim	Bill Clerk
Peggy Ormseth	Chief Committee Clerk
Gladys Derrick	Appropriations Committee Clerk
Wanda Froelich	Chief Page
Olger Sandven	Deputy Sergeant-at-Arms
Peggy Stenehjelm	Chief Telephone Attendant
Eileen Gerl	Secretary to the President
Mona Ziegler	Secretary to the Minority Floor Leader
Thomas Schneider	Calendar Clerk
Sandi Chesrown	Committee Clerk
Elsie Christensen	Committee Clerk
Charlotte Kamins	Committee Clerk
Lyla Flagg	Committee Clerk
Delma Bechtel	Committee Clerk
Carol Kainz	Committee Clerk-Steno
Susan Hylander	Committee Clerk-Steno
Lorraine Moos	Committee Clerk-Steno
Linda Johnson	Committee Clerk-Steno
Janna Tjaden	Enrolling and Engrossing Clerk
Ruth Moyer	Assistant Enrolling and Engrossing Clerk
Joleen Cunningham	Journal Proofreader
Patricia Martin	Journal Proofreader
Christine Hill	Stenographer
Jane Thoemke	Stenographer
Yvonne Dosch	Stenographer
Francine Gill	Stenographer
Cindy Dietz	Stenographer
Joan Von Rueden	Stenographer
Hilda Stokes	Telephone Attendant
Phyllis Connolly	Telephone Attendant
John Dockter	Parking Lot Attendant
Ralph Scott	Assistant Sergeant-at-Arms
Milbern Clendenen	Assistant Sergeant-at-Arms
Sewell Peterson	Assistant Sergeant-at-Arms
Stan Schultz	Assistant Sergeant-at-Arms
Esther Davis	Information Desk Attendant
Alvin Wollan	Page
Karen Schmidt	Page
Desiree Wildfang	Page
Jean Meschke	Page

Elaine Stern .....	Page
Bob Evanencko .....	Bill Book Clerk
Sheryl Manstrom .....	Bill Book Clerk
Joanne Hetland .....	Bill Book Clerk
Richard Wittmayer .....	Bill Room Clerk
Willard Yule .....	Bill Room Clerk
Hazel Ludemann .....	Journal Room Clerk
Cliff Bender .....	Journal Room Clerk
Kari Lee .....	Assistant Appropriations Committee Clerk
Joe Emineth .....	Janitor
Fred Bosch .....	Janitor
Lucas Giesinger .....	Janitor
Edwin Keller .....	Janitor

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

**ROLL CALL**

The question being on the motion of Senator Solberg the roll was called and there were 51 ayes, 0 naves, 0 absent and not voting.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● JSZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRIDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the motion was declared carried.

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

Senator Nothing requested that the records show that Lois Scherr, Secretary to the Majority Floor Leader, and Mary Alice Simonson, Chief Steno and Payroll Clerk also took the oath of office today.

**FIRST READING OF SENATE BILLS**

Committee on State and Federal Government introduced:

Senate Bill No. 2176. A Bill for an Act to amend and reenact section 26-01-01 of the North Dakota Century Code, relating to the term of office of the commissioner of insurance.

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

Committee on Transportation introduced:

Senate Bill No. 2177. A Bill for an Act to create and enact section 39-06-34.1 of the North Dakota Century Code, relating to re-examination by the court.

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

Committee on Agriculture introduced:

Senate Bill No. 2178. A Bill for an Act to create and enact section 15-01-02.2 of the North Dakota Century Code to provide for the classification or reclassification of all state land on a multiple use basis under the control of the board of university and school lands and to maintain records on such classification or reclassification; and to amend and reenact subsection 1 of section 15-01-02 of the North Dakota Century Code to provide a guiding rule and principle in the selection, appraisalment, rental, sale, disposal and management of common school and institutional land controlled by the board of university and school lands.

Was read the first time and referred to the committee on Agriculture. Committee on State and Federal Government introduced:

Senate Bill No. 2179. A Bill for an Act to amend and reenact section 54-12-06 and 54-12-07 of the North Dakota Century Code, relating to assistant attorneys general and their salary.

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

Senator Walsh introduced:

Senate Bill No. 2180. A Bill for an Act to create and enact a new subsection to section 39-24-09 of the North Dakota Century Code, relating to the rules for the operation of snowmobiles.

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

#### FIRST READING OF A SENATE MEMORIAL RESOLUTION

Introduced by Senator Melland:

Senate Memorial Resolution No. 2. A memorial resolution extending sympathy and condolence to Senator David Nething and his family upon the death of his father-in-law.

Was read the first time.

Senator Melland moved that the rules be suspended, that Senate Memorial Resolution No. 2 be not printed as a bill, but printed in the Journal, not referred to committee, but placed on the calendar for second reading and final passage, which motion prevailed.

#### SENATE MEMORIAL RESOLUTION No. 2

A memorial resolution extending sympathy and condolence to Senator David Nething and his family upon the death of his father-in-law.

WHEREAS, God in His infinite wisdom has seen fit to summon from our midst Mr. James W. Moffatt on December 9, 1974, father of Marjorie Nething, who is the wife of our colleague, Senator David Nething; and

WHEREAS, Senator David Nething is held in the highest esteem by all members of the Legislative Assembly, who share with him and his family in their sorrow;

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

That we express our deepest sorrow and extend to Senator David Nething and his family our sincere sympathy and condolence in their time of sorrow; and

BE IT FURTHER RESOLVED, that this resolution be entered in the journal, and the Secretary of State is hereby directed to present an enrolled copy to Senator David Nething and members of his family.

#### SECOND READING OF SENATE MEMORIAL RESOLUTION

Senate Memorial Resolution No. 2. A memorial resolution extending sympathy and condolence to Senator David Nething and his family upon the death of his father-in-law.

Which has been read.

Senator Melland moved that Senate Memorial Resolution No. 2 be adopted, which motion prevailed.

#### PERSONAL PRIVILEGE

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

Mr. President, ladies and gentlemen of the Senate. On behalf of my family, my mother-in-law, Mrs. Moffatt and Marge's sister, I want to say "thank you" very much. It is deeply appreciated.

## MOTION

Senator Freed moved that Senate Concurrent Resolution No. 4007 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Freed moved that Senate Concurrent Resolution No. 4007 be referred to the Committee on Judiciary, which motion prevailed.

## MOTION

Senator Nasset moved that Senate Bill No. 2122 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Nasset requested the unanimous consent of the Senate to withdraw Senate Bill No. 2122, which request was granted.

## REPORT 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 do pass.

SENATOR LIPS, Chairman

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

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2048 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

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

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2074 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, 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. 2107 has had the same under consideration and recommends that the same be indefinitely postponed, and be placed on the 6th order of business next Legislative day.

SENATOR NASSET, Chairman

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2133 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

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

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

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## SECOND DAY

Bismarck, January 8, 1975

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

Prayer by Reverend Phil Lint, McCabe United Methodist Church, Bismarck.

"Let us Pray. Our Father God, we bow in recognition that we live our lives before you, our God and Creator. We recognize the high calling to which we have been called, the great responsibilities that have been laid upon us as citizens and persons elected to govern.

We call upon you, our God, for the guidance and wisdom and strength we need to fulfill these responsibilities. We offer ourselves to you as we have offered ourselves to our fellow citizens in a spirit of servanthood and dedication to the welfare and betterment of all persons of our communities, state and the world.

We thank you for this high calling and for your promised presence here with us in our deliberations, discussions and decisions.

In the name of Christ we pray. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the first day and recommends that the same be corrected as follows: On page 27, line 16 delete the word "then" and insert in lieu thereof the word "than".

On page 54, line 8, after the name "Homuth", insert the name "Schuster".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

Senator Nething moved that the Senate recess until 1:00 P.M., January 9, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



SECOND DAY AFTER RECESS AND  
THIRD DAY

Bismarck, January 9, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2021 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senate Bill No. 2021 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2035 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2035 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Social Welfare & Veteran Affairs to whom was referred Senate Bill No. 2049 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senate Bill No. 2049 was placed on the 11th order of business for the next legislative day.

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

SENATOR JACOBSON, Chairman

Senate Bill 2056 was placed on the eleventh order of business for the next legislative day.

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

SENATOR MORGAN, Chairman

Senate Bill 2061 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2076 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill 2076 was placed on the eleventh order of business for the next legislative day.

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

SENATOR FREED, Chairman

Senate Bill 2078 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2085 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill 2085 was placed on the eleventh order of business for the next legislative day.

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

SENATOR JONES, Chairman

Senate Bill 2087 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2114 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senate Bill No. 2114 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2116 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2116 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2119 has had the same under consideration and recommends that the same be amended as follows:

In line 5 of the title after the first word "of" delete "deception" and insert in lieu thereof "detection" and after the second "of" delete "detection" and insert in lieu thereof "deception"

And renumber the lines accordingly and when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2119 was placed on the 6th order of business for the next legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2123 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2123 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Finance and Taxation 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 12 after the word "as" insert "now or hereafter"

And renumber the lines accordingly and when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill 2130 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2140 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill 2140 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Judiciary to whom was referred



Senate Concurrent Resolution 4004 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 23 after the word "minors" insert " , and 'stepchildren' or 'foster children' or any other similar designation" and delete "Title 14 of"

On page 2, line 28 after the word "minors", insert " 'stepchildren', 'foster children', and delete "Title 14 of"

And renumber the lines accordingly and when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Concurrent Resolution 4004 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution 4006 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution 4006 was re-referred to the Legislative Council Resolutions Committee.

#### FIRST READING OF SENATE BILLS

Senator Iszler introduced:

Senate Bill No. 2181. A Bill for an Act to amend and reenact section 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption from the sales and use tax of food and food products consumed on the premises where sold.

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

Senators Hoffner, Ringsak introduced:

Senate Bill No. 2182. A Bill for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to the sheriff's mileage; and declaring an emergency.

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

Committee on State and Federal Government introduced:

Senate Bill No. 2183. A Bill for an Act to amend and reenact section 19-01-02, 21-10-01, and 39-03A-03 of the North Dakota Century Code, relating to the membership of the governor or his representative on certain boards and commissions.

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

Committee on Transportation introduced:

Senate Bill No. 2184. A Bill for an Act to create and enact section 39-06.1-14 of the North Dakota Century Code, relating to the failure to surrender licenses; to amend and reenact subsection 5 of section 39-06.1-10 and sections 39-06-35 and 39-06-37 of the North Dakota Century Code, relating to the suspension, revocation and cancellation of driver's licenses and permits, the period of suspension, and the surrender and return of license or permit; and declaring an emergency.

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

Committee on Appropriations introduced:

Senate Bill No. 2185. A Bill for an Act to repeal section 24-02-39 of the North Dakota Century Code, relating to building limitation by the Highway Department.

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

Committee on Judiciary introduced:

**Senate Bill No. 2186.** A Bill for an Act to amend and reenact section 12-61-03 of the North Dakota Century Code, relating to the powers and duties of the North Dakota Combined Law Enforcement Council.

Was read the first time and referred to the committee on Judiciary.  
Committee on Industry, Business, and Labor introduced:

**Senate Bill No. 2187.** A Bill for an Act to create and enact two new sections to the North Dakota Century Code, relating to injunctions and reciprocity regarding plumbers; and to amend and reenact sections 43-18-01, 43-18-02, 43-18-03, 43-18-04, 43-18-05, 43-18-08, 43-18-10, 43-18-11, 43-18-13, 43-18-15, 43-18-16, 43-18-17, 43-18-21, and 43-18-23, of the North Dakota Century Code, relating to the plumbing board.

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

Committee on Appropriations introduced:

**Senate Bill No. 2188.** A Bill for an Act to establish a minimum fixed asset reporting value for financial statement purposes.

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

Committee on Transportation introduced:

**Senate Bill No. 2189.** A Bill for an Act to amend and reenact subdivision a of subsection 1 of section 39-21-42 of the North Dakota Century Code, relating to types of warning devices carried in motor vehicles.

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

Committee on Industry, Business, and Labor introduced:

**Senate Bill No. 2190.** A Bill for an Act to amend and reenact section 40-57-10 of the North Dakota Century Code, relating to the sale of revenue bonds.

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

Senator Nething introduced:

**Senate Bill No. 2191.** A Bill for an Act to amend and reenact section 54-21-06 of the North Dakota Century Code, relating to the appointment of the director of institutions.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2192.** A Bill for an Act to amend and reenact section 50-06-04 of the North Dakota Century Code, relating to the compensation paid to the members of the social service board.

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

Committee on Judiciary introduced:

**Senate Bill No. 2193.** A Bill for an Act to amend and reenact section 46-05-08 of the North Dakota Century Code, relating to property notices.

Was read the first time and referred to the committee on Judiciary.  
Committee on State and Federal Government introduced:

**Senate Bill No. 2194.** A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to loans made by the Bank of North Dakota.

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

Committee on Agriculture introduced:

**Senate Bill No. 2195.** A Bill for an Act to amend and reenact section 60-02-17 of the 1973 Supplement to the North Dakota Century Code, relating to storage, receiving, and redelivery charges for grain.

Was read the first time and referred to the committee on Agriculture. Committee on Transportation introduced:

Senate Bill No. 2196. A Bill for an Act to amend and reenact section 49-18-26 of the 1973 Supplement to the North Dakota Century Code, relative to certificates or permits.

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

SIXTH ORDER OF BUSINESS

Senator Sandness moved that the Committee Report on Senate Bill No. 2107, as printed on page 62 of the Senate Journal be adopted.

The question being on the adoption of the Committee Report on Senate Bill No. 2107.

ROLL CALL

The roll was called and there were 48 ayes, 2 nays, absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE	•		• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2107 was indefinitely postponed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2008. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2048. A Bill for an Act to amend and reenact section 29-30-14 of the North Dakota Century Code, relating to the per diem paid to agents returning fugitives from justice.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill. The roll was called and there were ayes, 51; nays, 0; absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NOTHING		●	SOLBERG	
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PLYE		●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	
●	FREED		●	LEE		●	REITEN		●	THANE	
●	FRITZELL		●	LIPS		●	RINGSAK		●	TWETEN	
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●	HOMUTH		●	MUTCH		●	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

**Senate Bill No. 2074.** A Bill for an Act to amend and reenact section 10 of chapter 462 of the 1969 Session Laws as contained in chapter 443 of the 1973 Session Laws of North Dakota, relating to the custody and sale or distribution of the constitutional convention journal and debates.

Which has been read.

**ROLL CALL**

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NOTHING		●	SOLBERG	●
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PLYE		●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	
●	FREED		●	LEE		●	REITEN		●	THANE	
●	FRITZELL		●	LIPS		●	RINGSAK		●	TWETEN	
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●	HOMUTH		●	MUTCH		●	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

**Senate Bill No. 2133.** A Bill for an Act to amend and reenact sections 51-07-01, 51-07-02, and 51-07-03 of the North Dakota Century Code, relating to price recovery by implement dealers, car dealers, or motorcycle dealers upon discontinuance of contract, relating to the determination of prices, and relating to liability for failure to pay a specified sum upon cancellation of a contract.

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, 30; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH			ISZLER	●		NAADEN	●		SHABLOW	●
●	BERUBE			JACOBSON	●		NASSET	●		SMYKOWSKI	●
●	CHRISTENSEN, H. #5			JONES	●		NOTHING	●		SOLBERG	●
●	CHRISTENSEN, L. #3			KAUTZMANN	●		PLYE	●		STRAND	●
●	CONLIN			LARSON	●		RAIT	●		STRINDEN	●
●	ERDMAN			LASHKOWITZ	●		REDLIN	●		STROUP	●
●	FREED			LEE	●		REITEN	●		THANE	●
●	FRITZELL	●		LIPS	●		RINGSAK	●		TWETEN	●
●	GOODMAN	●		LONGMIRE	●		SANDS	●		VOSPER	●

● CRONHOVD	● MAHER	SANDNESS	● WALSH
● HOFFNER	MELLAND	SCHULTZ, C #14	● WENSTROM
● HOLAND	MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill was declared lost.

MOTION

Senator Wenstrom moved that Senate Bill No. 2075 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Wenstrom requested the unanimous consent of the Senate to withdraw Senate Bill No. 2075, which request was granted.

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

LEO LEIDHOLM, Secretary

THIRD DAY

Bismarck, January 9, 1975

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

Prayer by the Reverend Norman Winkelman, United Methodist Church, Bismarck.

“Let Us Pray:

Trust in the Lord with all your heart, lead not to your own understanding. In all your ways acknowledge Him and He will direct your paths, for the fear of the Lord is the beginning of wisdom. We come this day, our Father, thankful for these persons who are willing to give of their time and energies, to wrestle with the problems and opportunities of the people of North Dakota. We ask that you will give unto them the physical strength that is needed for the long hours that they will be putting in. We ask that you would help each one of us to recognize your own humans and our own self-interests. Give us all your wisdom, your love, your understanding, that together we might work for the common good of all the citizens of North Dakota. For we ask these things in the name of Christ our Lord, who in His unselfish way gave Himself for all mankind. Amen.”

ROLL CALL

All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

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

On page 60, below line 12, insert the name “Edwin Keller . . . . . Janitor”.

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

MOTION

Senator Nething moved that the Senate direct the contract bill printer to print only 350 copies of Senate Bill No. 2039, which motion prevailed.

Senator Nething moved that after the reading of Senate Bills Nos. 2021, 2035, 2049, 2056, 2061, 2076, 2085, 2087, 2114, 2116, 2123, 2140, and Senate Concurrent Resolution No. 4006 that the Senate recess until 1:00 P.M., January 10, 1975.

LEO LEIDHOLM, Secretary



THIRD DAY AFTER RECESS  
AND FOURTH DAY

Bismarck, January 10, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2012 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22 delete the figure "35,995" and insert in lieu thereof the figure "26,200"

On page 1, line 23 delete the figure "706,942" and insert in lieu thereof the figure "697,147"

On page 1, line 24 delete the figure "137,220" and insert in lieu thereof the figure "89,865"

On page 2, line 1 delete the figure "569,722" and insert in lieu thereof the figure "607,282"

On page 2, line 2 delete the figure "570,922" and insert in lieu thereof the figure "608,482"

On page 2, line 3 delete the figure "137,220" and insert in lieu thereof the figure "89,865"

On page 2, line 4 delete the figure "708,142" and insert in lieu thereof the figure "698,347"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent of the amendment is to reduce the equipment appropriation to balance with new positions allowed in the Executive Budget and to adjust anticipated income to proper matching level.

SENATOR LIPS, Chairman

Senate Bill 2012 was placed on the 6th order of business for the next legislative day.

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

SENATOR SANDS, Chairman

Senate Bill 2082 was placed in the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2083 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15, after the word "to" delete "be less than" and insert in lieu thereof the word "exceed"

And renumber the lines accordingly.

SENATOR SANDS, Chairman

Senate Bill 2083 was placed on the sixth order of business for the next legislative day.

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 do pass.

SENATOR JACOBSON, Chairman

Senate Bill 2086 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2131 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill 2131 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2137 has had the same under consideration and recommends that the same do pass. SENATOR SANDS, Chairman

Senate Bill 2137 was placed in the eleventh order of business for the next legislative day. SIXTH ORDER OF BUSINESS

Senator Kautzmann moved that the amendments to Senate Bill No. 2119 as recommended by the Committee on Industry, Labor and Business as printed on page 66 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2130 as recommended by the Committee on Finance and Taxation as printed on page 66 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Concurrent Resolution No. 4004 as recommended by the Committee on Judiciary as printed on pages 66 and 67 of the Senate Journal be adopted, and referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Freed moved that the Committee Report for Indefinite Postponement of Senate Bill No. 2078 as reported on page 65 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2078, the roll was called and there were ayes, 50; nays, 1; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J #37		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

Which motion prevailed, and Senate Bill No. 2078 was indefinitely postponed.

### FIRST READING OF SENATE BILLS

Senator Wenstrom introduced:

Senate Bill No. 2197. A Bill for an Act to create and enact a new section to chapter 15-39.2, and to amend and reenact section 15-39.2-01 of the North Dakota Century Code, relating to the membership of college teachers in the teachers' fund for retirement.

Was read the first time and referred to the committee on Education. Committee on Natural Resources introduced:



**Senate Bill No. 2198.** A Bill for an Act to provide for scenic easements upon lands adjacent to and within two hundred yards of any state park, state recreation area, state campground, or state reserve.

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

Senators J. Schultz, Lee introduced:

**Senate Bill No. 2199.** A Bill for an Act to amend and reenact section 36-21.1-06 of the North Dakota Century Code, relating to care of abused animals and providing notice and hearing prior to sale of such animals to discharge a lien for their care.

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

Senator Stroup introduced:

**Senate Bill No. 2200.** A Bill for an Act to provide for the allocation of moneys deposited in the coal development fund to impacted school districts, counties, cities, and state agencies; to provide for the creation of a coal development impact office in the office of the governor; to provide for a legislative council coal development review committee to approve or disapprove impact grants; and providing an appropriation.

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

Senator Barth introduced:

**Senate Bill No. 2201.** A Bill for an Act to amend and reenact subsection 4 of section 20.1-03-04 of the North Dakota Century Code, relating to exemptions from fishing license requirements.

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

Senator Lashkowitz introduced:

**Senate Bill No. 2202.** A Bill for an Act to amend and reenact section 20.1-03-26 of the North Dakota Century Code, relating to nonresident taking and transporting of game birds.

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

Senator Lashkowitz introduced:

**Senate Bill No. 2203.** A Bill for an Act to require a majority vote for election to congress from the state and to provide for a special runoff election where a majority vote is not received by one candidate.

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

Senators Tweten, Longmire, Strand, L. Christensen introduced:

**Senate Bill No. 2204.** A Bill for an Act to amend and reenact Section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

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

Senator J. Schultz introduced:

**Senate Bill No. 2205.** A Bill for an Act to authorize school boards to provide transportation services at cost to pupils whose parents or guardians petition for such services.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Lashkowitz introduced:

**Senate Concurrent Resolution No. 4012.** A concurrent resolution commending the North Dakota Air National Guard's 119th Fighter Interceptor Group on its selection as the most outstanding Air Force interceptor/tactical fighter squadron for 1974.

Senator Lashkowitz moved that the rules be suspended, that Senate Concurrent Resolution No. 4012 not be printed as a bill, not referred to committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION No. 4012

A concurrent resolution commending the North Dakota Air National Guard's 119th Fighter Interceptor Group on its selection as the most outstanding Air Force interceptor/tactical fighter squadron for 1974.

WHEREAS, the United States Air Force annually presents the coveted Hughes Achievement Award to the most outstanding Air Force interceptor/tactical fighter squadron with a primary mission in air defense; and

WHEREAS, this competition annually pits nominees submitted by the Air Defense Command, Tactical Air Command, the Pacific Air Command, U.S. Air Force in Europe, the Alaskan Air Command, and the Air National Guard against each other; and

WHEREAS, selection of the recipient of the Hughes Trophy is based on aircraft maintenance effectiveness, the most recent major air command operational readiness inspection, individual and unit achievements; and

WHEREAS, the North Dakota Air National Guard's 119th Fighter Interceptor Group is the first Air National Guard unit in the Nation to win the Hughes Achievement Award in the twenty-two year history of the competition; and

WHEREAS, 1974 marks the third time since 1970 that the "Happy Hooligans" of the 119th have emerged victorious in a major phase of worldwide Air Force competition;

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

That the Forty-fourth Legislative Assembly extends to the North Dakota Air National Guard sincere congratulations and commendations for the honors it has won not only for itself but for the State of North Dakota and all of its citizens, honors which bring forth deep-felt feelings of pride in all North Dakotans on the high state of readiness and the quality of training exhibited by the North Dakota Air National Guard; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Chief of the National Guard Bureau, Washington, D.C.; the Director of the Air National Guard, Washington, D.C.; the Adjutant General of the North Dakota National Guard; and the Commanding Officer of the 119th Fighter Interceptor Group.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4012. A concurrent resolution commending the North Dakota Air National Guard's 119th Fighter Interceptor Group on its selection as the most outstanding Air Force interceptor/tactical fighter squadron for 1974.

Which has been read.

Senator Lashkowitz moved that Senate Concurrent Resolution No. 4012 be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2021. A Bill for an Act to amend and reenact section 15-47-34 of the North Dakota Century Code, relating to the education of deaf-blind 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, 51; nays, 0; absent and not voting, 0.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2035. A Bill for an Act to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment; and providing for an effective date.

Which has been read.

Senator Kautzmann moved that Senate Bill No. 2035 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2049. A Bill for an Act to amend and reenact section 15-52-03 of the North Dakota Century Code, relating to the medical center 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, 51; nays, 0; absent and not voting, 0.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2056. A Bill for an Act to repeal sections 36-07-04, 36-07-05, and 36-07-06 of the North Dakota Century Code, relating to the construction and operation of rendering plants.

Which has been read

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays 0; absent and not voting, 0.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP

• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2061.** A Bill for an Act to amend and reenact sections 28-01-40 and 28-01-41 of the North Dakota Century Code, relating to the requirement for reports of loss through spraying by aircraft, and to the contents of verified reports of damage by aircraft.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2076.** A Bill for an Act to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to compensation for members of the retirement 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2085.** A Bill for an Act to increase the daily compensation of members of the merit system council to forty-five dollars.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 4; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		

● BERUBE	● JACOBSON	● NASSET	● SMYKOWSKI
● CHRISTENSEN, H #5	● JONES	● NOTHING	● SOLBERG
● CHRISTENSEN, L #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2087.** A Bill for an Act to amend and reenact sections 39-17-10 and 47-14-05 of the North Dakota Century Code, relating to the interest rate on moneys due to the unsatisfied judgment fund and to the legal rate of interest when the rate is not otherwise specified.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2114.** A Bill for an Act to amend and reenact section 15-54-08 of the North Dakota Century Code, relating to health 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2116.** A Bill for an Act to amend and reenact section 65-05-25 of the North Dakota Century Code, relating to lump sum settlements.

Which has been read.

**MOTION**

Senator Kautzmann moved that Senate Bill No. 2116 be amended as follows:

On page 2, line 28, delete the numerals "65-05-15" and insert in lieu thereof the numerals "65-05-16"

Which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2116 be deemed properly engrossed and placed on the calendar for second reading and final passage, as amended,  
Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2116. A Bill for an Act to amend and reenact section 65-05-25 of the North Dakota Century Code, relating to lump sum settlements.

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, 4; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK	●		● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

Senate Bill No. 2123. A Bill for an Act to amend and reenact section 43-03-16 of the North Dakota Century Code, relating to architects' certificates of registration, and the duties of the secretary of the board of architecture.

Which has been read. ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2140. A Bill for an Act to amend and reenact subsection 2 of section 57-39.2-10 of the North Dakota Century Code, relating to required sales tax records and providing for the removal of the good faith requirement whenever a retailer accepts a resale certificate.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		

● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRODHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

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

LEO LEIDHOLM, Secretary

FOURTH DAY

Bismarck, January 10, 1975

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

Prayer by Mr. Lynn Wolf, Church of Christ, Bismarck.

“Shall we pray:

Our kind and loving Heavenly Father, how thankful we are for the freedom that we have in this country and how thankful we are for this great state that we live in. Father, as these people are gathered together here today to make and enact laws that will be carried out in North Dakota, we pray that as they have the knowledge before them that you will give them the wisdom that they not put it into action that this state be a better place to live. We pray that you will help each and everyone of us to be better citizens that we might work together for the cause of this state. We pray that you will always help us walk in the pathways of righteousness and that you will forgive us of many things that we do that is contrary to Thy will. In Christ's name, we pray. Amen.”

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the second day after recess and third day and finds the same to be correct.

SENATOR SANDNESS, Chairman

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

Senator Nething requested the Sergeant-at-Arms to escort Mr. Gorman King to the rostrum to present the report of the Legislative Compensation Commission.

Report of the

LEGISLATIVE COMPENSATION COMMISSION  
to the Forty-fourth Legislative Assembly

Chapter 429 of the 1969 Session Laws created a Legislative Compensation Commission consisting of five members appointed by the Governor to four-year terms. The Governor was also to appoint one of the members Chairman of the Commission. The current membership of the Commission is: Mr. Gorman King, Valley City, Chairman; Mrs. Mavis Couchigian, Grand Forks; Dr. James Mahoney, Devils Lake; Mr. Edward Nesemeier, Casselton; and Mrs. Florence Olson, Enderlin.

The Commission's principal responsibility, as outlined in Sections 54-03-20.2 and 54-03-20.3 of the Century Code, is to make recommendations concerning appropriate rates of expense allowance and reimbursement for legislators during legislative sessions, and for interim legislative work.

The Commission believes that rates of compensation and reimbursement should be designed to permit citizens to hold legislative office without undue financial sacrifice or disadvantage, but should not be designed to work a detriment to the citizen-legislator concept.

The Commission is required by law to report to each Legislative Assembly within 10 days after it convenes in regular session. The Com-

mission is also authorized to seek the assistance of the Legislative Council staff, which assistance has been provided during this biennium.

The 1973 Commission Report contained two specific recommendations concerning legislative expense reimbursement, and a third recommendation that the Constitution be amended to create a Legislative Compensation Commission. The two specific reimbursement recommendations were that the daily Session unvouchered expense allowance be increased to \$50 a day, and that the monthly unvouchered expense allowance for the Speaker, and the Majority and Minority Leaders of both Houses, be increased from \$50 to \$75 per month. The latter recommendation was not accepted, but the former recommendation and the recommendation proposing a constitutional amendment to Section 45 of the Constitution were accepted by the Forty-third Legislative Assembly.

The 1971 Report of the Commission noted that North Dakota ranked 47th among the 50 states in average expenditure per legislator. A table in "The Book of the States (1974-75)", published by the Council of State Governments, notes that North Dakota ranks 45th in estimated biennial compensation paid to its legislators. Estimated biennial compensation is defined to include unvouchered expense allowances, and to exclude vouchered expense reimbursements and per diem for interim committee work.

As it has done in the past, the Commission sampled the thinking of several legislators concerning needed changes in the current compensation or expense reimbursement schedule before it formulated its recommendations.

Additionally, the Commission considered a "typical" legislator's compensation and expense reimbursement during the current biennium based on the assumption that the "typical" legislator served on one interim committee of the Legislative Council, that he lived 100 miles from Bismarck, that he was not the chairman of a standing or interim committee, and that his interim committee met 10 times during the interim. The total dollars received by that "typical" legislator during 1973-74 would have been \$7,093.00. The average amount received per month would be \$295.54. Of this amount the actual compensation received (i.e., daily constitutional salary during the Session of \$5, and interim "per diem" of \$30) equals \$840, and the average compensation per month equals \$35. The average compensation per day spent on legislative work excluding work in the legislative district for constituents or while campaigning, was \$7.78 per day.

The Commission reasserts its belief that the prime responsibility of the Legislative Assembly is to respond to the needs of the people of North Dakota. The Commission believes that if this response is not forthcoming from the Legislature, governmental power will assuredly continue to flow to the Federal Government and away from state and local government. One method of assuring a Legislature responsive to the needs of its constituency is to attempt to make sure that the legislative body is made up of highly motivated and competent men and women.

Although the Commission hopes that its compensation recommendations, if adopted, would aid in motivating competent men and women to seek or remain in legislative office, the Commission realizes that the compensation factor is only one of a combination of factors which motivate people towards public service. The Commission believes that improvements in the total range of legislative compensation and expense reimbursement should be added to improvements in physical facilities available, to additional professional staff services, and to the length of time available for legislative business.

If improvement is made in all four of these areas, the Commission feels that even greater numbers of highly qualified people would be motivated to seek legislative office.



### SPECIFIC COMPENSATION RECOMMENDATIONS

The Commission recommends that Section 54-03-20 be amended to increase the daily legislative unvouchered expense allowance, paid during Legislative Sessions, from \$50 to \$60 per day. This amount is to be paid for each calendar or natural day during any Organizational, Special, or Regular Session, as well as for each day, or portion of a day, spent in traveling to or returning from those sessions.

The Forty-fourth Legislative Assembly convened on January 7, 1975, and the sixtieth legislative day ends on Tuesday, April 1, 1975. Including two days for travel to and from the Session, the 1975 Session could cover 86 natural or calendar days. Under the current language of Section 54-03-20, the expense allowance for living, which includes meals, lodging, uncompensated travel, and other necessary expenses, would be \$50 a day or \$4,300 during the Session. Under the Commission's recommendation of a \$60-a-day unvouchered expense reimbursement, the amount would be \$5,160, or an increase of \$860 for the Session.

The Commission recommends further amendment to Section 54-03-20 to raise the monthly unvouchered expense allowance from its present \$50 limit to \$150 per month. This will result in an increase of \$2,400 during the biennium at a total monthly unvouchered expense allowance during the biennium of \$3,600.

With respect to reimbursement of specific incurred expenses, the Commission is recommending amendment to Sections 44-08-04 and 54-06-09 to increase the interim mileage reimbursement from twelve cents per mile to fifteen cents per mile and to increase the lodging and meals allowance to a total of \$30.

The latter figure would break down as follows: The nightly lodging would be in the actual amount, but not to exceed \$20 per night; and the meals allowance would be increased to a total of \$10 per day.

In addition to the foregoing specific dollar recommendations, the Commission also makes a recommendation that the monthly unvouchered expense allowance for the Floor Leaders of both Houses and the Speaker of the House be set at an amount higher than that received by the remaining members. However, the Commission did not desire to recommend a specific amount in this report.

Finally, the Commission recommends to the Legislature that, in its consideration of constitutional amendments that may be proposed to the people, it consider submission of a constitutional amendment to create a Legislative Standards Commission, which would be a constitutional body authorized to establish legislative compensation and expense allowances, among other duties. The Commission is having a concurrent resolution to accomplish this result prepared for introduction into the Senate. A similar resolution was defeated at the General Election on November 5, 1974. The Commission believes that with the proper explanation, a new constitutional amendment proposal will be accepted.

### GENERAL RECOMMENDATIONS

The Commission believes it is proper to make general recommendations in other areas of the legislative field. This is so because it is impossible not to consider other means of challenging and encouraging citizens to serve in the Legislature, while studying legislative compensation for those same purposes. Further, the Commission believes that if a legislator's working conditions are deemed by that legislator to be atrocious, or if the possibility of accomplishing anything worthwhile is remote, then no amount of money will induce him to run for, or continue to serve in, the Legislative Assembly.

The Commission discussed numerous general recommendations, and in the past has made many, which the Legislative Assembly could refer

to. However, in this report, the Committee is limiting its general recommendations to one.

That recommendation is with respect to legislative space needs. The Commission believes that the Legislative Assembly should give serious thought to providing different facilities for Executive Branch agencies, so that adequate space could be made available in the Capitol proper for legislative use during any Session, and during the interim. The Commission's recommendation does not include specifics on whether this space should be provided by construction or rental.

Senator Nething moved that the report of the Legislative Compensation Commission be printed in the Journal, which motion prevailed.

#### MOTION

Senator Longmire moved that a copy of all bills and resolutions be sent to the students at the law school at the University of North Dakota at Grand Forks, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2008

Senate Bill No. 2048

Senate Bill No. 2074

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

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

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

House Bill No. 1027

House Bill No. 1033

House Bill No. 1034

House Bill No. 1036

House Bill No. 1037

House Bill No. 1038

House Bill No. 1074

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills 2082, 2086, 2119, 2130, 2131 and 2137, that the Senate recess until 1:30 P.M., Monday, January 13, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FOURTH DAY AFTER RECESS AND FIFTH DAY

Bismarck, January 13, 1975

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. 2119

Senate Bill No. 2130

Senate Concurrent Resolution No. 4004

And fine the same correctly Engrossed.

SENATOR STRAND, Chairman

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

MESSAGE FROM THE HOUSE

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

House Bill No. 1016

ROY GILBREATH, Chief Clerk

FIRST READING OF SENATE BILLS

Senators Schuster, Lashkowitz introduced:

Senate Bill No. 2206. A Bill for an Act to provide an appropriation for the payment of additional compensation to North Dakota state employees, and declaring an emergency.

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

Committee on Agriculture introduced:

Senate Bill No. 2207. A Bill for an Act to create and enact sections 4-33-09, 4-33-10, and 4-33-11 of the North Dakota Century Code, relating to compensation for not planting host crops, to authorize political subdivisions to adopt and enforce regulations and to finance local pest control programs; to amend and reenact subsection 2 of section 4-33-01 of the North Dakota Century Code relating to definition of a "pest"; and to repeal chapter 4-31 of the North Dakota Century Code, relating to grasshopper control.

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

Committee on Transportation introduced:

Senate Bill No. 2208. A Bill for an Act to amend and reenact subsection 2 of section 39-12-05.1 of the North Dakota Century Code, relating to weight limitations for vehicles on designated highways; and declaring an emergency.

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

Committee on Agriculture introduced:

**Senate Bill No. 2209.** A Bill for an Act to amend and reenact section 4-21.1-13 and 4-21.1-14 of the North Dakota Century Code, relating to filing of nonresident nursery certificates and exemptions of nursery stock.

Was read the first time and referred to the committee on Agriculture.  
Committee on Natural Resources introduced:

**Senate Bill No. 2210.** A Bill for an Act relating to designation of a big horn sheep hunting season and providing that recipients of a big horn sheep hunting license shall not be eligible to apply for another such license.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2211.** A Bill for an Act to amend and reenact section 10-15-54, section 10-23-04, section 10-23-05, section 10-23-06, section 10-28-01, section 10-28-02, subsection 2 of section 45-10-02, and subsection 1 of section 54-09-04 of the North Dakota Century Code, relating to filing fees for various documents and increasing such fees.

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

Committee on Appropriations introduced:

**Senate Bill No. 2212.** A Bill for an Act to provide for an actuarial study of the teachers' fund for retirement and to provide an appropriation for unfunded liability of the fund.

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

Committee on Agriculture introduced:

**Senate Bill No. 2213.** A Bill for an Act to amend and reenact section 4-09-03, 4-09-05, and 4-09-07 of the North Dakota Century Code, relating to the state seed commission and the appointment of state seed commissioner.

Was read the first time and referred to the committee on Agriculture.  
Senator Freed introduced:

**Senate Bill No. 2214.** A Bill for an Act to amend and reenact section 57-51-02 and subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to the rate and distribution of the oil and gas gross production tax.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2215.** A Bill for an Act to amend and reenact section 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code, relating to a legislative standards commission, setting forth its powers and duties; and providing an effective date.

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

Committee on Finance and Taxation introduced:

**Senate Bill No. 2216.** 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 sales tax exemptions.

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

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senator Homuth introduced:

**Senate Concurrent Resolution No. 4013.** A concurrent resolution commending all of the people of North Dakota who gave time and effort to help out their fellow citizens during the winter storm of January 10-12, 1975.

Senator Homuth moved that the rules be suspended, that Senate Concurrent Resolution No. 4013 be not printed as a bill, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

**SENATE CONCURRENT RESOLUTION No. 4013**

A concurrent resolution commending all of the people of North Dakota who gave time and effort to help out their fellow citizens during the winter storm of January 10-12, 1975.

WHEREAS, the winter storm of January 10-12, 1975, presented a serious hazard to the lives and health of many of the people of the State of North Dakota; and

WHEREAS, the radio and television broadcasting stations of this State gave unstintingly of their time to provide emergency message service; and

WHEREAS, numerous public employees of the Highway Patrol, policemen, sheriffs, road maintenance and medical departments worked long hours under arduous conditions to provide all types of emergency assistance; and

WHEREAS, many food and drug stores remained open to supply food and drug needs, and many organizations, including snowmobile clubs, provided help in transporting people and material throughout the storm; and

WHEREAS, construction and power companies provided heavy equipment for emergency rescue and for restoration of utility services; and

WHEREAS, many North Dakota homes were opened up to stranded travelers who would otherwise have been left to face the elements, and many other North Dakotans provided individual acts of unselfish heroism in the highest spirit of cooperation; and

WHEREAS, all North Dakotans should be thankful to all of those individuals who gave of themselves to help others during this dangerous time;

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

That the Forty-fourth Legislative Assembly does express its gratitude to all of those individuals whose great or small efforts, helped to avert tragedy; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of the Senate to every radio and television station and to every daily and weekly newspaper so that this expression of gratitude may be transmitted in the broadest possible way.

**SECOND READING OF A SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4013. A concurrent resolution commending all of the people of North Dakota who gave time and effort to help out their fellow citizens during the winter storm of January 10-12, 1975.

Which has been read.

Senator Homuth moved that Senate Concurrent Resolution No. 4013 be adopted, which motion prevailed.

**REPORTS OF STANDING COMMITTEES**

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

SENATOR JONES, Chairman

Senate Bill No. 2043 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2045 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 9 insert beginning triple parentheses before the word "Persons" and delete "years"

On page 2 line 10 delete "years", delete the triple parentheses around the word "training", and delete "industrial"

On page 2 line 11 delete "or treatment program as approved"

On page 2 line 12 delete "by the superintendent"

On page 2 line 13 insert ending triple parentheses after the word "institutions." and delete the rest of the line

On page 2 delete all of lines 14 through 19.

And renumber the lines accordingly.

And when so amended recommends that Senate Bill No. 2045 be placed on the sixth order of business for the next legislative day.

SENATOR FREED, Chairman

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2047 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 4 following the word "section 27-20-34" insert "and" and following the word "section 27-20-36," delete "and" and on line 5 delete "subsection 1 of section 27-20-56,"

On page 1 line 9 following the first word "court," delete "and relating to appeals from juvenile court to the".

On page 1 line 10 delete "supreme court,"

On page 5 delete lines 8 through 26.

Renumber the lines accordingly.

And when so amended recommends that Senate Bill No. 2047 be placed on the sixth order of business for the next legislative day.

SENATOR FREED, Chairman

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2057 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senate Bill No. 2057 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Agriculture 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, line 2, following the word "pesticides", insert the following words: "and devices"

On page 1, line 11, delete the word "Control"

On page 2, line 14, delete "4. "Board" means the pesticide advisory board."

On page 2, line 17, following the word "any", insert the following words: "restricted use". On the same line delete the words "which is classified for restricted use" and insert in lieu thereof the words "covered by his certification"

On page 4, line 10, delete the words "or referring to it in" and all of line 11 and "lic" on line 12.

On page 4, line 16, following the second "the", insert the following words: "United States"

On page 4, line 18, following the word "the", insert the following words: "United States"

On page 5, line 4, delete the words "troublesome, mis-" and delete on line 5, "chievous,"

On page 5, line 6, delete the words "livestock, or poultry." and insert in lieu thereof the words "health, and the environment."

On page 5, line 9, delete the word "pests" and insert in lieu thereof the word "pest"

On page 5, line 13, delete the words "which by regulation are restricted to distribution" and all of line 14.

On page 5, line 18, delete the words "ornamental or crop"

On page 5, line 24, delete the words "any individual" and insert in lieu thereof the words "a certified applicator"

On page 5, line 26, delete the words "This term does not" and delete line 27 and 28.

On page 7, line 4, following the word "the", insert the words: "licensing and"

On page 7, line 24, following the word "Inspect" insert the words: "or sample"

On page 7, line 28, delete the word "or"

On page 7, line 29, delete the letter "f." and insert the letter "g."; insert between subdivisions "e." and "g." the following subdivision "f. Observe the use and application of a pesticide; or"

On page 7, line 29, delete the word "establishment" and insert in lieu thereof the word: "premises"

On page 8, line 24, delete the words "troublesome, mischievous,"

On page 8, line 25, delete the words "livestock, or poultry" and insert in lieu thereof the words "health, and the environment"

On page 8, line 31, after the word "pesticide" insert a "period" and delete the words "and it has" and delete line 32 and the language "unreasonable adverse effects on the environment." on line 33.

On page 9, line 19, delete the word "shall" all of line 20 and delete "another" on line 21, and insert in lieu thereof the words "who would be a commercial applicator if certified shall purchase, use, or supervise the use of a restricted use pesticide"

On page 11, line 25, delete the words, "which may be written,"

On page 12, line 1, delete the word "LIABILITY"

On page 12, line 13, delete the words, "private applicator shall buy or use any restricted use pesticide" and delete line 14 and delete the language "vate applicator" on line 15, and insert in lieu thereof the following words: "person who would be a private applicator, if certified, shall buy, use, or supervise any pesticide classified for restricted use unless such person"

On page 13, line 5, delete the word "or"; insert after the word "recommendation" a "comma"; on the same line delete the words "not in accordance" and insert in lieu thereof the following words: "or use inconsistent"

On page 14, line 5, delete the words "any restricted use pesticide, or used or caused to be used" and delete all of line 6; and insert in lieu thereof the following words: "used, or supervised the use of any restricted use pesticide without first complying with the certification of this Act."

On page 14, after subsection 17, insert the following new subsection:

"18. Conviction under Section 14 (a) or issuance of a final order assessing a civil penalty under Section 14 (b) of the Federal Insecticide, Fungicide, and Rodenticide Act of 1972."

On page 14, line 13, following the last sentence of that section, insert the following sentence: "Upon request, these records or pertinent parts thereof, shall be submitted to the commissioner."

On page 14, line 30, following the last sentence of that section, insert the following sentence: "Such a certification may be suspended or revoked in the same manner and on the same grounds as licenses and certifications pursuant to this Act; and shall be suspended or revoked if the non-resident's home state certification is suspended or revoked."

On page 14, line 32, delete subsection 1.

On page 15, line 7, delete the words "any individuals" and insert in lieu thereof the words: "a competent person"

On page 15, after renumbered subsection 2 of section 19, insert the following new subsection:

"3. Persons conducting laboratory type research using restricted use pesticides and doctors of medicine and doctors of veterinary medicine applying pesticides as drugs or medication during the course of their normal practice."

On page 15, line 12, following the word "containers" insert the following words: "and devices"

On page 15, line 16, delete the "period" and insert a "comma" and insert the following words: "pesticide containers, or devices."

On page 15, line 21, delete the "period" and insert the following words: "and dealers."

On page 15, after line 33, insert the following new subsection:

"3. A commercial applicator shall inform any person employing him to apply to land any pesticide of the reporting requirements of Section 28-01-40."

On page 16, line 2, following the word "license", insert the following words: "or certification"

On page 17, line 11, delete the "comma" and insert a "period" and delete "in-" and all of lines 12 and 13.

And renumber the lines, pages and subsections accordingly.

And when so amended recommends the same be re-referred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

Senate Bill No. 2060 was placed on the sixth order of business for the next legislative day.

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

SENATOR JONES, Chairman

Senate Bill 2106 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2126 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 5, following the first comma insert the word "and" and following the numerals "39-13-02" delete the words "and 39-13-03"

On page 2, line 6, following the first comma insert the word "and" and following the numerals "39-13-02" delete the words "and 39-13-03"

And renumber the lines accordingly.

SENATOR SOLBERG, Vice Chairman

Senate Bill 2126 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2127 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SOLBERG, Vice-Chairman

Senate Bill 2127 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2128 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SOLBERG, Vice-Chairman

Senate Bill 2128 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2132 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21, insert triple parentheses following the word "instruments".



On page 1, line 24, insert triple parentheses after the period; and delete the remainder of the line.

On page 2, delete lines 1, 2 and 3.

On page 2, line 4, delete the words: "form may be furnished, without payment,"; and insert in lieu thereof the following: ".provided, however, that any discharge document recorded by the clerk of district court shall be made available"

And renumber the lines accordingly.

SENATOR RINGSACK, Chairman

Senate Bill No. 2132 was placed on the 6th order of business for the next legislative day.

#### CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2012 as recommended by the Committee on Appropriations as printed on Page 73 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2083 as recommended by the Committee on Political Subdivisions as printed on Page 73 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

Senator Stroup moved that Senate Bill No. 2084 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Stroup moved that Senate Bill No. 2084 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1016.** A Bill for an Act to provide an appropriation for the payment of additional compensation to North Dakota state employees for each month employed by the state of North Dakota during the period beginning January 1, 1975, and ending June 30, 1975, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1027.** A Bill for an Act to amend and reenact section 15-29-13 of the North Dakota Century Code, relating to incidental revolving funds and to provide for the establishment of a school activities fund.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1033.** A Bill for an Act to repeal section 34-06-16 of the North Dakota Century Code, relating to a civil action by an employee to recover the difference between a minimum wage established by the commissioner of labor and the wage actually paid to the employee by the employer.

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

**House Bill No. 1034.** A Bill for an Act to amend and reenact section 34-07-19 of the North Dakota Century Code, relating to enforcement of child labor provisions by the commissioner of labor; and to repeal section 34-07-09 and subsection 11 of section 34-07-16 of the North Dakota Century Code, relating to the number of years of required school attendance by a minor for issuance of an employment certificate, and to the prohibition of the employment of a minor as a pin boy in a bowling alley.

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

**House Bill No. 1036.** A Bill for an Act to amend and reenact section 34-12-08 of the North Dakota Century Code, relating to the authority of the

commissioner of labor to order any person to cease and desist from engaging in any unfair labor practice.

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

**House Bill No. 1037.** A Bill for an Act to amend and reenact section 34-14-09.1 of the North Dakota Century Code, relating to amounts an employee may recover on unpaid wages.

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

**House Bill No. 1038.** A Bill for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code, relating to the workmen's compensation bureau's furnishing lists of employers' names and addresses to certain state agencies.

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

**House Bill No. 1074.** A Bill for an Act to amend and reenact subsection 1 of section 57-38-34 of the North Dakota Century Code, relating to the filing of income tax returns.

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

SECOND READING OF SENATE BILLS

**Senate Bill No. 2035.** A Bill for an Act to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment; and providing for an effective date.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MURCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2082.** A Bill for an Act to amend and reenact section 11-15-29 of the North Dakota Century Code, relating to sheriffs' and deputies' uniforms.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		

● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2086. A Bill for an Act to provide for annual reports to the state soil conservation committee of surface mining operations for minerals other than coal, annual reports by the state soil conservation committee to local soil conservation districts of surface mining operations conducted within the districts, and exemption of certain surface mining operations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SAYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2119. A Bill for an Act to amend and reenact subsection 5 of section 43-31-07 of the North Dakota Century Code, relating to examinations for licensing of detection of deception examiners; and to amend and reenact section 43-31-15 of the North Dakota Century Code, relating to exemptions from licensing of deception of detection examiners.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SAYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTH DAY

Bismarck, January 13, 1975

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

Prayer by Reverend Richard Unkenholz, First Methodist Church, Bismarck.

"O God, as we assemble on this beautiful day, we still carry the sharp remembrance of the storm-filled weekend. We are reminded of how many forces there are in life over which we have no control.

Be with the bereaved and those who are still suffering as a result of the blizzard.

There are other areas of living over which we do have control. Help us to judge wisely and act boldly that the inner life of every person we influence may be strengthened and enriched. Amen."

Roll Call: All Senators present except Mutch.

A quorum was declared by the President.

CORRECTION AND REVISION

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

On page 74, after line 34, insert the following:

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2078, the roll was called and there were ayes 50; nays 1; absent and not voting, 0.

On page 79, above the fourth line from the bottom of the page, insert "MOTION"

On page 80, after line 5, insert "SECOND READING OF SENATE BILLS", and insert the title of Senate Bill No. 2116. After the title, insert the line "Which has been read."

On page 84, after line 11, insert "MOTION".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2130. A Bill for an Act to provide for the deduction of contributions to certain retirement plans for state income tax purposes in the same amount as permitted for federal income tax purposes, to provide an effective date, and declaring an emergency.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

Senate Bill No. 2131. A Bill for an Act to amend and reenact subsection 5

of section 20.1-01-05 of the North Dakota Century Code, relating to unauthorized methods of taking game birds and game animals.

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, 14; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN		●	● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN		●	● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER		●	● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2137. A Bill for an Act to amend and reenact section 40-38-04 of the North Dakota Century Code, relating to powers and duties of public library boards.

Which has been read.

**ROLL CALL**

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

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**MESSAGE TO THE HOUSE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2021
- Senate Bill No. 2049
- Senate Bill No. 2056
- Senate Bill No. 2061
- Senate Bill No. 2076
- Senate Bill No. 2085
- Senate Bill No. 2087
- Senate Bill No. 2114
- Senate Bill No. 2116
- Senate Bill No. 2123
- Senate Bill No. 2140
- Senate Concurrent Resolution No. 4012
- Senate Concurrent Resolution No. 4013

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

LEO LEIDHOLM, Secretary

Senator Nething moved that after the reading of Senate Bills Nos. 2012, 2043, 2057, 2083 and 2106, that the Senate recess until 1:30 P.M., January 14, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTH DAY AFTER RECESS  
AND SIXTH DAY

Bismarck, January 14, 1975

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. 2012

Senate Bill No. 2083

And find the same correctly engrossed.

SENATOR STRAND, Chairman

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2004 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10 delete the figure "599,751" and insert in lieu thereof the figure "628,751"

On page 1, line 14 delete the figure "443,915" and insert in lieu thereof the figure "447,915"

On page 1, line 16 delete the figure "38,000" and insert in lieu thereof the figure "42,000"

On page 1, line 20 delete the figure "15,000" and insert in lieu thereof the figure "40,000"

On page 1, line 21 delete the figure "599,751" and insert in lieu thereof the figure "628,751"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent was to increase the salary item to provide an increase in the salary of the Commissioner to \$42,000 and the contingent fund was increased to pay the anticipated increase in rent based on 3500 square feet.

SENATOR LIPS, Chairman

Senate Bill 2004 was placed on the 6th order of business for the next legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2023 has had the same under consideration and recommends that the same be amended as follows:

On page 2 line 1 delete triple parentheses

On page 2 line 9 delete triple parentheses and add a period after the word "standards"

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2023 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2024 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2024 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2029 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill 2029 be placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2030 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill 2030 be placed on the sixth order of business for the next legislative day.

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

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2037 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2096 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2096 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2098 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, following the numerals and period "21." delete the letter and the period "a."

On page 1, line 17, insert beginning triple parentheses before the letter "b"

On page 1, line 21, delete the beginning and ending triple parentheses around the number "1972"

On page 1, line 22, delete the underscored number "1974" and delete the beginning and ending triple parentheses around the number "1972"

On page 1, line 23, delete the underscored number "1974"

On page 2, line 1, insert ending triple parentheses following the period And renumber the lines accordingly.

And when so amended recommends.

SENATOR STROUP, Chairman

Senate Bill 2098 be placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2104 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 after the word "lease" delete ", sell,"

On page 1, line 19 after the word "lease" delete ", sell,"

On page 1, line 24 after the word "leases" delete ", sales,"

And renumber the lines accordingly.

SENATOR JONES, Chairman

Senate Bill 2104 be placed on the sixth order of the next legislative day.

Mr. President: Your Committee on Education to whom was referred



Senate Bill No. 2109 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2109 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2115 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2115 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2124 has had the same under consideration and recommends that the same be amended as follows:

On page 8, line 6, after the word "ORDER-" delete the word "HEARING."

And renumber the lines accordingly.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2124 was placed on the 6th order of business for the next legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2125 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2125 was placed on the 11th order of business for the next legislative day.

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 FREED, Chairman

Senate Bill No. 2167 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2183 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2183 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1016 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1016 was placed on the 14th order of business for the next legislative day.

#### CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2045 as recommended by the Committee on Judiciary, as printed on pages 87 and 88 of the Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2047 as recommended by the Committee on Judiciary as printed on page 88 of the Journal be adopted, which motion prevailed.

Senator Jones moved that the reading of the amendments to Senate Bill No. 2060 as printed on pages 88, 89 and 90 of the Journal be dispensed with, that the amendments be adopted, and that Senate Bill No. 2060 be referred to the Committee on Appropriations, which motion prevailed.

Senator Jones moved that Senate Bill No. 2060 be reprinted, which motion prevailed.

Senator Solberg moved that the amendments to Senate Bill No. 2126 as recommended by the Committee on Transportation as printed on page 90 of the Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 2132 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on pages 90 and 91 of the Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Solberg moved that the Committee Report on Senate Bill No. 2127, as printed on page 90 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2127, the roll was called and there were 35 ayes; 13 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		●
● CHRISTENSEN, L #3	●		● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN	●		● LONGMIRE		●	● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2127 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on Senate Bill No. 2128, as printed on page 90 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2128, the roll was called and there were 44 ayes; 4 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		●
● CHRISTENSEN, L #3	●		● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN		●	● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2128 was indefinitely postponed.

**RECOGNITION**

Senator Longmire requested that the Honorable Ed Becker, a former State Senator, be recognized and that he come to the rostrum for a few words of advice.

Mr. Becker: "Thank you Senator Longmire, Mr. President and ladies and gentlemen of the Senate. I used to sit back where Senator Nasset is now seated and I used to just cringe when someone was escorted to the

rostrum, recognizing that it was going to take some pretty valuable time, so my advice is work hard and get done in sixty days. Thank you."

The President announced that in compliance with Subsection 4 of House Bill 1290 of the 1973 Legislative Session a copy of the actuarial valuation of the North Dakota Teacher's Fund for Retirement, compiled by the actuarial firm of Brown and Flott of Chicago as of June 30, 1974 is available in the Lt. Governor's office.

The President requested the Sergeant-at-Arms to escort Sgt. Dave Olson and Sgt. Bill Asplund of the 7th Cavalry to the Senate desk, at which time they read the following proclamation.

"Be it known to all present that the 7th Cavalry regiment, territory of Dakota, does hereby grant and deliver unto all in this Assembly, a formal invitation to the 7th Cavalry Regimental Ball, to be held on Friday, Jan. 24th in the year of our Lord, 1900 and 75.

"Be it also known that said Regimental Ball will be held at the Moose Lodge, Bismarck, Dakota Territory. Activities for the evening will begin promptly at 9:00 P.M. Our Commanding Officer Col. Don Schnabel, the officers and troopers of the Seventh Cavalry hereby extend a cordial welcome to each and everyone herein assembled to attend."

#### FIRST READING OF SENATE BILLS

Senator Nething introduced:

**Senate Bill No. 2217.** A Bill for an Act to amend and reenact section 40-05-06 of the North Dakota Century Code, relating to the penalty which a city may impose for a violation of its ordinances relating to vandalism or shoplifting.

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

Senator Nething introduced:

**Senate Bill No. 2218.** A Bill for an Act to prohibit the publication of the name of a child convicted of a delinquent act, and requiring the juvenile court to order publication of the name of a child upon the child's second conviction for criminal mischief or theft of property.

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

Senator Nething introduced:

**Senate Bill No. 2219.** A Bill for an Act to amend and reenact section 32-03-39 of the North Dakota Century Code, to increase the liability of a parent of a minor who maliciously or willfully destroys property of another.

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

Senator Nething introduced:

**Senate Bill No. 2220.** A Bill for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota, requiring mandatory sentences for persons convicted of criminal mischief.

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

Senator Nething introduced:

**Senate Bill No. 2221.** A Bill for an Act relating to the appointment of auxiliary peace officers.

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

Senators Hoffner, Nething introduced:

**Senate Bill No. 2222.** A Bill for an Act to require health insurance coverage for persons suffering from mental and nervous disorders, alcoholism, and drug addiction.

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

Senator Jones introduced:

**Senate Bill No. 2223.** A Bill for an Act to provide for income averaging for state income tax purposes; and to provide an effective date.

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

Senator Jones introduced:

**Senate Bill No. 2224.** A Bill for an Act to create and enact two new sections to chapter 23-13 of the North Dakota Century Code, to provide certain facilities in public toilets for physically handicapped persons.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2225.** A Bill for an Act to create and enact a new section to the North Dakota Century Code relating to the increase of base premium; and to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to payment and determination of premium and mailing of certificates.

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

Committee on Finance and Taxation introduced:

**Senate Bill No. 2226.** A Bill for an Act to amend and reenact subsection 4 of section 57-37-11 of the North Dakota Century Code, relating to the determination of the net estate and providing that debts must be paid to be deducted from the gross estate.

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

Committee on Social Welfare introduced:

**Senate Bill No. 2227.** A Bill for an Act to create and enact two new subsections of section 61-28-02, two new subsections of section 61-28-04 and one new subsection of section 61-28-06 of the North Dakota Century Code, relating to definitions, powers and duties of the state department of health and prohibitions; amending and reenacting subsections 1 and 2 of section 61-28-02, relating to definitions, and subsections 12 and 16 of section 61-28-04 of the North Dakota Century Code, relating to powers and duties of the state department of health.

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

Committee on Finance and Taxation introduced:

**Senate Bill No. 2228.** A Bill for an Act to amend and reenact subsection 2 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption for transportation services.

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

Committee on Finance and Taxation introduced:

**Senate Bill No. 2229.** A Bill for an Act to amend and reenact section 43-07-11 of the North Dakota Century Code, relating to bond requirements for contractors.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2230.** A Bill for an Act to amend and reenact section 43-11-17 of the North Dakota Century Code, relating to the certificates of registration issued to schools of hairdressing, cosmetology and shops, and the fee for annual registration.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2231.** A Bill for an Act to amend and reenact section 52-04-11 of the North Dakota Century Code, relating to interest and penalties for failure to pay contributions and file reports for unemployment compensation.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2232.** A Bill for an Act to amend and reenact sections 36-06-05, 36-06-06, 64-02-05, 64-02-06, 64-02-07, 64-02-08, 64-02-09, 64-02-10, 64-02-13, 64-02-14, 64-02-15, and 64-02-20 of the North Dakota Century Code, relating to changing chief inspector to director of weights and measures; and to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fee schedule for inspection of weighing and measuring devices.

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

Senator Conlin introduced:

**Senate Bill No. 2233.** 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 nonresident exemptions and providing for an exemption for the sale of clothing to residents of Minnesota.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2234.** A Bill for an Act to amend and reenact subsection 4 of section 52-01-01 of the North Dakota Century Code, relating to definition of disqualification for unemployment compensation benefits.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2235.** A Bill for an Act to create and enact subdivision j of subsection 11 of section 52-01-01, a new subsection of section 52-01-01, and section 52-01-02.1 of the North Dakota Century Code, relating to definition of employer, agricultural labor and keeping records by agricultural employing units for farm unemployment compensation coverage, and to amend and reenact subsection 12 of section 52-01-01 and subdivision a of subsection 15 of section 52-01-01 of the North Dakota Century Code, relating to the unemployment compensation definition of employee and exclusion from employment for farm coverage purposes.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2236.** A Bill for an Act to amend and reenact subdivision e of subsection 15 of section 52-01-01 of the North Dakota Century Code, relating to an exclusion from the definition of "Employment" of services performed by a child in the employ of his father or mother for unemployment compensation purposes.

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

Committee on State and Federal Government introduced:

**Senate Bill No. 2237.** A Bill for an Act to amend and reenact section 57-01-03 of the North Dakota Century Code, relating to the office of the Tax Commissioner and office hours of that office.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2238.** A Bill for an Act to amend and reenact section 52-04-05, subsection 1 of section 52-04-06, and subsection 3 of section 52-04-06 of the North Dakota Century Code, relating to the standard rate of contributions, to variations in the rate of contributions and the rate of contributions of deficit accounts, for unemployment compensation, to repeal subsection 4 of section 52-04-06 of the North Dakota Century Code, relating to the unemployment compensation rate of an employer with a variable payroll, to amend and reenact subsection 2 of section 52-05-03 of the North Dakota Century Code, relating to the unemployment compensation contributions rate for voluntary coverage, to amend and reenact subdivision b of subsection 1 of section 52-06-04 of the North Dakota Century Code, relating to schedule of unemployment compensation benefits.

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

Senator Lips introduced:

**Senate Bill No. 2239.** A Bill for an Act to amend and reenact subsection 3 of section 57-39.2-01 and subsection 3 of section 57-40.2-01 of the North Dakota Century Code, relating to the sales and use tax on items consumed or destroyed in the process of manufacturing.

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

Senators Lips, Lashkowitz, J. Schultz introduced:

**Senate Bill No. 2240.** A Bill for an Act to amend and reenact sections 18-04-04 and 18-04-05 of the North Dakota Century Code, relating to reporting fire insurance policy premium collections and the allocation of payment to fire protection districts, fire departments, or rural fire departments or districts.

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

Senator Melland introduced:

**Senate Bill No. 2241.** A Bill for an Act authorizing the social service board to make seasonal adjustments in payments to AFDC recipients, and declaring an emergency.

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

Committee on Transportation introduced:

**Senate Bill No. 2242.** A Bill for an Act to amend and reenact subsection 1 and subdivisions e and j of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to the registration of a motor vehicle.

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

Committee on Industry, Business and Labor introduced:

**Senate Bill No. 2243.** A Bill for an Act to create and enact a new section to the North Dakota Century Code relating to the increase of base premium; and to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to payment and determination of premium and mailing of certificates.

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

Committee on Political Subdivisions introduced:

**Senate Bill No. 2244.** A Bill for an Act to create the office of district attorney; to establish districts, qualifications, powers and duties, methods of selection, and tenure; and to provide for an appropriation for employees' salaries and retirement.

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

Committee on Judiciary introduced:

**Senate Bill No. 2245.** A Bill for an Act relating to the identification of parents and constituting the Uniform Parentage Act; to provide substantive legal equality for all children; and to repeal chapter 32-36 of the North Dakota Century Code.

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

**Senate Bill No. 2246.** A Bill for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code, relating to the registration and titling of motor vehicles.

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

Committee on Transportation introduced:

**Senate Bill No. 2247.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to registration of motor vehicles.

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

Committee on Transportation introduced:

**Senate Bill No. 2248.** A Bill for an Act to amend and reenact subsections 8 and 9 of section 57-40.3-01 and to create and enact new subsections to section 57-40.3-04 of the North Dakota Century Code, relating to exemptions and providing that said exemptions are found within section 57-40.3-04 of the North Dakota Century Code.

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

Committee on Social Welfare introduced:

**Senate Bill No. 2249.** A Bill for an Act to create and enact new subsections to section 27-20-45 of the North Dakota Century Code, relating to procedures by which the court may ascertain the identity of the parents of a child born out of wedlock; to amend and reenact subsection 2 of section 27-20-45 of the North Dakota Century Code, relating to efforts to identify the parents of a child born out of wedlock.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Committee on State and Federal Government introduced:

**Senate Concurrent Resolution No. 4014.** A concurrent resolution for the amendment of section 45 of the Constitution of the state of North Dakota, relating to compensation of members of the Legislative Assembly and providing an independent commission to set legislative pay and compensation.

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

Senator Jones introduced:

**Senate Concurrent Resolution No. 4015.** A concurrent resolution for the amendment of Section 173 of the Constitution of the State of North Dakota, relating to the election of county sheriffs.

Was read the first time and referred to the Committee on Judiciary. Senator Stroup introduced:

**Senate Concurrent Resolution No. 4016.** A concurrent resolution directing the Legislative Council to study the general area of administrative hearings.

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

STATE OF NORTH DAKOTA  
Executive Office  
Bismarck

The Honorable Wayne Sanstead  
President of the Senate  
North Dakota State Senate  
Bismarck, North Dakota 58505

Dear Mr. President:

I have made the following appointment which, under state law, is subject to State Senate confirmation:

**Director of Institutions (Section 54-21-06)**

Edward J. Klecker, Bismarck July 16, 1973-January 2, 1977

Attached is a brief biography of Mr. Klecker.  
Sincerely yours,  
ARTHUR A. LINK  
Governor

The President referred the communication to the Committee on State and Federal Government.

MESSAGE FROM THE HOUSE

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

House Bill No. 1018	House Bill No. 1054
House Bill No. 1019	House Bill No. 1055
House Bill No. 1025	House Bill No. 1073
House Bill No. 1028	House Bill No. 1083
House Bill No. 1035	House Bill No. 1090
House Bill No. 1045	House Bill No. 1105
House Bill No. 1049	House Bill No. 1109
House Bill No. 1051	House Bill No. 1111
House Bill No. 1053	House Bill No. 1132

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2012. A Bill for an Act making an appropriation for defraying expenses of the pardon board and parole office.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHARLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H #5		●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L #3		●	KAUTZMANN		●	PLYE	●	●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	●



● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2043. A Bill for an Act to amend and reenact section 12-48.1-02 of the North Dakota Century Code, relating to the eligibility of penitentiary inmates for work release programs.

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, 14; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		● ISZLER	● NAADEN		● SHABLOW			
● BERUBE		● JACOBSON	● NASSET		● SMYKOWSKI			
● CHRISTENSEN, H #5	● JONES	● NETHING	● SOLBERG					
● CHRISTENSEN, L #3	● KAUTZMANN	● PYLE	● STRAND					
● CONLIN	● LARSON	● RAIT	● STRINDEN					
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP					
● FREED	● LEE	● REITEN	● THANE					
● FRITZELL	● LIPS	● RINGSAK	● TWETEN					
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER					
● GRONHOVD	● MAHER	● SANDNESS	● WALSH					
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM					
● HOLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT					
● HOMUTH	● MUTCH	● SCHUSTER	MR PRESIDENT					

So the bill passed and the title was agreed to.

Senate Bill No. 2057. A Bill for an Act to repeal sections 23-12-01 and 23-12-02 of the North Dakota Century Code, relating to the disinfecting of secondhand goods.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		● ISZLER	● NAADEN		● SHABLOW			
● BERUBE		● JACOBSON	● NASSET		● SMYKOWSKI			
● CHRISTENSEN, H #5	● JONES	● NETHING	● SOLBERG					
● CHRISTENSEN, L #3	● KAUTZMANN	● PYLE	● STRAND					
● CONLIN	● LARSON	● RAIT	● STRINDEN					
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP					
● FREED	● LEE	● REITEN	● THANE					
● FRITZELL	● LIPS	● RINGSAK	● TWETEN					
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER					
● GRONHOVD	● MAHER	● SANDNESS	● WALSH					
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM					
● HOLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT					
● HOMUTH	● MUTCH	● SCHUSTER	MR PRESIDENT					

So the bill passed and the title was agreed to.

Senate Bill No. 2083. 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, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		● ISZLER	● NAADEN		● SHABLOW			
● BERUBE		● JACOBSON	● NASSET		● SMYKOWSKI			

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2106.** A Bill for an Act to amend and reenact section 55-08-07.1 of the North Dakota Century Code to allow the state park service concession fund to pay for supplies, costs, travel expenses, and repair, replacement, and maintenance.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION			NORTH DAKOTA SENATE			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

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

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

LEO LEIDHOLM, Secretary

**SIXTH DAY**

Bismarck, January 14, 1975

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

Prayer by Senator Clarence Schultz

“Our Heavenly Father, we ask your blessings and guidance of this body which is about to begin its deliberations.

We thank You for Your guidance that You may give us in the many days to come. Let us be tolerant of our fellow man and forgive us of our own weaknesses. Amen”.

Roll Call: All Senators present except Iszler, Mutch, Pyle and Smykowski.

A quorum was declared by the President.

**CORRECTION AND REVISION**

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

On page 87, above line 14, insert the following: “SECOND READING OF A SENATE CONCURRENT RESOLUTION”. Insert the title of Senate Concurrent Resolution No. 4013.

On page 90, line 23, delete the word “be” and insert in lieu thereof the word “was”.

On page 96, line 2, delete the word “recessed” and insert in lieu thereof the word “recess”.

On page 96, line 3, after the letters 1975, insert the words "which motion prevailed".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2035

Senate Bill No. 2082

Senate Bill No. 2086

Senate Bill No. 2119

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

LEO LEIDHOLM, Secretary

Senator Nething moved that after the reading of Senate Bills Nos. 2024, 2037, 2045, 2047, 2060, 2096, 2109, 2115, 2125, 2126, 2132, 2167, 2183 and House Bill No. 1016, that the Senate recess until 1:00 P.M., January 15, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



SIXTH DAY AFTER RECESS  
AND SEVENTH DAY

Bismarck, January 15, 1975

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. 2047

Senate Bill No. 2060

Senate Bill No. 2126

Senate Bill No. 2132

And find the same correctly engrossed.

SENATOR STRAND, Chairman

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

REPORTS OF STANDING COMMITTEES

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

SENATOR LIPS, Chairman

Senate Bill 2017 was placed on the 11th order of business for the next legislative day.

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 LIPS, Chairman

Senate Bill 2019 was placed on the 11th order of business for the next legislative day.

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 do pass.

SENATOR LIPS, Chairman

Senate Bill 2020 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred Senate Bill No. 2038 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2038 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary 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 delete all of line 6

On page 1 line 7 delete "tion 12.1-05-07"

On page 1 line 14 after the word "section 12.1-05-02" delete "section 12.1-27-04"

On page 1 line 16 after the word "section 12.1-32-02" delete "subdivision of"

On page 1 line 17 delete "subsection 2 of section 12.1-32-07"

On page 3 delete all of lines 32 through 35

On page 4 delete all of lines 1 through 16

On page 10 delete all of lines 31 through 35

On page 11 delete all of lines 1 through 6

On page 14 delete all of lines 19 through 26

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2040 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2105 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2105 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE BILLS

Senator Hoffner introduced:

Senate Bill No. 2250. A Bill for an Act to amend and reenact the entire language of section 12.1-32-04 of the North Dakota Century Code, as contained in section 31 of chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to factors to be considered in sentencing decisions.

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

Senator Hoffner introduced:

Senate Bill No. 2251. A Bill for an Act to amend and reenact section 12-53-11 of the North Dakota Century Code, relating to revocation of suspension of sentence and termination of probation.

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

Senator Hoffner introduced:

Senate Bill No. 2252. A Bill for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to the definitions of rules and regulations under the Administrative Agencies Practice Act.

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

Senators Stroup, Freed introduced:

Senate Bill No. 2253. A Bill for an Act making an appropriation to the North Dakota state water commission for the purpose of the investigation, design, and development of a plan for the implementation of staged development of the water resources of southwestern North Dakota, including the Missouri River waters.

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

Senators Stroup, Freed, Lee introduced:

Senate Bill No. 2254. A Bill for an Act to amend and reenact section 30.1-10-01 of the North Dakota Century Code, as contained in chapter 257 of the 1973 Session Laws of the state of North Dakota, relating to renunciation of property acquired by devise or descent.

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

Senators Morgan, Thane introduced:

Senate Bill No. 2255. A Bill for an Act to amend and reenact sections 16-10-16 and 16-13-16 of the North Dakota Century Code, relating to the

compensation paid to election board members and to the expense allowance paid to canvassing board members.

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

Senators Solberg, Iszler introduced:

**Senate Bill No. 2256.** A Bill for an Act to amend and reenact subdivision b of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicle registration.

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

Senator Lips introduced:

**Senate Bill No. 2257.** A Bill for an Act to amend and reenact section 26-08-10 of the North Dakota Century Code, relating to the authorization required for investment of funds with loans of a domestic insurance company, and prohibited investment practices.

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

Senator Lips introduced:

**Senate Bill No. 2258.** A Bill for an Act to amend and reenact subsection 1 of section 26-11-10 of the North Dakota Century Code, relating to the salaries and expenses of officers and agents of domestic life insurance companies.

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

Senators Longmire, Reiten, Barth introduced:

**Senate Bill No. 2259.** A Bill for an Act to create and enact section 6-06-38 of the North Dakota Century Code, relating to destruction of records by credit unions; to amend and reenact subsection 1 of section 6-06-12 of the North Dakota Century Code to increase the number of membership officers permissible for credit unions; to amend and reenact section 6-06-14 of the North Dakota Century Code relating to the limitations and types of loans that the credit union can make; to amend and reenact section 6-06-20 of the North Dakota Century Code to increase the ceiling on loans to officers and to permit officers to guarantee loans.

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

Senators Barth, Reiten, Longmire introduced:

**Senate Bill No. 2260.** A Bill for an Act to amend and reenact section 6-06-18 of the North Dakota Century Code, relating to an increase in interest rates.

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

Senator Nasset introduced:

**Senate Bill No. 2261.** A Bill for an Act to amend and reenact section 15-62.2-01 of the North Dakota Century Code, relating to participation in an undergraduate student financial assistance program.

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

Senator Mutch introduced:

**Senate Bill No. 2262.** A Bill for an Act to amend and reenact section 25-04-04, 25-04-05, 25-09-02, 25-09-02.2, 25-09-03, 25-09-04, 25-09-05, 25-09-06, 25-09-07, 25-09-08, 25-09-09, and subsection 2 of section 25-09-10 of the North Dakota Century Code, to delete provisions for the charging of expenses for care and treatment of patients of the Grafton state school against the patients, their responsible relatives, or their guardians or estates; and to repeal sections 25-09-03.1 and 25-09-04.1 of the North Dakota Century Code, relating to claims against estates of resident responsible relatives and the liability of nonresident patients and responsible relatives of patients of the Grafton state school.

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

Senators J. Schultz, Ringsak introduced:

**Senate Bill No. 2263.** A Bill for an Act to amend and reenact section 1-03-02 of the North Dakota Century Code, to provide that when November 11 falls on a Sunday, the following Monday is a holiday.

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

Senator Longmire introduced:

**Senate Bill No. 2264.** A Bill for an Act to amend and reenact sections 35-27-02, 35-27-03, 35-27-05, 35-27-09, 35-27-11, 35-27-17, 35-27-18, and 35-27-21 of the North Dakota Century Code, relating to entitlement to a mechanic's lien, when a lien attaches, intention to claim lien, withholding payment to contractors, itemized account and demand for payment, proportioning amount of claim, mechanic's lien on railway contracts, and a lien on an independent building.

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

Senator H. Christensen introduced:

**Senate Bill No. 2265.** A Bill for an Act to amend and reenact sections 20.1-03-04, 20.1-03-11, and 20.1-08-04 of the North Dakota Century Code, relating to the requirement of hunting licenses for residents, to licenses to hunt big game and special permits to hunt deer, and to the contents of the governor's proclamation.

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

Senator J. Schultz introduced:

**Senate Bill No. 2266.** A Bill for an Act to amend and reenact the introductory clause of section 23-02-13 of the North Dakota Century Code, relating to the contents of a birth certificate.

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

Senator Stroup introduced:

**Senate Bill No. 2267.** A Bill for an Act to repeal chapter 38-04 of the North Dakota Century Code, relating to the licensing of coal mines.

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

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Committee on Employment introduced:

**Senate Concurrent Resolution No. 4017.** A concurrent resolution providing and designating Senate and House employees and fixing their salaries.

Was read the first time.

#### MOTION

Senator Solberg moved that the rules be suspended, that Senate Concurrent Resolution No. 4017 not be printed as a bill, not referred to a committee, but printed in the Journal and laid over one legislative day, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION No. 4017

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-FOURTH LEGISLATIVE



5 ASSEMBLY OF THE STATE OF NORTH DAKOTA, THE HOUSE OF  
6 REPRESENTATIVES CONCURRING THEREIN:

7 SECTION 1.) That for and during the Forty-fourth  
8 Legislative Assembly the following named persons are employed  
9 and appointed as supervisory employees of the Senate and House  
10 and shall be paid the weekly wages opposite their respective  
11 names in accordance with their positions as shown below:

12 SENATE

13 Leo Leidholm, Secretary of the Senate	\$269.00
14 Arthur Herk, Assistant Secretary of the Senate	236.00
15 Doris McMahon, Desk Reporter	264.00
16 J. Vernon Asheim, Bill Clerk	212.00
17 Mary Alice Simonson, Chief Stenographer & Payroll Clerk	200.00
18 Peggy Ormseth, Chief Committee Clerk	200.00
19 Gladys Derrick, Appropriations Committee Clerk	200.00
20 Albert Bradley, Sergeant-at-Arms	175.00
21 Wanda Froelich, Chief Page	168.00
22 Olger Sandven, Deputy Sergeant-at-Arms	160.00
23 Peggy Stenehjelm, Chief Telephone Attendant	160.00

24 HOUSE

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1 Roy Gilbreath, Chief Clerk	\$269.00
2 Delano Wawers, Assistant Chief Clerk	236.00
3 Barbara King, Desk Reporter	264.00
4 Clara Wendt, Bill Clerk	212.00
5 Louise Ebert, Chief Committee Clerk	200.00
6 Tillie Johanneson, Chief Stenographer & Payroll Clerk	200.00
7 LuGale Backlin, Appropriations Committee Clerk	200.00
8 Cecil Crandel, Sergeant-at-Arms	175.00
9 Adeline Lee, Chief Page	168.00
10 Alvin Manning, Chief Journal and Bill Room Clerk	168.00
11 Jack Wheratt, Deputy Sergeant-at-Arms	160.00

12 SECTION 2.) That for and during the Forty-fourth  
13 Legislative Assembly the following named persons are employed  
14 and appointed as employees of the Senate and House and shall  
15 be paid the wages opposite their respective names in accordance  
16 with their positions as shown below:

17 SENATE

18 NAME AND POSITION	Hourly Rate	Seasonal Employment Increment	Total Hourly Pay Rate
19 Eileen Gerl, 20 Secretary to the 21 President	\$3.90	\$.50	\$4.40
22 Lois J. Scherr, 23 Secretary to the 24 Majority Floor Leader	3.90	.50	4.40
25 Mona Ziegler, 26 Secretary to the 27 Minority Floor Leader	3.90	.50	4.40
28 Thomas Schneider, 29 Calendar Clerk	3.70	.50	4.20
30 Sandi Chesrown, 31 Committee Clerk	3.70	.50	4.20
32 Elsie Christensen, 33 Committee Clerk	3.70	.50	4.20
34 Charlotte Kamins, 35	3.70	.50	4.20

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2 NAME AND POSITION	Hourly Rate	Seasonal Employment Increment	Total Hourly Pay Rate
3 Committee Clerk	\$3.70	\$.50	\$4.20
4 Lyla Flagg,			
5 Committee Clerk	3.70	.50	4.20
6 Delma Bechtel,			
7 Committee Clerk	3.70	.50	4.20
8 Carol Kainz,			
9 Committee Clerk-Steno	3.70	.50	4.20
10 Susan Hylander,			
11 Committee Clerk-Steno	3.70	.50	4.20
12 Lorraine Moos,			
13 Committee Clerk-Steno	3.70	.50	4.20
14 Linda Johnson,			
15 Committee Clerk-Steno	3.70	.50	4.20
16 Janna Tjaden,			
17 Enrolling and			
18 Engrossing Clerk	3.70	.50	4.20
19 Ruth Moyer,			
20 Assistant Enrolling			
21 and Engrossing Clerk	3.70	.50	4.20
22 Joleen Cunningham,			
23 Journal Proofreader	3.70	.50	4.20
24 Patricia Martin,			
25 Journal Proofreader	3.70	.50	4.20
26 Christine Hill,			
27 Stenographer	3.40	.50	3.90
28 Jane Thoenke,			
29 Stenographer	3.40	.50	3.90
30 Yvonne Dosch,			
31 Stenographer	3.40	.50	3.90
32 Francine Gill,			
33 Stenographer	3.40	.50	3.90
34 Cindy Dietz,			
35 Stenographer, part-time	3.40	.50	3.90

## Page No. 4

1	2 NAME AND POSITION	Hourly Rate	Seasonal Employment Increment	Total Hourly Pay Rate
3	Joan Von Rueden,	\$3.40	\$.50	\$3.90
4	Stenographer, part-time			
5	Hilda Stokes,			
6	Telephone Attendant	3.20	.50	3.70
7	Phyllis Connolly,			
8	Telephone Attendant	3.20	.50	3.70
9	John Dockter,			
10	Parking Lot Attendant	3.20	.50	3.70
11	Ralph Scott,			
12	Assistant Sergeant-			
13	at-Arms	3.20	.50	3.70
14	Milbern Clendenen,			
15	Assistant Sergeant-			
16	at-Arms	3.20	.50	3.70
17	Sewell Peterson,			
18	Assistant Sergeant-			
19	at-Arms	3.20	.50	3.70
20	Stanley Schultz,			
21	Assistant Sergeant-			

22	at-Arms	3.20	.50	3.70
23	Esther Davis,			
24	Information Desk			
25	Attendant	3.20	.50	3.70
26	Alvin Wollan, Page	3.20	.50	3.70
27	Karen Schmidt, Page	3.20	.50	3.70
28	Desiree Wildfang, Page	3.20	.50	3.70
29	Jean Meschke, Page	3.20	.50	3.70
30	Elaine Stern, Page	3.20	.50	3.70
31	Bob Evanenکو,			
32	Bill Book Clerk	3.20	.50	3.70
33	Sheryl Manstrom,			
34	Bill Book Clerk	3.20	.50	3.70
35	Joanne Hetland,			

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1	NAME AND POSITION	Hourly Rate	Seasonal Employment Increment	Total Hourly Pay Rate
3	Bill Book Clerk	\$3.20	\$ .50	\$3.70
4	Richard Wittmayer,			
5	Bill Room Clerk	3.20	.50	3.70
6	Willard Yule,			
7	Bill Room Clerk	3.20	.50	3.70
8	Hazel Ludemann,			
9	Journal Room Clerk	3.20	.50	3.70
10	Cliff Bender,			
11	Journal Room Clerk	3.20	.50	3.70
12	Kari Lee, Assistant			
13	Appropriations			
14	Committee Clerk	3.10	.50	3.60
15	Fred Bosch, Custodian	2.20	.50	2.70
16	Lucas Giesinger, Custodian	2.20	.50	2.70
17	Joe Emineth, Custodian	2.20	.50	2.70
18	Edwin Keller, Custodian	2.20	.50	2.70
19	HOUSE			
20	Eileen Schneider,			
21	Committee Clerk	3.70	.50	4.20
22	Barbara Abfalter,			
23	Committee Clerk	3.70	.50	4.20
24	Dorothy Johnsen,			
25	Committee Clerk	3.70	.50	4.20
26	Peggy Larson,			
27	Committee Clerk	3.70	.50	4.20
28	Janice Thon,			
29	Committee Clerk	3.70	.50	4.20
30	Lela Knudsen,			
31	Committee Clerk	3.70	.50	4.20
32	Mary Kay Braus,			
33	Committee Clerk	3.70	.50	4.20
34	Helen Soma,			
35	Committee Clerk	3.70	.50	4.20

Page No. 6

1	NAME AND POSITION	Hourly Rate	Seasonal Employment Increment	Total Hourly Pay Rate
3	Roberta Rose,			
4	Committee Clerk	\$3.70	\$ .50	\$4.20
5	James Sette,			
6	Calendar Clerk	3.70	.50	4.20

7	Ron Otto, Enrolling			
8	and Engrossing Clerk	3.70	.50	4.20
9	Maude Grambs, Assistant			
10	to Committee Clerks	3.50	.50	4.00
11	Sonja Jossart, Assistant			
12	Appropriations			
13	Committee Clerk	3.10	.50	3.60
14	Eleanor Runyan,			
15	Secretary to the			
16	Speaker	3.90	.50	4.40
17	Mavis Patchen,			
18	Secretary to the			
19	Majority Floor Leader	3.90	.50	4.40
20	Jeri Kerchmeier,			
21	Secretary to the			
22	Minority Floor Leader	3.90	.50	4.40
23	Gil Malek, Assistant			
24	Sergeant-at-Arms	3.20	.50	3.70
25	Clinton Sheffield,			
26	Assistant Sergeant-			
27	at-Arms	3.20	.50	3.70
28	Neil Tillapaugh,			
29	Assistant Sergeant-			
30	at-Arms	3.20	.50	3.70
31	Art Buchwitz, Assistant			
32	Sergeant-at-Arms	3.20	.50	3.70
33	Paul Rioux, Assistant			
34	Sergeant-at-Arms	3.20	.50	3.70
35	Shelly Koch, Bill and			

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1		Hourly	Seasonal	Total Hourly
2	NAME AND POSITION	Rate	Employment	Pay Rate
3			Increment	
3	Journal Room Clerk	\$3.20	\$.50	\$3.70
4	Enola Eck, Bill and			
5	Journal Room Clerk	3.20	.50	3.70
6	Evelyn Sholts, Bill and			
7	Journal Room Clerk	3.20	.50	3.70
8	Pearl Andre, Bill and			
9	Journal Room Clerk	3.20	.50	3.70
10	Pearl Erickson, Bill and			
11	Journal Room Clerk	3.20	.50	3.70
12	Beverly Kelly,			
13	Stenographer	3.40	.50	3.90
14	Andrea Perry,			
15	Stenographer	3.40	.50	3.90
16	Mary Schmidt,			
17	Stenographer	3.40	.50	3.90
18	Judy Kay Hoffman,			
19	Stenographer	3.40	.50	3.90
20	Conna Cook, Stenographer	3.40	.50	3.90
21	Lana Opp, Typist	3.20	.50	3.70
22	Thomas Neil, Assistant			
23	Enrolling & Engrossing			
24	Clerk	3.70	.50	4.20
25	Linda Lang, Page and Bill			
26	Book Clerk	3.20	.50	3.70
27	Cheryl Parkin, Page and			

28	Bill Book Clerk	3.20	.50	3.70
29	Nancy Keating, Page and			
30	Bill Book Clerk	3.20	.50	3.70
31	Ruby Stadick, Page and			
32	Bill Book Clerk	3.20	.50	3.70
33	Ranette Schmidt, Page and			
34	Bill Book Clerk	3.20	.50	3.70
35	Tim Bishy, Page and Bill			

Page No. 8

1		Hourly Rate	Seasonal Employment Increment	Total Hourly Pay Rate
2	NAME AND POSITION			
3	Book Clerk	\$3.20	\$.50	\$3.70
4	Bruce Quale, Page and			
5	Bill Book Clerk	3.20	.50	3.70
6	Allison Schultz, Page and			
7	Bill Book Clerk	3.20	.50	3.70
8	Christine Koch, Page and			
9	Bill Book Clerk	3.20	.50	3.70
10	Donelda Lucas, Page and			
11	Bill Book Clerk	3.20	.50	3.70
12	Cynthea Heintz, Page and			
13	Bill Book Clerk	3.20	.50	3.70
14	Cheryl Pennington, Page			
15	and Bill Book Clerk	3.20	.50	3.70
16	Renee Ulmer, Page and			
17	Bill Book Clerk	3.20	.50	3.70
18	Bonnie Stein, Page and			
19	Bill Book Clerk	3.20	.50	3.70
20	Willa Carlson, Telephone			
21	Attendant	3.20	.50	3.70
22	Shirley Cooper, Telephone			
23	Attendant	3.20	.50	3.70
24	Eunice Anderson,			
25	Information Desk			
26	Attendant	3.20	.50	3.70
27	Wade Smith, Parking Lot			
28	Attendant	3.20	.50	3.70
29	Marion Hadzor, Journal			
30	Proofreader	3.70	.50	4.20
31	Freda Borth, Journal			
32	Proofreader	3.70	.50	4.20
33	John Sprynczynatyk,			
34	Custodian	2.20	.50	2.70
35	Jacob Ell, Custodian	2.20	.50	2.70

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1		Hourly Rate	Seasonal Employment Increment	Total Hourly Pay Rate
2	NAME AND POSITION			
3	Matt Roehrich, Custodian	\$2.20	\$.50	\$2.70
4	Arnold Schmitt, Custodian	2.20	.50	2.70
5	All hourly employees, except part-time employees, shall receive			
6	pay for a minimum of forty hours of work each week, except for			
7	the first and last week of the Legislative Session.			
8	SECTION 3.) That for and during the Forty-fourth			
9	Legislative Assembly, Barb Gletne, Polly Hansen, Jim Haskins,			

10 Mark Johnson, Tom Kuchera, Duane Lillehaug, Alice Olson, Arly  
 11 Richau, Doug Stine, Bob Udland, Gary Weibe, and Keith Wolberg  
 12 are employed at a rate of \$600.00 per month or a portion thereof  
 13 based upon the portion of any month they are employed, in the  
 14 position of Legislative Intern; and Kim Pennington and Mary Price  
 15 are employed at a rate of \$600.00 per month or a portion thereof  
 16 based upon the portion of any month they are employed, in the  
 17 position of Bill Status Reporters; and Boyd L. Wright is employed  
 18 at a rate of \$287.50 per week or a portion thereof based upon  
 19 the portion of any week he is employed, in the position of  
 20 Legislative Intern Supervisor; and are hereby assigned for  
 21 supervision purposes to the Legislative Council.  
 22 SECTION 4.) In the event any employee shall resign, be  
 23 discharged, or for other reasons terminate his employment, the  
 24 compensation provided for in this resolution shall cease,  
 25 effective the last day of such employment.

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

Senators Melland, Strinden introduced:

**Senate Concurrent Resolution No. 4018.** A concurrent resolution of the North Dakota Legislature calling for an amendment to the U.S. Constitution proposing to the several states the requirement of a balanced U.S. cash budget for each session of Congress except in time of war or national emergency.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1018.** A Bill for an Act to create and enact section 25-09-12, relating to billings to responsible relatives for expenses of care and treatment of patients of the state hospital, Grafton state school, and San Haven state hospital.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1019.** A Bill for an Act to require the director of institutions to authorize all postage meters for state agencies, departments, and institutions.

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

**House Bill No. 1025.** A Bill for an Act to create and enact section 15-40.2-13 of the North Dakota Century Code, relating to nonresident tuition and to provide for the charging of interest for nonpayment of tuition charges.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1028.** A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, to provide for proportionate payments for nonpublic school students who are enrolled in special education programs in the public schools.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1035.** A Bill for an Act to repeal section 34-01-10 of the North Dakota Century Code, relating to an employee fraudulently securing transportation or benefits from an employer.

Which was read the first time and referred to the Committee on Industry, Business & Labor.

**House Bill No. 1045.** A Bill for an Act to prohibit the carrying or display of certain flags, ensigns, or banners, and to provide penalties; and to

repeal sections 12-07-07, 12-07-08, and 12-07-09 of the North Dakota Century Code, prohibiting the carrying or display of certain flags and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1049.** A Bill for an Act to amend and reenact sections 12-47-15, 12-47-31, 12-48-15, and 12-48-21 of the North Dakota Century Code, relating to the appointment of an acting warden in the absence of the warden and his deputy, to clothing and transportation allowances provided to inmates upon release, and to disposition of moneys earned by penitentiary inmates; and to repeal sections 12-47-30, 12-48-16, 12-48-17, 12-48-18, 12-48-19, 12-51-08 of the North Dakota Century Code, relating to the expense of transporting inmates to and from the state hospital and the cost of committing inmates to the state farm, and to the disposition of penitentiary inmates' earnings.

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

**House Bill No. 1051.** A Bill for an Act to create and enact section 1-02-09.2 and to amend and reenact section 1-02-09, both of the North Dakota Century Code, relating to reconciliation of two or more concurrent resolutions proposing conflicting amendments or additions to the Constitution of the State of North Dakota.

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

**House Bill No. 1053.** A Bill for an Act to repeal sections 61-01-12, 61-01-13, and 61-01-14 of the North Dakota Century Code, relating to the fouling of public waters.

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

**House Bill No. 1054.** A Bill for an Act to amend and reenact subsection 9 of section 61-28-04 of the North Dakota Century Code, relating to the powers of the state health department pertaining to pollution; and to repeal section 40-22-04, subdivision c of subsection 2 of section 61-02-14, and sections 61-02-15 and 61-02-21 of the North Dakota Century Code, relating to the powers of the state water commission or state health department pertaining to water pollution.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1055.** A Bill for an Act to amend and reenact subsection 2 of section 23-25-02 of the North Dakota Century Code, relating to the air pollution control advisory council.

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

**House Bill No. 1073.** A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to size, width, and height restrictions on vehicles.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1083.** A Bill for an Act to provide for notice of drilling operations; requiring the plugging of drill holes; and providing a penalty.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1090.** A Bill for an Act to amend and reenact sections 40-57.1-03 and 40-57.1-06 of the North Dakota Century Code, relating to tax exemptions for new industries; to repeal section 40-57-17 of the North Dakota Century Code, relating to exemptions from taxation under the Municipal Industrial Development Act; and declaring an emergency.

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

**House Bill No. 1105.** A Bill for an Act to amend and reenact section 24-02-05 of the North Dakota Century Code, relating to the office hours, sessions and hearings of the commissioner.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1109.** A Bill for an Act to amend and reenact section 57-02.1-05 of the North Dakota Century Code, relating to the computation of payments in lieu of real estate taxes by the game and fish commissioner.

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

**House Bill No. 1111.** A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of platforms in the hunting of big game animals.

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

**House Bill No. 1132.** A Bill for an Act to amend and reenact section 18-05-06 of the North Dakota Century Code, to increase firemen's service pension benefits from a firemen's relief association from one hundred dollars to two hundred dollars per month.

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

**CONSIDERATION OF AMENDMENTS**

Senator Lips moved that the amendments to Senate Bill No. 2004 as recommended by the Committee on Appropriations as printed on page 97 of the Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to Senate Bill No. 2023 as recommended by the Committee on Education as printed on page 97 of the Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2098 as recommended by the Committee on Finance and Taxation as printed on page 98 of the Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2104 as recommended by the Committee on State and Federal Government as printed on page 98 of the Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2124 as recommended by the Committee on Industry, Business and Labor as printed on page 99 of the Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Stroup moved that the Committee Report on Senate Bill No. 2029, as printed on page 98 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2029, the roll was called and there were 33 ayes; 18 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SHYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		



FRITZELL	LIPS	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GRONHOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2029 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2030, as printed on page 98 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2030, the roll was called and there were 30 ayes; 21 nays; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING	•	• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON	•		• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN	•	• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER	•	• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2030 was indefinitely postponed.

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

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

LEO LEIDHOLM, Secretary

SEVENTH DAY

Bismarck, January 15, 1975

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

Prayer by Reverend Tom Sands, Church of God, Bismarck.

"Dear Heavenly Father, today we come to Thee in the name of Jesus Christ the Saviour of all mankind. Oh God, our prayer is not simply for ourselves, but also includes the people of our State. This Assembled body of men and women are here for the service of every citizen of North Dakota. Their work today effects more than themselves, but all of us.

"Therefore of God, we make petition for Thy help today. More and more in life we are made aware of our need for dependance upon You. Father we seek for Thy guidance, for Thy strength, and for Thy wisdom. Let Your blessing and love rest upon each person of responsibility today. Give to them Thy strength and help to perform the many demanding tasks which rest so heavily upon them.

"The laws and governing bodies of our land are for our own protection and well-being. We thank You today for every public servant of our Nation and our State. For all Thy gracious bounty and blessing we thank You. We know that, Thou, O God, are the total source of supply in every situation.

"Therefore, we seek Thy blessing today on this session of our North Dakota Senate, and thank You for Your blessing upon them in Jesus Name we pray.

Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

## CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifth day after recess and sixth day and recommends that the same be corrected as follows: On page 99, in line 12 from the bottom of the page, delete the word "moves" and insert in lieu thereof the word "moved".

On page 99, in line 9 from the bottom of the page, delete the word "moves" and insert in lieu thereof the word "moved".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

## FIRST READING OF A SENATE RESOLUTION

Senators Nething, Hoffner introduced:

Senate Resolution No. 1. A resolution expressing the Senate's pleasure on the selection of Senator Elton W. Ringsak as North Dakota's Outstanding Handicapped Citizen for 1974.

## MOTION

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

## SENATE RESOLUTION No. 1

Introduced by Senators Nething, Hoffner

1 A resolution expressing the Senate's pleasure on the selection  
2 of Senator Elton W. Ringsak as North Dakota's Outstanding  
3 Handicapped Citizen for 1974.

4

5 WHEREAS, the Committee on Employment of the Handicapped  
6 of the Governor's Council on Human Resources has selected a  
7 member of the Senate, Senator Elton W. Ringsak, as North Dakota's  
8 Outstanding Handicapped Citizen for 1974; and

9 WHEREAS, the distinction accorded Senator Ringsak in his  
10 selection to receive this well-deserved award not only honors  
11 Senator Ringsak, but also honors the North Dakota Senate in  
12 which he serves; and

13 WHEREAS, While Senator Ringsak's colleagues in the Senate  
14 may be aware of the fact that he may be occasionally incon-  
15 venienced, those with whom he works, and especially those members  
16 who may at times be in opposition to a position supported by him,  
17 would never agree that he might in any way be handicapped; and

18 WHEREAS, the Senate desires to express the high esteem in  
19 which Senator Ringsak is held by his colleagues;

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF  
THE

21 STATE OF NORTH DAKOTA:

22 That it does hereby express its pleasure in the selection  
23 of Senator Ringsak as North Dakota's Outstanding Handicapped  
24 Citizen of 1974, and commends him for his outstanding service

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1 to his community and State as well as the distinction brought  
2 to the Senate of this State through the recognition accorded  
3 him; and

4 BE IT FURTHER RESOLVED, that an enrolled copy of this  
5 resolution be presented to Senator Ringsak by the Lieutenant  
6 Governor in the presence of the Senate.

**SECOND READING OF A SENATE RESOLUTION**

**Senate Resolution No. 1.** A resolution expressing the Senate's pleasure on the selection of Senator Elton W. Ringsak as North Dakota's Outstanding Handicapped Citizen for 1974.

Which has been read.

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

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2024.** A Bill for an Act to amend and reenact section 15-18-09 of the North Dakota Century Code, relating to the verification of students attending junior colleges and educational centers for state aid 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER	●		● NAADEN	●		● SHABLOW	●	
● BERUBE	●		● JACOBSON	●		● NASSET	●		● SMYKOWSKI	●	
● CHRISTENSEN, H. #5	●		● JONES	●		● NETHING	●		● SOLBERG	●	
● CHRISTENSEN, L. #3	●		● KAUTZMANN	●		● PYLE	●		● STRAND	●	
● CONLIN	●		● LARSON	●		● RAIT	●		● STRINDEN	●	
● ERDMAN	●		● LASHKOWITZ	●		● REDLIN	●		● STROUP	●	
● FREED	●		● LEE	●		● REITEN	●		● THANE	●	
● FRITZELL	●		● LIPS	●		● RINGSAK	●		● TWETEN	●	
● GOODMAN	●		● LONGMAIRE	●		● SANDS	●		● VOSPER	●	
● GRONHOVD	●		● MAHER	●		● SANDNESS	●		● WALSH	●	
● HOFFNER	●		● MELLAND	●		● SCHULTZ, C. #14	●		● WENSTROM	●	
● HOLAND	●		● MORGAN	●		● SCHULTZ, J. #32	●		● WRIGHT	●	
● HOMUTH	●		● MUTCH	●		● SCHUSTER	●		MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2037.** A Bill for an Act to provide for an advisory council to the workmen's compensation bureau.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 33; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER	●		● NAADEN	●		● SHABLOW	●	
● BERUBE	●		● JACOBSON	●		● NASSET	●		● SMYKOWSKI	●	
● CHRISTENSEN, H. #5	●		● JONES	●		● NETHING	●		● SOLBERG	●	
● CHRISTENSEN, L. #3	●		● KAUTZMANN	●		● PYLE	●		● STRAND	●	
● CONLIN	●		● LARSON	●		● RAIT	●		● STRINDEN	●	
● ERDMAN	●		● LASHKOWITZ	●		● REDLIN	●		● STROUP	●	
● FREED	●		● LEE	●		● REITEN	●		● THANE	●	
● FRITZELL	●		● LIPS	●		● RINGSAK	●		● TWETEN	●	
● GOODMAN	●		● LONGMAIRE	●		● SANDS	●		● VOSPER	●	
● GRONHOVD	●		● MAHER	●		● SANDNESS	●		● WALSH	●	
● HOFFNER	●		● MELLAND	●		● SCHULTZ, C. #14	●		● WENSTROM	●	
● HOLAND	●		● MORGAN	●		● SCHULTZ, J. #32	●		● WRIGHT	●	
● HOMUTH	●		● MUTCH	●		● SCHUSTER	●		MR. PRESIDENT		

So the bill was declared lost.

**Senate Bill No. 2045.** A Bill for an Act to amend and reenact sections 12-46-13, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, and 12-52-07 of the North Dakota Century Code, relating to the state industrial school, who may be sent there, and to parole and discharge from that institution; and to repeal sections 12-46-16 and 12-52-06 of the North Dakota Century Code, relating to penalties for violation of parole from the state industrial school and to the minority of persons committed to the state industrial school.

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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Nething moved that House Bill No. 1016 be moved to the head of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1016.** A Bill for an Act to provide an appropriation for the payment of additional compensation to North Dakota state employees for each month employed by the state of North Dakota during the period beginning January 1, 1975, and ending June 30, 1975, and declaring an emergency.

Senator Sands moved that House Bill No. 1016 be amended as follows:

On page 7, line 19, after the period, insert the following words "it is the intent of this legislative assembly that no payment of additional compensation shall be made under this Act to any state employee who has or will receive total compensation for the period of July 1, 1974 through July 1, 1975 in excess of \$20,000.00."

And renumber the lines accordingly.

Senator C. Schultz requested a roll call vote on the amendment to House Bill No. 1016, which motion prevailed.

**ROLL CALL**

The question being on the adoption of the amendment to House Bill No. 1016, the roll was called and there were 17 ayes; 34 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the amendment was declared lost.

**ROLL CALL**

The question being on the final passage of House Bill No. 1016, the roll was called and there were ayes, 45; nays, 6; absent and not voting, 0.





SEVENTH DAY AFTER RECESS  
AND EIGHTH DAY

Bismarck, January 16, 1975

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. 2004

Senate Bill No. 2023

Senate Bill No. 2098

Senate Bill No. 2104

Senate Bill No. 2124

And find the same correctly engrossed.

SENATOR STRAND, Chairman

Senator Walsh 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. 2016 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill 2016 was placed on the 11th order of business for the next legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2072 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2072 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2118 has had the same under consideration and recommends that the same be amended as follows:

On page 4, delete all of lines 29 and 30

And renumber the lines accordingly

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2118 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2139 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senate Bill No. 2139 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2145 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2145 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2168 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2168 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2191 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2191 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE BILLS

Senator Iszler introduced:

**Senate Bill No. 2268.** A Bill for an Act to provide that alcoholic beverages which have been confiscated may be ordered forfeited by the court, and providing a procedure for the sheriff to dispose of such alcoholic beverages.

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

Senators Jones, Lips introduced:

**Senate Bill No. 2269.** A Bill for an Act to regulate the practice of public accounting in the public interest; to create a state board of accountancy and to prescribe its powers and duties; and to provide penalties for violations of the provisions of this Act; and to repeal Chapter 43-02 of the North Dakota Century Code.

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

Senators Erdman, Barth, Conlin, Stroup, Wright introduced:

**Senate Bill No. 2270.** A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to bond issues by counties.

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

Senators Reiten, Sands introduced:

**Senate Bill No. 2271.** A Bill for an Act to amend and reenact subsection 5 of section 11-10-10 of the North Dakota Century Code, relating to the expenses of county commissioners.

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

Senator Smykowski introduced:

**Senate Bill No. 2272.** A Bill for an Act to amend and reenact section 57-15-20 of the North Dakota Century Code, relating to the maximum mill levy in townships.

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

Senator Freed introduced:

**Senate Bill No. 2273.** A Bill for an Act to amend and reenact sections 13-03-22 and 57-50-08 of the North Dakota Century Code, providing criminal penalties for violation of certain statutory provisions.

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

Senators Longmire, Freed introduced:

**Senate Bill No. 2274.** A Bill for an Act to create and enact a new subsection to section 14-08-07 of the 1973 Supplement to the North Dakota



Century Code, relating to the custody and disbursement of non-support payments made to the clerk of district court.

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

Senators Longmire, Freed introduced:

**Senate Bill No. 2275.** A Bill for an Act to provide for the creation of a commission on judicial qualifications for the discipline, removal, and retirement of judges; to amend and reenact section 44-11-01 of the North Dakota Century Code, relating to the removal of certain officers by the governor; providing penalties; and providing an appropriation.

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

Senators Homuth, Nasset, Redlin, Tweten introduced:

**Senate Bill No. 2276.** A Bill for an Act to amend and reenact section 15-10-19 of the North Dakota Century Code, relating to definitions for resident and nonresident students for tuition purposes.

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

Senator Stroup introduced:

**Senate Bill No. 2277.** A Bill for an Act to authorize counties to provide for improvements by the special assessment method and to provide a means for counties to assess the benefit conferred upon property by the use of a special assessment commission.

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

Senators Goodman, Freed, Melland introduced:

**Senate Bill No. 2278.** A Bill for an Act to create and enact chapter 57-37.1 of the North Dakota Century Code, relating to an estate tax; to provide an effective date; and to repeal chapter 57-37 of the North Dakota Century Code, relating to an estate tax.

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

Committee on Appropriations introduced:

**Senate Bill No. 2279.** A Bill for an Act making an appropriation to the public service commission utility valuation fund out of the general fund for the purposes of defraying the expenses of the commission.

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

Senators Lashkowitz, Ringsak introduced:

**Senate Bill No. 2280.** A Bill for an Act to amend and reenact section 57-15-56 of the North Dakota Century Code, relating to programs and activities for senior citizens, and to provide an appropriation of state funds to match county and city funds for programs and activities of senior citizens.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Barth introduced:

**Senate Concurrent Resolution No. 4019.** A concurrent resolution opposing a Corps of Engineers land acquisition plan along the Missouri River for the stated purposes of flood control and state game propagation.

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

Senators Nething, Freed, Kautzmann, Lashkowitz, Lips introduced:

**Senate Concurrent Resolution No. 4020.** A concurrent resolution urging AMTRAK to improve the service and facilities of the national rail passenger service.

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

Senators Stroup, Lee, Nasset introduced:

**Senate Concurrent Resolution No. 4021.** A concurrent resolution directing the Legislative Council to study and review the trends and potential of various types of economic development in North Dakota.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1092.** A Bill for an Act to amend and reenact section 39-06-05 of the North Dakota Century Code, relating to restricted instruction permits.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1098.** A Bill for an Act to create and enact subsections 6, 7, 8, and 9 of section 4-10.1-03; to amend and reenact sections 4-10.1-09, 4-10.1-12, 4-10.1-14, and 4-10.1-16; and to repeal section 4-10.1-11, all of the North Dakota Century Code, relating to the Potato Industry Promotion Act.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1100.** A Bill for an Act to amend and reenact section 32-15-32 of the North Dakota Century Code, relating to costs of taking property by eminent domain.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1106.** A Bill for an Act to repeal section 39-06-51 of the North Dakota Century Code, relating to the carrying of warnings and convictions on licenses.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1112.** A Bill for an Act to amend and reenact section 47-26-05 of the North Dakota Century Code, to require that a landowner who shall require a partition fence better than a legal fence shall bear the entire cost of erecting and maintaining the same.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1154.** A Bill for an Act to amend and reenact section 19-10-21 of the North Dakota Century Code, relating to bond of dealer in petroleum products.

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

#### CONSIDERATION OF AMENDMENTS

Senator Freed moved that the amendments to Senate Bill No. 2040 as recommended by the Committee on Judiciary as printed on pages 111 and 112 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

Senator Morgan moved that Senate Bill No. 2060 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Morgan moved that Senate Bill No. 2060 be amended as follows:

On Page 18 of the Engrossed Bill, delete lines 8 through 13

And renumber the lines, pages and subsections accordingly.

Senator Morgan moved that the amendment be adopted, which motion prevailed.

Senator Nething moved that the rules be suspended, that Senate Bill No. 2060 be deemed properly re-engrossed, and re-referred to the Committee on Appropriations, which motion prevailed.

## MOTION

Senator H. Christensen moved that Senate Bill No. 2102 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator H. Christensen requested the unanimous consent of the Senate to withdraw Senate Bill No. 2102, which request was granted.

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

LEO LEIDHOLM, Secretary

## EIGHTH DAY

Bismarck, January 16, 1975

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

Prayer by Pastor Paul Stuart, Regular Baptist Church, Bismarck.

Roll Call: All Senators present.

A quorum was declared by the President.

## CORRECTION AND REVISION

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

On page 120, line 19, insert the letter "s" after Senator.

On page 120, line 19, after the name "Melland", insert the name "Strinden".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2024

Senate Bill No. 2045

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

LEO LEIDHOLM, Secretary

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1016

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

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

House Bill No. 1029

House Bill No. 1091

House Bill No. 1123

House Bill No. 1139

House Bill No. 1159

ROY GILBREATH, Chief Clerk

## MOTION

Senator Nething moved that the President appoint a committee of two to escort the Honorable John W. Warner, Administrator Designee of the American Revolution Bicentennial Administration, to the rostrum for the purpose of addressing the Assembly.

The President appointed as such committee Senators Pyle and Barth.

Thank you Mr. President, distinguished members of the Bicentennial Senate of the great state of North Dakota. One hears one's introduction is always moved to think of past and amusing events. One of your colleagues very thoughtfully applauded at the point when it was mentioned that I had served as an enlisted man in the United States Navy and in the United States Marine Corps. Once I was addressing a very distinguished audience of retired admirals and generals in my capacity as Secretary of the Navy and several of the admirals down front were obviously hard of hearing and upon learning that this young Secretary of the Navy had served in both, one leaned over and said, "This young man must be a late born genius." And the other said "Why so?" "Well, if we had to send the damn fool to boot camp twice, he must be dumb."

Your invitation to me today of course, is a great personal honor, but it goes far beyond that.

I represent really, a symbol, an office, which is the focal point of your nation's Bicentennial and indeed the Bicentennial which is equally possessed by each and every citizen of the 50 states, the territories, the District of Columbia, and Puerto Rico. So your invitation today is an honor indeed but you indeed honor all the millions of people who at this very moment are working on behalf of the Bicentennial. I have had this office eight months and during this time I have traveled extensively back and forth across the United States and indeed I have just returned from Europe. Four questions are asked of me during the course of these journeys. I suppose today in hopes of giving you an overview of the Bicentennial to answer each of those four questions. They are first, why are you here in North Dakota, Mr. Administrator? Secondly, where is the Bicentennial? Thirdly, what is it all about and what do we hope to achieve in the United States with the Bicentennial and lastly, what can we do since you have offered your help. What can we do as a state, as a community and as an individual in our nation's bicentennial? I had the privilege to have lunch with your distinguished Governor Link, and I was endeavoring to cover quickly some of my remarks and I explained first that the visit today is a visit towards the end of a rather long trip.

Ten days ago I attended the Rose Bowl game and the Tournament of Roses parade which was devoted to the heritage of America and the Bicentennial. From there I went to Hawaii and from Hawaii to England where I addressed the Bicentennial Commission of the United Kingdom, and from there to Paris, France, where we opened an exhibition on Franklin and Jefferson carrying the message of our Bicentennial to the countries abroad. From Paris back to Washington for a day and then to Chicago to open a marvelous exhibition in the museum there devoted to science and industry depicting the achievements of the inventive genius of this country over the past few hundred years. From Chicago here to Bismarck and then Monday I shall be in New York joining the mayor designating that great city as the bicentennial community. "But," the governor remarked, "you really don't know if your coming or going." and I replied, "Yes, it is no one place, it is in each of the 50 states, the territories; the District of Columbia, Puerto Rico, and indeed abroad, the nations abroad.

Upward of 40 nations have already contacted in connection with their interest with your nation's Bicentennial. Now you might ask in the midst of this visit to all of these rather important capitals of the world, why

Bismarck? And I asked my field organization in planning this trip to select me a state and a community which is truly representative of some of the ideals and the hopes and the aspirations that I and most of the Americans wish to convey in connection with the Bicentennial and very quickly their choice came to Bismarck and that is why I am here to be with you today.

My visit here will be more for me than it will be for you. I have already consulted with your governor, I have met with your Bicentennial Commission and I shall have an opportunity during these few minutes to visit with you and then to the lower chamber later this afternoon. Now back to the Bicentennial and where it is. Let us go to history. We started in this nation 10 years ago, 1966, President Johnson took the first step towards creating a governmental entity to work in the Bicentennial. In the early days revolved around a commission of 50 persons and in due course it didn't work; it was unreal. They laid a valuable foundation on which we are building today. All was not lost but the ideas somehow harken back to 1876. Test your memories as to what we did to honor our country on the occasion of the Centennial of the United States. I think most of the school children here, present today, could answer it. I, frankly, could not when I first took this job. But this country determined that it would honor its Bicentennial in one single locality and that was Philadelphia. All activity was focused there and it was indeed a great exhibition and one that was long remembered. For the scientific achievements in this country and also I might add to the ladies present they had to crash down the gate of the Centennial to take an opportunity to participate in the Centennial. In sharp contrast 200 years ago today we are celebrating it in each of the 50 states and to assure the ladies that they don't have to break down the gates I have selected as my deputy, a wonderful woman who was nominated and confirmed by the Senate just three weeks ago. So they will have equal opportunity male and female, old and young, to participate in our nation's Bicentennial.

Now, as the early planning went along it was obvious to many that it was out of balance. The government began to think in terms of one or two or three major exhibitions in the principle cities in the United States and primarily on the East Coast. But, the people of the United States began to react and in due course the congress rejected the whole plan, abolished the commission and established a new administration exactly one year ago this month, January 1974.

I am privileged to be the first administrator of this new small government entity, the purpose now is primarily to help you in your planning of the Bicentennial commemoration and your state think most appropriate to your nation. You know the idea of the great Expo was abandoned for many reasons in the least of which if, supposing, we did encounter 18 months henceforth on July 4, 1976, or during the focal period of the Bicentennial, an energy crisis which would prohibit us from traveling, we would have never gotten there or even the family budget with the inflation and the uncertainties of inflation might have prohibited the attendance. So I think we are grateful that now the Bicentennial is in sort of a new direction directed by the people themselves such that we can all participate.

I learned so much about the Bicentennial from really talking to people and I remember one story, why in the world does the government have to get that heavily involved. When we give a birthday party at our house we don't have to look in any handbook how to do it. We don't have to ask anybody and since the birthday party is to honor Uncle Sam, the guest of honor, we certainly go to the guest of honor and ask him how to perform the birthday party so that same logic is applied to your nation's birthday. The people themselves are by and large determining how this marvelous

event, the 200th commemoration of our country will be put together. Our organization in Washington again has several functions.

First and foremost in my mind is to be of service to the Congress of the United States, each of the 50 commissions the upwards of 40 to 50 foreign nations that want to involve the private sector. Each day corporations, foundations, and labor unions are joining with the citizens in planning the Bicentennial. Also our second most important function is to try and bring together and coordinate all of these activities and I have brought along with me today the most recent computer read-out, over 3,000 activities in our 50 states to coordinate them in some manner that would bring them together and form a crux, a matric, such as the whole world and we can all focus upon what we have done to honor our country.

The third question is what is the Bicentennial really all about and what do we hope to achieve. It is primarily a personal consideration. That is the wonderful thing about it. What does each and every citizen hope to achieve through his contribution to the Bicentennial. I will give you mine and I think it reflects the thinking of many and I depart for a moment to tell another amusing story on myself. I was appearing with our Mayor in the Nation's capitol in a Bicentennial activity one magnificent fall afternoon this past October and the Mayor was slightly late but I was on time. Picture dancing in the street, music, all the types of frivolity that you would normally associate with the city or community celebration on a Sunday afternoon. I was lingering by a hot dog stand enjoying a hot dog and a young lady, perhaps 6 or 7 years old, came up and fugged on my coat a little bit, like this, and I looked down and she said, "Why are you wearing a suit?" I said I am the speaker today and she said, "Oh, that is too bad, I have come to have some fun".

The Bicentennial has meaning, specific meaning, fun is fun and it should be. We need a little fun in this country today. We need a little celebration. There is a lot to celebrate. We are the greatest nation on earth and each of us knows that. But there is a serious side to it, the people want really more out of the Bicentennial than a lot of rhetoric, fireworks and parades. But they want a deeper meaning. I have even heard too that they want a rebirth of this nation. So I just stand before you to awaken you to what I detect in my travels across the nation and what I detect is present right here in North Dakota. That they will look to you as leaders for something more out of this Bicentennial than just the traditional, normal 4th of July commemoration. There is a mystic about the Bicentennial which I have experienced everywhere I have gone. It is bringing people together that ordinarily don't get together and agree within a community.

I remember so well being in New Orleans which has a diverse constituency and at a small reception given to me a man pointed out that person, that person, and that one always turns out for activities that are civic in nature, but that one over there, this is the first time that he has ever appeared and I asked what is the secret of that, because I am learning and I do want to try to spread this message across the nation and he said, this individual, and I will remember it always. He said we have an agreement among ourselves that you respect each man and every woman for his heritage and where he comes from and the richness that he contributes, that we will walk together in the future for the Bicentennial. That magic I assure you is happening in our community after community across the nation and it is that mystic which you can seize on as you are going back and work within your communities on the Bicentennial. Restoring faith in individuals that he can achieve something himself.

It is an interesting trip, this one, because I visited two places almost 30 years ago. In 1940 just before I went into the Navy, my father said that since you are going to fight for this country young man, you better get out and see it since you have never crossed it. As I was proceeding toward the

job that I had in a lumber camp in Montana I came through Bismarck. I don't recall it vividly but there are some aspects that I cannot forget, but today I had occasion to walk down Main Street where I did walk 30 years ago. And there is an extraordinary thing there which is being lost elsewhere in the country but you seem to be preserving it.

You have the ability to take the movement of progress and stay apace with it, yet preserve the fine old thing that many of us, particularly myself, still enjoy. I looked over the facades of the old buildings and the dates were there and some of the names, and I compared that to my visit to Chicago the night before where I was 30 years ago in my first recruit station in the Navy at Great Lakes and I looked out over the skyline of Chicago high atop buildings and I could scarcely recollect anything that I had seen those 30 years ago. It was all gone. It was all changed. For the better, for the good that remains to be seen. But as I travel through these major metropolitan areas, and as I talked to person after person the problem in those big areas is the loss of the individual to think that he can achieve something for himself and even more importantly that he can influence in any way the destiny of his country or his community or his state for the benefit of the thing he loves most and that of course is his family. Now how does this somehow relate to the Bicentennial? What I think is so important is that as I look at your program, you are thinking in terms of preserving as I understand it with your State Heritage Center with your history program your preserving some of those things where the citizens of North Dakota as well as the citizens of all the states can come here and examine the individual achievements of the pioneer spirit of this great state.

You know if we look back, in the Bicentennial it doesn't make any difference really what project your community undertakes as long as it engenders an interest within each man, woman and child about the nation's Bicentennial. Awaken him to all of the media coverage of it and most importantly awaken him to the roots of this nation. One thing certain is going to come out of the Bicentennial and that is that each of those persons to participate will certainly go back and reread the Declaration of Independence, the constitution and the Bill of Rights, and make their independent judgments as to whether the aspirations and the hopes is promised, if those great instruments have been fulfilled and if not, why not. For that will restore faith in my judgment and this is one of the great, great achievements that I hope will come out of the Bicentennial. Not only restore faith in an individual that he can accomplish something himself within his community working with his citizens but restore faith in our basic form of government. That blueprint which has enabled this nation to survive these mere 200 years and stand in the free world as the greatest nation of all.

And lastly I come to your program specifically. I have had the benefit of traveling extensively these last eight months about a third of the states I have visited but I have visited with each of the commissions, the men who run the Bicentennial in the state and the executive director and I have studied all of the programs and I say unequivocally that the one that you have before you in this state can well be a model for the nation. It embraces all of those aspects which stand out and make it a way above average program. In fact I will even go a little further, the possibilities of this new Heritage Center might well be a one of a kind in the United States, it may well induce other states to try the same thing and that is the important potential you have as a leadership role.

A person told me one time that he's in the Bicentennial to make certain that when his great-great-grandchildren look back and study the history of the Bicentennial in his community, his picture will be there or his name will be inscribed on the cornerstone that was layed in that community in connection with the Bicentennial. Now you as politicians remember the

old slogan that as goes Maine so goes the nation. But I'll make a prediction and it is my judgment that your program has that potential that is so great that if you carry it forward as goes the success of the Bicentennial in North Dakota so goes the success of the Bicentennial in our whole nation. Thank you very much.

Senator Lashkowitz moved that Mr. Warner's remarks be printed in the Journal, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 2004.** A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FRED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ J #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

**Senate Bill No. 2017.** A Bill for an Act to create and enact section 6-01-31 of the North Dakota Century Code, providing that certain accounts with financial institutions be subject to inspection, audit, or examination by the state auditor, the commissioner of banking, or 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FRED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ J #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2019.** A Bill for an Act providing for the creation of a preliminary planning revolving fund for the prepayment of consulting and planning fees for capital improvement projects and structures, 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, 48; nays, 1; absent and not voting, 2.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTC			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2020. A Bill for an Act to amend and reenact sections 15-55-02 and 15-55-18 of the North Dakota Century Code, relating to the issuance of revenue bonds by institutions under the control of the board of higher education, 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTC			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2023. A Bill for an Act to amend and reenact section 15-18-06 of the North Dakota Century Code, relating to standards for state aid and to provide for an annual review of institutional budgets for junior colleges and educational centers by the state board of public school education.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTC			● SCHUSTER			● MR. PRESIDENT		

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

Senate Bill No. 2038. A Bill for an Act to amend and reenact sections 6-03-63 and 47-14-09 of the North Dakota Century Code, relating to the in-

interest rates payable by a state banking association on deposits and to usury; providing a penalty; and declaring an emergency.

Which has been read.

#### MOTION

Senator Nething moved that those Senators in this body who have a conflict of interest with this bill be permitted to vote, which motion prevailed.

#### ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

#### MOTION

Senator Nething moved that Senate Concurrent Resolution No. 4017 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4017. 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 adoption of the resolution, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So Senate Concurrent Resolution No. 4017 was declared adopted.

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators H. Christensen, Berube, Lee introduced:

Senate Concurrent Resolution No. 4022. A concurrent resolution requesting the Legislative Council to study the effect of the proposed Amendment to the Constitution of the United States prohibiting states

from denying a citizen equality of rights under the law on account of sex, on North Dakota laws before action is taken by the Legislative Assembly on ratification of the Amendment.

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

#### PERSONAL PRIVILEGE

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

"Mr. President, ladies and gentlemen of the Senate.

"In prepared testimony before a Senate committee from a lobbying group this morning, the person testifying chose to spend a portion of his testimony attacking personally a member of this Senate. We have no place in the governmental process for irresponsible personal allegations. The testimony received by our committees shall be factual and pertinent and not stoop to character assassination. As Majority Leader, I am requesting each committee chairman to immediately terminate testimony before the committee when such personal attacks are made. I also request each committee member to support your chairman when such action is necessary. You are all reminded that testimony containing such references may be considered in any fashion that you so desire."

Senator Nething moved that after the reading of Senate Bills Nos. 2016, 2042, 2072, 2139, 2145, 2168, 2191, that the Senate recess until 1:00 P.M., January 17, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



EIGHTH DAY AFTER RECESS  
AND NINTH DAY

Bismarck, January 17, 1975

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. 2040

And find the same correctly engrossed.

SENATOR STRAND, Chairman

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education 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 18, after the word "hundred)))" delete the words "sixteen dollars and seventeen cents" and insert in lieu thereof the words "eighteen dollars and fifty-nine cents"

On page 2, line 24, after the word "instruction" delete the word "of" and insert in lieu thereof the word "or"

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2022 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

On page 2 delete all of line 1 and insert in lieu thereof the following: "one cottage supervisor, one member of the professional staff, and may include"

On page 2, line 2 delete the following: "students and members of the general public" and insert in lieu thereof the following: "one student and one member of the general public"

And renumber the lines accordingly. And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2044 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2063 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senate Bill No. 2063 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was

referred Senate Bill No. 2067 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2067 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2068 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2068 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

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

SENATOR JACOBSON, Chairman

Senate Bill No. 2073 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2081 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill 2081 was placed in the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2135 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

Senate Bill No. 2135 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2141 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2141 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2144 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2144 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2170 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2170 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2241 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2241 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4011 has had the same under consideration and recommends that the same do pass, and that it be re-referred to the Legislative Council Resolutions Committee.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4011 was re-referred to the Legislative Council Resolutions Committee.

### FIRST READING OF SENATE BILLS

Senators Hoffner, Longmire introduced:

**Senate Bill No. 2281.** A Bill for an Act to establish an institute for local government as a division of the bureau of governmental affairs at the university of North Dakota; relating to the compensation of officials of political subdivisions; and providing an appropriation.

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

Senator Freed introduced:

**Senate Bill No. 2282.** A Bill for an Act requiring driver education programs; providing for an appropriation; and providing effective dates.

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

Senators L. Christensen, Fritzell introduced:

**Senate Bill No. 2283.** A Bill for an Act to create a state department of health and environment from the existing divisions and offices of the health department; to amend the provisions relating to the membership of the health council, to rename it the health and environment council and amend its powers and duties accordingly; to allow the state health and environment officer to be an environmental or sanitary engineer; to create the division of health, division of environment, and division of mental health and retardation within the department of health and environment from the existing divisions and offices of the department of health, and to establish various offices within the health division; to amend references to the health department, health council, and health officer, and to make other appropriate amendments to sections 15-52-03, 23-01-01, 23-01-02, 23-01-03, 23-01-04, 23-01-05, 23-01-06, 23-01-07, 23-01-08, 23-01-09, 23-01-10, 23-01-11, 23-01-12, 23-01-13, 23-01-14, 23-01-15, 23-01-16, 23-01-17, 23-01-18, 23-01-19, 23-02-01, 23-02-02, 23-02-04(5), 23-02-27, 23-03-07(1), 23-03-07(13), 23-03-09, 23-03-10, 23-03-11, 23-04-01, 23-04-02, 23-04-05, 23-04-09, 23-05-02, 23-05-09, 23-06-04, 23-06-07, 23-06-20, 23-06-21(4) (5), 23-06-22, 23-06-23, 23-07-01, 23-07-01.1, 23-07-02, 23-07-03, 23-07-05, 23-07-07, 23-07-07.1, 23-07-07.2, 23-07-15, 23-14-01, 23-14-03, 23-14-07, 23-16-01, 23-16-03, 23-16-04, 23-16-05, 23-16-06, 23-16-09, 23-16-10, 23-16-12, 23-17.1-02, 23-17.1-03, 23-17.1-04, 23-17.1-05, 23-17.1-06, 23-17.1-07, 23-17.2-02, 23-17.2-04, 23-17.2-05, 23-17.2-06, 23-17.2-07, 23-17.2-08, 23-17.2-09, 23-17.2-10, 23-17.2-11, 23-17.2-13, 23-17.2-15, 23-19-02, 23-19-03, 23-19-05, 23-19-06, 23-19-07, 23-20-03, 23-20-04, 23-20-05, 23-20.1-01(4), 23-20.1-02, 23-20.1-06, 23-21-16, 23-21.1-02.1, 23-21.1-03, 23-22-01, 23-23-03, 23-24-01(3), 23-24-02, 23-24-05, 23-24-06, 23-25-02, 23-25-08, 23-25-09, 23-26-02(1), 23-26-02(3), 23-26-03, 23-26-04, 23-26-05, 23-26-06, 23-26-07, 23-27-01, 23-27-03, 23-27-04(4), 23-27-05, 25-01-01(13), 25-01-02.1, 25-03-15, 25-05-35, 25-10-01, 25-10-04, 25-12-04(1), 25-14-02, 25-16-01(2), 25-16-07, 25-16-10, 25-16-11, 25-16-12, 25-17-01, 25-17-02, 25-17-04, 43-10-02, 43-11-11, 43-18-02, 43-18-09, 43-34-01(3), 43-34-02(1), 54-07-01.2(1) (n), 54-27-15.3, 54-36-01, 54-38-01(2), 54-38-02, 54-38-05(6), 54-42-06, 54-42-07, 54-42-08, 61-02-15, 61-28-02(8), 61-28-03, and 61-28-04 of the North Dakota Century Code; and to repeal sections 23-12-01 and 23-12-02 of the North Dakota Century Code, relating to disinfecting second-hand goods.

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

Senators Solberg, Berube introduced:

**Senate Bill No. 2284.** A Bill for an Act to create and enact section 15-59.1-03.1 of the North Dakota Century Code, relating to the payment of county special education taxes to multicounty school districts.

Was read the first time and referred to the Committee on Education. Senators C. Schultz, Sands, Iqzler, Strinden, Reiten introduced:

**Senate Bill No. 2285.** A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code, relating to individual income taxation rates.

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

Senators Ringsak, Vosper, Larson, Jones, Freed introduced:

**Senate Bill No. 2286.** A Bill for an Act to provide an appropriation for the construction of a new administration building at the Grafton state school.

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

Senators Solberg, Berube introduced:

**Senate Bill No. 2287.** A Bill for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code relating to compensation of school board members.

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

Senator Lips introduced:

**Senate Bill No. 2288.** A Bill for an Act to amend and reenact section 48-02-07 of the North Dakota Century Code, relating to investment of retainage on public building construction contract payments.

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

Senators Thane, Naaden, Erdman, Reiten introduced:

**Senate Bill No. 2289.** A Bill for an Act to provide compensation for victims of violent crimes; for the administration of the Act by the workmen's compensation bureau; providing a penalty, and providing an appropriation.

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

Senators Barth, Wright, Redlin introduced:

**Senate Bill No. 2290.** A Bill for an Act to amend and reenact subsection 1 of section 15-03-04 of the North Dakota Century Code, relating to the investment of permanent school lands funds.

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

Senator Conlin introduced:

**Senate Bill No. 2291.** A Bill for an Act to amend and reenact subsection 10 of section 28-22-02 of the North Dakota Century Code, relating to property absolutely exempt from process, levy, or sale.

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

Senator Lips introduced:

**Senate Bill No. 2292.** A Bill for an Act to provide for a park district construction fund levy.

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

Senators Schuster, Lashkowitz introduced:

**Senate Bill No. 2293.** 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 Industry, Business and Labor.

Senator Naaden introduced:

**Senate Bill No. 2294.** A Bill for an Act to amend and reenact subsections 3 and 7 of section 10-13-03 and subsections 4 and 10 of section 32-15-02 of the North Dakota Century Code, relating to the powers of electric



cooperatives and to the public uses for which the right of eminent domain may be exercised, and providing for application to eminent domain proceedings.

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

Senators Lashkowitz, Ringsak, Redlin introduced:

**Senate Bill No. 2295.** A Bill for an Act to create and enact a new section to chapter 40-33 of the North Dakota Century Code, relating to the requirements to be met in order to discontinue a water supply for non-payment of water rents.

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

Senators Naaden, Barth, Lips, Iszler, J. Schultz introduced:

**Senate Bill No. 2296.** A Bill for an Act making an appropriation to the North Dakota state water commission for the purpose of conducting a study of the feasibility of providing supplementary water supplies to the Apple Creek unit of the Pick-Sloan Missouri River Basin plan and its tributaries in North Dakota.

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

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Holand, L. Christensen, Melland, Lips introduced:

**Senate Concurrent Resolution No. 4023.** A concurrent resolution for the amendment of sections 53 and 56, and the repeal of section 55, of the Constitution of the State of North Dakota, relating to commencement of the terms of office of legislators, and to the length and status of legislative sessions.

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

#### MOTION

Senator Kautzmann moved that Senate Bill No. 2243 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Kautzmann requested the unanimous consent of the Senate to withdraw Senate Bill No. 2243, which request was granted.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1029.** A Bill for an Act to amend and reenact sections 15-60-04 and 15-60-05 of the North Dakota Century Code, relating to the amounts to be loaned and the terms of loans under the state school construction fund.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1091.** A Bill for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to the authority of counties and cities to establish or maintain programs and activities for senior citizens; to amend and reenact section 57-15-56, relating to the authorization of a mill levy for programs and activities for senior citizens; and declaring an emergency.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1123.** A Bill for an Act to amend and reenact section 37-04-01 of the North Dakota Century Code, relating to the qualifications of commissioned officers of the national guard.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1139.** A Bill for an Act to amend and reenact subsection 2 of section 26-35-02 of the North Dakota Century Code, pertaining to the scope of the regulation of credit insurance.

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

**House Bill No. 1159.** A Bill for an Act to create and enact a new subsection to section 39-22-04 of the North Dakota Century Code, to prohibit sales of motor vehicles to a minor under sixteen without the consent of the parent or guardian.

Which was read the first time and referred to the Committee on Judiciary.

#### CONSIDERATION OF AMENDMENTS

Senator Kautzmann moved that the amendments to Senate Bill No. 2118 as recommended by the Committee on Industry, Business and Labor as printed on page 129 of the Senate Journal be adopted, which motion prevailed.

#### COMMUNICATION STATE OF NORTH DAKOTA EXECUTIVE OFFICE BISMARCK

The Honorable Wayne Sanstead  
President of the Senate  
North Dakota State Senate  
Bismarck, North Dakota 58505

Dear Mr. President:

I have made the following appointments which, under state law, are subject to State Senate confirmation:

#### Council on the Arts and Humanities (Section 54-54-02)

Ms. Sylvia Hagen, Mandan	July 1, 1975-July 1, 1980
Mr. Dennis Navrat, Dickinson	July 1, 1975-July 1, 1980
Mr. Walter J. Piehl	July 1, 1975-July 1, 1980
Mrs. Ruth Everson, Bismarck	July 1, 1975-July 1, 1980
Mr. James Walker, New Town	July 1, 1975-July 1, 1980
Mrs. Winifred Stump, Dickinson	June 21, 1973-July 1, 1977
Ms. Nancy P. Swenson, Bismarck	January 8, 1975-July 1, 1977
Mr. Richard H. Smith, Jamestown	January 8, 1975-July 1, 1977
Mrs. Lawrence Summers, Grand Forks	July 1, 1973-July 1, 1978
Dr. John Hove, Fargo	July 1, 1973-July 1, 1978
Mrs. I.L. Lazareck, Devils Lake	July 1, 1973-July 1, 1978
Mrs. Gordon Gray	July 1, 1973-July 1, 1978
Mrs. Russell F. Freeman	July 1, 1973-July 1, 1978

The President referred the above appointments to the Committee on Education.

#### State Historical Board (Section 55-01-01)

T.S. Kopseng, Bismarck	July 1, 1973-July 1, 1976
LaVern Neff, Williston	July 1, 1973-July 1, 1976
Snorri Thorfinnson, Fort Ransom	July 1, 1973-July 1, 1976
Edward A. Milligan, Bottineau	January 8, 1975-July 1, 1977
Roberta McCreery	January 8, 1975-July 1, 1977
Mrs. Jacque Stockman, Fargo	January 8, 1975-July 1, 1977

The President referred the above appointments to the Committee on State and Federal Government.

#### State Board of Public School Education (Section 15-21-17)

Mr. Sam Kessler, Medora	July 1, 1974-July 1, 1980
Mr. Arthur S. Johnson, Ray	July 1, 1974-July 1, 1980

The President referred the above appointments to the Committee on Education.

Sincerely yours,  
 ARTHUR A. LINK,  
 Governor

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2016.** A Bill for an Act to provide for a periodic review of employee bond coverage, and to amend and reenact sections 26-23-01, 26-23-02.1, 26-23-05, 26-23-06, 26-23-07, 26-23-08, 26-23-09, 26-23-10, 26-23-11, 26-23-15, 26-23-17, 26-23-18, 26-23-19, 26-23-20, 26-23-22, 43-04-06, 43-05-05, 43-10-03, 43-11-07, 43-13-06, 43-15-07, 43-19.1-09, 43-25-06, and 43-35-06, relating to public official and employee bond coverage as provided under the state bonding 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON	●		● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN	●		● PYLE			● STRAND		
● CONLIN			● LARSON	●		● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE	●		● REITEN			● THANE		
● FRITZELL			● LIPS	●		● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE	●		● SANDS			● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH		
● HOFFNER			● MELLAND	●		● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN	●		● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2040.** A Bill for an Act to create and enact subsection 32 of section 12.1-01-04, subsection 6 of section 12.1-32-01, section 12.1-32-01.1, subsection 7 of section 12.1-32-02, and section 12.1-32-03.1 of the North Dakota Century Code; to amend and reenact subsections 6, 25, and 27 of section 12.1-01-04, section 12.1-01-05, subdivision b of subsection 1 of section 12.1-03-01, subsection 1 of section 12.1-08-01, subsection 1 of section 12.1-08-02, subsection 1 of section 12.1-08-03, subdivision d of subsection 2 of section 12.1-11-02, subdivision b of subsection 1 of section 12.1-11-05, sections 12.1-11-06, 12.1-13-01, 12.1-13-04, and 12.1-14-03, subsection 3 of section 12.1-16-01, subsection 2 of section 12.1-17-01, sections 12.1-17-07 and 12.1-22-05, subdivision b of subsection 2 of section 12.1-23-05, section 12.1-23-06, subsection 1 of section 12.1-23-09, subsection 1 of section 12.1-25-02, subsection 4 of section 12.1-28-01, subsection 1 of section 12.1-29-05, subsection 1 of section 12.1-32-02, subsection 6 of section 12.1-32-02, subsection 1 of section 12.1-32-08, subdivision c of subsection 1 of section 12.1-32-09, section 12.1-32-11, and the introductory language of section 12.1-32-12 of the North Dakota Century Code and all as contained in chapter 104 or chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to definitions of terms, definitions of offenses, sentencing alternatives, defenses to criminal charges, justifications on the use of force, classifications of offenses, and providing penalties; and to repeal subsections 9 and 20 of section 12.1-01-04 of the North Dakota Century Code as contained in section 1 of chapter 116 of the 1973 Session Laws of the state of North Dakota, and section 12.1-02-04 of the North Dakota Century Code as contained in section 2 of chapter 116 of the 1973 Session Laws of the state of North Dakota, defining certain terms, and setting forth instances where mistake of fact or law is a defense.

Which has been read.

### ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

Senate Bill No. 2047. A Bill for an Act to create and enact subsection 6 of section 27-20-36, and to amend and reenact subsections 1 and 10 of section 27-20-02, section 27-20-09, subsections 1 and 4 of section 27-20-34, and subsection 5 of section 27-20-36, of the North Dakota Century Code, relating to the definitions of "child" and "minor traffic offense", transfers to the juvenile court from other courts, limitations of time on orders of disposition of the juvenile court, and to waiver of juvenile jurisdiction in certain instances.

Which has been read.

### ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

Senate Bill No. 2072. A Bill for an Act to amend and reenact section 15-28-02 of the North Dakota Century Code, relating to rural and city members of school boards.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2096. A Bill for an Act to amend section 1-03-02 of the North Dakota Century Code, relating to when a day following a holiday shall be a holiday.

Which has been read.

MOTION

Senator Ringsak moved that Senate Bill No. 2096 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2098. 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 an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBF			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

Senate Bill No. 2104. A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code to allow the director of state parks to lease or exchange lands held by the park service.

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, 34; nays, 16; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBF			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

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

LEO LEIDHOLM, Secretary



Which has been read.

**MOTION**

Senator Nasset moved that Senate Bill No. 2109 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2115. A Bill for an Act to amend and reenact subsection 1 of section 15-53.1-41 of the North Dakota Century Code, relating to dissolution of school districts.

Which has been read.

**ROLL CALL**

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2124. A Bill for an Act to provide for the elimination of industrial injury or disease through the proper application of safety and health standards and the charging of additional premium and seeking of injunctive relief against employers who place an unreasonable risk upon the North Dakota workmen's compensation fund by failing to comply with such standards; to amend and reenact section 65-04-01 of the North Dakota Century Code, relating to the charging of additional premium; to amend and reenact section 65-04-27.1 of the North Dakota Century Code, relating to injunctive procedure for safety violations; and to repeal chapters 65-03 and 65-11 of the North Dakota Century Code, relating to the safety engineer and safety regulations.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 36; nays, 15; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADIN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H #5			• JONES		•	• NOTHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		•
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		•
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

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

Senate Bill No. 2125. A Bill for an Act to amend and reenact section 65-05-15 of the North Dakota Century Code, relating to aggravation of a preexisting condition and the benefits paid.

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, 27; absent and not voting, 1.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
				ISZLER			NAADEN		SHABLOW
				JACOBSON			NASSET		SMYKOWSKI
				JONES			NETHING		SOLBERG
				KAUTZMANN			PYLE		STRAND
				LARSON			RAIT		STRINDEN
				LASHKOWITZ			REDLIN		STROUP
				LEE			REITEN		THANE
				LIPS			RINGSACK		TWETEN
				LONGMIRE			SANDS		VOSPER
				MAHER			SANDNESS		WALSH
				MELLAND			SCHULTZ, C. #14		WENSTROM
				MORGAN			SCHULTZ, J. #32		WRIGHT
				MUTCH			SCHUSTER		MR. PRESIDENT

So the bill was declared lost.

Senate Bill No. 2126. A Bill for an Act to provide for uniformity and control of traffic control devices, including markings, signs, and signals, used on all streets and highways, in accordance with national standards; to prohibit the manufacture or sale of nonconforming devices; and to repeal sections 24-01-08, 24-01-09, 24-01-09.1, 24-01-09.2, and 39-13-02 of the North Dakota Century Code.

Which has been read.

Senator Mutch moved that Senate Bill No. 2126 be amended as follows:

On page 1 of the engrossed bill, line 22, following the word "sign", insert a "comma", and following the word "signals", insert a "comma", and following the word "highway", delete the "comma"

On page 1, line 23, delete the word "does", and insert in lieu thereof the word "do"

On page 2, line 4, following the word "warn", insert a "comma"

On page 2, line 6, following the word "firm", insert a "comma"

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

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2126 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2126. A Bill for an Act to provide for uniformity and control of traffic control devices, including markings, signs, and signals, used on all streets and highways, in accordance with national standards; to prohibit the manufacture or sale of nonconforming devices; and to repeal sections 24-01-08, 24-01-09, 24-01-09.1, 24-01-09.2, and 39-13-02 of the North Dakota Century Code.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended from the floor, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
				ISZLER			NAADEN		SHABLOW
				JACOBSON			NASSET		SMYKOWSKI
				JONES			NETHING		SOLBERG
				KAUTZMANN			PYLE		STRAND
				LARSON			RAIT		STRINDEN
				LASHKOWITZ			REDLIN		STROUP
				LEE			REITEN		THANE
				LIPS			RINGSACK		TWETEN



GOODMAN	LONGMIRE	SANDS	VOSPER
GROHNOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR PRESIDENT

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

Senate Bill No. 2132. A Bill for an Act to amend and reenact section 37-01-34 and 37-01-36 of the North Dakota Century Code, relating to the recording and availability of veterans of the armed forces.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GROHNOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

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

Senate Bill No. 2139. A Bill for an Act to create and enact a new subsection to section 50-01-09, a new section to chapter 50-03, and a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the administration and financing of the food stamp program in North Dakota and relating to the powers and duties of the county welfare board and 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, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GROHNOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2145. A Bill for an Act to provide for the health and welfare by ensuring workmen's compensation claimants services necessary to assist the claimant and the claimant's family in the adjustments required by the injury to the end that the claimant may receive comprehensive rehabilitation services; to amend and reenact sections 65-05-07 and 65-05-28 of the North Dakota Century Code, relating to services and articles furnished for rehabilitation and failure to cooperate; and to repeal section 65-02-14 of the North Dakota Century Code, relating to allowance during rehabilitation.

Which has been read.

Senator Redlin moved that Senate Bill No. 2145 be laid over one legislative day, which motion prevailed.

Senate Bill No. 2167. A Bill for an Act to create and enact a new section of chapter 10-24 of the North Dakota Century Code, relating to the right of nonprofit corporations to restate their articles of incorporation and amend and reenact section 10-28-01 of the North Dakota Century Code, relating to filing fees for nonprofit 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2168. A Bill for an Act to amend and reenact section 19-14-02 of the North Dakota Century Code, relating to registration of livestock medicine.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN	●		● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Nothing: Mr. President, I move that it be the expressed policy of the Senate that any written materials proposed for distribution by a registered lobbyist or lobbying organization which contains any language which is personally insulting or attacks the integrity of any member of the Senate or House of Representatives not be distributed in, or through the auspices of, the Senate, which motion prevailed.

Mr. President, I rise to speak in favor of this motion.

Senator Hoffner: "I speak to and concur in Senator Nothing's motion. I feel we have no place in the governmental process for irresponsible personal allegations. Personal attacks benefit no one. They only cause ill feelings which interferes with the rational legislative process. Witnesses

who launch personal attacks against members of the legislature do not contribute to their cause. In fact, such attacks can only detract from the position that they are advocating. By the same token, we as legislators need to continue to make witnesses feel at ease, regardless of whether they are lobbyists, private citizens, or government representatives.

"I realize that emotions can run high during hearings, both on the part of witnesses and legislators, but decisions based strictly on emotion are surely not in the best interest of the people."

Senator Melland moved that Senator Hoffner's remarks be printed in the Journal, which motion prevailed.

Mr. President: I further request that my remarks be printed in the Journal.

Senator Stroup:

"In certain publications my integrity has been libeled and my sincerity in representing my district has been questioned, specifically in the matter of my stand on coal development.

"I am sincere in my belief that all segments of North Dakota deserve to be allowed the privilege of debate on the questions of:

1. Whether or not North Dakota shall continue surface mining;
2. Whether or not this mining should be limited.

"If the people of North Dakota believe that strip mining should be halted, then now is the time to do it, and the public of North Dakota should be allowed to participate in that decision.

"These are my reasons for introducing Senate Bills 2134 and 2135, not as any political ploy.

"Very definitely, strip mining has been limited by my participation in past reclamation legislation. I firmly believe that the reclamation issue can best be resolved by saying that land be returned to its original state, as near as possible.

"My home district is the area in which most of the surface mining in North Dakota has been concentrated. Thus, if mining were curtailed, my district would be spared further surface mining activities. If development is to be allowed, then my continued efforts will be to hold that damage to the bare minimum allowable with our present technology, scientific knowledge and experience."

Senator Smykowski moved that Senator Stroup's remarks be printed in the Journal, which motion prevailed.

#### MOTION

Senator Nething moved that the bills remaining on the calendar be laid over one legislative day, which motion prevailed.

#### MESSAGE FROM THE HOUSE

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

House Bill No. 1093

House Concurrent Resolution No. 3013

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2004

Senate Bill No. 2017

Senate Bill No. 2019

Senate Bill No. 2020

Senate Bill No. 2023

Senate Bill No. 2038

Senate Concurrent Resolution No. 4017

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

LEO LEIDHOLM, Secretary

Senator Nething moved that after the reading of Senate Bills Nos. 2067, 2068, 2073, 2081, 2118, 2141, 2144, 2170 and 2241, that the Senate recess until 1:30 P.M., Monday, January 20, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

NINTH DAY AFTER RECESS  
AND 10th DAY

Bismarck, January 20, 1975

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

REPORT 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, following line 10, add the following:

“(SECTION 2. TRANSFERS.) The director of accounts and purchases and the state treasurer shall make such transfers of funds between lined items of appropriation for the supreme court as may be requested by the supreme court upon a finding by the supreme court that the nature of the duties of the supreme court and its staff requires such transfers in properly carrying on the supreme court’s functions and duties.”

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To allow the Supreme Court flexibility of reallocation of appropriations, within the appropriation, without emergency commission approval.

SENATOR LIPS, Chairman

Senate Bill No. 2003 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2027 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2027 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2103 has had the same under consideration and recommends that the same be amended as follows:

On page 6, line 31, delete the words “at least one horn” and insert in lieu thereof “an operative horn in good working order, as described by subsection 1 of section 39-21-36” and after the second word “horn” delete the remainder of the line

On page 6, line 32, delete the words “operated and”

On page 7, line 9, following the word “vision” insert a period and delete the rest of the line

On page 7 delete all of line 10

On page 7, line 33, delete the words “the side of the motorcycle’s fixed items” and insert in lieu thereof “the width of the handlebars”

And renumber the lines accordingly.

SENATOR MUTCH, Chairman

Senate Bill No. 2103 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2120 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3, delete the triple parentheses around the word "one" and delete the following "two" and insert in lieu thereof "and one-half"

And renumber the lines accordingly.

SENATOR SANDS, Chairman

Senate Bill 2120 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2142 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 24, delete the triple parentheses around the word "shall" and delete the underscored word "may" and delete the beginning triple parentheses following the word "expended"

On page 2, line 25, delete the closing triple parentheses following the word "appropriations"

And renumber the lines accordingly.

SENATOR MUTCH, Chairman

Senate Bill No. 2142 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2151 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2151 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2169 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2169 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2175 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2175 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2188 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2188 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2216 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2216 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4001 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4001 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was

referred Senate Concurrent Resolution No. 4008 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman  
Senate Concurrent Resolution No. 4008 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

#### REPORT OF PROCEDURAL COMMITTEE

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

Senate Bill No. 2118

And find the same correctly engrossed.

SENATOR STRAND, Chairman

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

#### FIRST READING OF SENATE BILLS

Senator Nothing introduced:

Senate Bill No. 2297. A Bill for an Act to amend and reenact sections 27-08.1-01 and 27-08.1-03 of the North Dakota Century Code, relating to the jurisdictional limits on the small claims court.

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

Senator J. Schultz introduced:

Senate Bill No. 2298. A Bill for an Act to amend and reenact sections 44-08-04.2, 44-08-05, 44-08-05.1, and 54-06-09 of the North Dakota Century Code, relating to the payment of travel expenses to state employees.

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

Senator Nasset introduced:

Senate Bill No. 2299. A Bill for an Act to repeal section 15-38-13 of the North Dakota Century Code, relating to the power of a teacher to suspend a student for not more than five days for insubordination, habitual disobedience, or disorderly conduct.

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

Senator Nasset introduced:

Senate Bill No. 2300. A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of school boards.

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

Senator Nothing introduced:

Senate Bill No. 2301. A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code, to extend the definition of teacher to include section 15-47-38.

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

Senator Solberg introduced:

Senate Bill No. 2302. A Bill for an Act to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to teacher contracts.

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

Senator Freed introduced:

Senate Bill No. 2303. A Bill for an Act to create and enact section 31-01-16.2 of the North Dakota Century Code, relating to compensation of municipal court witnesses; and to amend and reenact sections 31-01-16 and 31-01-16.1 of the North Dakota Century Code, relating to compensation and mileage of witnesses and witness fees and mileage of municipal police officers.

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

FIRST READING OF  
SENATE CONCURRENT RESOLUTIONS

Senator Longmire introduced:

Senate Concurrent Resolution No. 4024. A concurrent resolution designating February 7, 1975, as North Dakota Editors Day at the Forty-fourth Legislative Assembly, and welcoming Mr. Gerald Lee Warren, a distinguished journalist and Deputy White House Press Secretary, to North Dakota.

Was read the first time.

MOTION

Senator Longmire moved that the rules be suspended, that Senate Concurrent Resolution No. 4024 not be printed as a bill, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4024

1 A concurrent resolution designating February 7, 1975, as North  
2 Dakota Editors Day at the Forty-fourth Legislative Assembly, and  
3 welcoming Mr. Gerald Lee Warren, a distinguished journalist and  
4 Deputy White House Press Secretary, to North Dakota.

5

6 WHEREAS, the members of North Dakota's esteemed Fourth  
7 Estate, the editors and reporters of the State's daily, semi-  
8 weekly, and weekly newspapers, are dedicated to informing the  
9 citizens of the State and thus serve a vital function in the  
10 democratic processes; and

11 WHEREAS, the North Dakota professional chapter of Sigma  
12 Delta Chi and the North Dakota Newspaper Association (NDNA) are  
13 sponsoring the biennial Editors Day at the Legislature  
14 February 7, 1975; and

15 WHEREAS, the Editors Day Luncheon, to which members of the  
16 Forty-fourth Legislative Assembly have been invited by members  
17 of the Press from their respective districts, will feature as  
18 speaker Mr. Gerald Lee Warren, the Deputy White House Press  
19 Secretary;

20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF  
20a THE STATE

21 OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES  
21a CONCURRING THEREIN:

22 That the Forty-fourth Legislative Assembly commends North  
23 Dakota's editors and reporters for their continuing service to  
24 all the citizens of the State, and declares that February 7, 1975,

Page 2

1 is hereby designated Editors Day at the 1975 Legislature; and  
2 BE IT FURTHER RESOLVED, that the Forty-fourth Legislative  
3 Assembly extends a hearty and sincere North Dakota welcome to  
4 Mr. Gerald Lee Warren, and hopes that his stay in the State is  
5 pleasant and enjoyable; and

6 BE IT FURTHER RESOLVED, that each Senator and Representa-  
7 tive make every effort to attend the luncheon February 7, 1975,  
8 at the invitation of Sigma Delta Chi and the NDNA; and

9 BE IT FURTHER RESOLVED, that the Secretary of State send  
10 copies of this resolution to the national and North Dakota  
11 presidents of Sigma Delta Chi, the president of the North Dakota  
12 Newspaper Association, and to Mr. Gerald Lee Warren, Deputy  
13 White House Press Secretary, Washington, D.C.

SECOND READING OF A CONCURRENT RESOLUTION



Senate Concurrent Resolution No. 4024. A concurrent resolution designating February 7, 1975, as North Dakota Editors Day at the Forty-fourth Legislative Assembly, and welcoming Mr. Gerald Lee Warren, a distinguished journalist and Deputy White House Press Secretary, to North Dakota.

Which has been read.

Senator Longmire moved that Senate Concurrent Resolution No. 4024 be adopted, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

Senator Nasset moved that the amendments to Senate Bill No. 2022 as recommended by the Committee on Education as printed on page 143 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that Senate Bill No. 2022 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2044 as recommended by the Committee on State and Federal Government as printed on page 143 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Mutch moved that the Committee Report on Senate Bill No. 2063, as printed on page 143 of the Senate Journal be adopted.

**MOTION**

Senator Mutch moved that Senate Bill No. 2063 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Jacobson moved that the Committee Report on Senate Bill No. 2135, as printed on page 144 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2135, the roll was called and there were 51 ayes; 0 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2135 was indefinitely postponed.

**MESSAGE FROM THE HOUSE**

Mr. President: I have the honor to transmit herewith the following: House Bill No. 1016

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

ROY GILBREATH, Chief Clerk

## MOTION

Senator Freed moved that Senate Bill No. 2199 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Freed moved that Senate Bill No. 2199 be re-referred to the Committee on Agriculture, which motion prevailed.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:  
House Bill No. 1016

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

Senator Pyle moved that the absent senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## TENTH DAY

Bismarck, January 20, 1975

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

Prayer by Pastor Burton Bundy, Grace Lutheran Brethren Church, Bismarck.

"Our Heavenly Father, inasmuch as you have instructed us to pray for those that are in authority to the end that we may lead a tranquil and quiet life in all Godliness and dignity, and inasmuch as governing authorities are ordained of God; we do pray for the members of this assembly and the leadership of the State of North Dakota as they consider the many important decisions they will have to make, that they will recognize that You are the very source of wisdom and that many times they will come in the spirit of the scriptures, in humility admitting that they do need You and Your guidance. Thou who hast said, "If any of you lacks wisdom, let him ask of God, who gives to all men generously and without reproach and it will be given to him." God bless to that end we pray in the name of our Lord and Savior, Jesus Christ. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

## CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the eighth day after recess and ninth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

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

## MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2016

Senate Bill No. 2040

Senate Bill No. 2047

Senate Bill No. 2072

Senate Bill No. 2098

Senate Bill No. 2104

Senate Bill No. 2105

Senate Bill No. 2115

Senate Bill No. 2124

Senate Bill No. 2126

Senate Bill No. 2132

Senate Bill No. 2139

Senate Bill No. 2167

Senate Bill No. 2168

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

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to return:

House Bill No. 1016

Which the President has signed.

LEO LEIDHOLM, Secretary

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2067.** A Bill for an Act to create and enact sections 39-10-07.1, 39-10-07.2, 39-10-26.1, 39-10-33.1, 39-10-33.2, 39-10-33.3, 39-10-33.4, and 39-10-33.5 of the North Dakota Century Code, relating to lane-direction-control signals, display of unauthorized signs, signals, and markings, highway construction and maintenance, pedestrians' rights-of-way on sidewalks, pedestrians yielding to authorized emergency vehicles, blind pedestrians' rights-of-way, pedestrians under the influence of alcohol or drugs, and bridge and railroad signals; to amend and reenact sections 39-10-05, 39-10-08, 39-10-14, 39-10-15, 39-10-16, 39-10-17, 39-10-26, 39-10-27, 39-10-29, 39-10-33, 39-10-34, 39-10-35, 39-10-36, 39-10-38, 39-10-43, and 39-10-64 of the North Dakota Century Code, relating to traffic-control signal legends, driving on the right side of the roadway, limitations on driving on the left side of the roadway, no-passing zones, one-way roadways and rotary traffic islands, driving on roadways laned for traffic, operation of vehicles on approach of authorized emergency vehicles, pedestrian obedience to traffic regulations, pedestrian crossing at other than crosswalks, pedestrians on roadways, pedestrians soliciting rides or business, required position and method of turning, prohibition of turn on curve or crest of grade, turning movements and required signals, vehicles required to stop at railroad crossings, and prohibition against driving through safety zone; and to repeal sections 24-09-06, 39-10-31, and 39-13-04 of the North Dakota Century Code, relating to vehicles carrying school children, passengers for hire, and explosives being required to stop at railroad crossings; protection of blind or incapacitated persons; and signs erected by unauthorized persons and signs containing advertising.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FRED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWISTEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2068.** A Bill for an Act to create and enact chapters 39-10.1 and 39-10.2 of the North Dakota Century Code, relating to bicycle and motorcycle laws; to create and enact sections 39-09-04.1, 39-10-52.1, 39-10-52.2, 39-10-68, 39-10-69, 39-10-70, and 39-10-71 of the North Dakota Century Code, relating to special speed limitations, driving on sidewalks, riding in

house trailers, stopping when traffic is obstructed, charging violations and rule in civil actions, racing on highways, and fleeing or attempting to elude a police officer; to amend and reenact sections 39-10-02.1, 39-10-21, 39-10-47, 39-10-48, 39-10-50, 39-18-04, and 39-18-05 of the North Dakota Century Code, relating to speed limits on bridges, causeways, and viaducts, persons riding bicycles or animals or driving animal-drawn vehicles, restrictions on use of controlled-access highways, stopping, standing, or parking outside of business or residence districts, officers authorized to remove illegally stopped vehicles, additional parking regulations, safety devices and requirements, and size of mobile homes on roadways and oversize permits; and to repeal sections 39-09-05, 39-10-53, 39-10-60, 39-10-61, 39-10-62, 39-10-63, 39-10-63.1, 39-21-48, and 39-21-49 of the North Dakota Century Code, relating to driving faster than posted speed on a bridge, causeway, or viaduct, riding on motorcycles, riding on bicycles, clinging to vehicles, riding on roadways and bicycle paths, carrying articles on bicycles, lamps, and other equipment on bicycles, crash helmets required for operators of and passengers on motorcycles, and limitation on number of riders on motorcycles.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROENHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2073. A Bill for an Act to amend and reenact subsection 6 of section 20.1-01-02 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, 29; nays, 22; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROENHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2081. A Bill for an Act to create and enact section 11-10-24 of the North Dakota Century Code, providing authorization for the establishment of an association of county governments; and to create and

enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the powers of boards of county commissioners.

Which has been read.

**MOTION**

Senator Reiten moved that Senate Bill No. 2081 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senate Bill No. 2096. A Bill for an Act to amend section 1-03-02 of the North Dakota Century Code, relating to when a day following a holiday shall be a holiday.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK	●	● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD	●		● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2109. A Bill for an Act to create and enact three subsections of section 15-65-03; to amend and reenact subsection 4 of section 15-65-03 of the North Dakota Century Code relating to powers and duties of the North Dakota educational broadcasting council; and to repeal section 15-65-04 of the North Dakota Century Code relating to prohibitions placed on the North Dakota educational broadcasting council.

Which has been read.

**MOTION**

Senator Nasset moved that Senate Bill No. 2109 be re-referred to the Committee on Education, which motion prevailed.

Senate Bill No. 2118. A Bill for an Act to create and enact a new subsection to section 43-30-04 of the North Dakota Century Code, relating to private detective licensing powers of attorney general; to amend and reenact subsection 5 of section 43-30-05 of the North Dakota Century Code relating to qualifications of applicant; to amend and reenact section 43-30-07 of the North Dakota Century Code, relating to private detective identification card and to amend and reenact section 43-30-09 of the North Dakota Century Code, relating to detective agency license.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER

● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

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

Senate Bill No. 2141. A Bill for an Act to amend and reenact section 40-22-37 of the North Dakota Century Code, relating to investment of retainage on municipal construction contract 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, 46; nays, 5; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN					● SHABLOW
● BERUBE			● JACOBSON			● NASSET					● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING					● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE					● STRAND
● CONLIN			● LARSON	●		● RAIT		●			● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN					● STROUP
● FREED			● LEE			● REITEN					● THANE
● FRITZELL			● LIPS			● RINGSAK					● TWETEN
● GOODMAN			● LONGMIRE			● SANDS					● VOSPER
● GRONHOVD			● MAHER			● SANDNESS					● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14					● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32					● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER					MR. PRESIDENT

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE HOUSE

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

- House Bill No. 1052
- House Bill No. 1070
- House Bill No. 1072
- House Bill No. 1095
- House Bill No. 1096
- House Bill No. 1097
- House Bill No. 1107
- House Bill No. 1108
- House Bill No. 1119
- House Bill No. 1122
- House Bill No. 1162
- House Bill No. 1130
- House Bill No. 1131
- House Bill No. 1136
- House Bill No. 1137
- House Bill No. 1144
- House Bill No. 1155
- House Bill No. 1174

ROY GILBREATH, Chief Clerk

Senator Nothing moved that after the reading of Senate Bills Nos. 2044, 2051, 2169, 2175, 2188, 2216, Senate Concurrent Resolutions Nos. 4001 and 4008, that the Senate recess until 1:30 P.M., January 21, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

## TENTH DAY AFTER RECESS AND ELEVENTH DAY

Bismarck, January 21, 1975

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

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2077 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2077 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2121 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3 insert beginning triple parentheses before the word "Every"

On page 2, line 5 insert ending triple parentheses after the period

On page 2, line 13 delete beginning triple parentheses before the word "All"

On page 2, line 15 delete the ending triple parentheses after the period and insert the following language:

"State and local governmental employees may, at the discretion of their department heads, be excused from work for not to exceed one half a working day on days on which an election is held throughout the state. As used in this section, "state and local governmental employees" means persons employed by any agency, board, commission, department, bureau, or office of the state of North Dakota, or any employees of a political subdivision of this state, who have been, or are intended to be, employed for more than five months each year, and more than twenty hours per week."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2121 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2149 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2149 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government 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 1, line 21 delete the period and insert in lieu thereof the following: " , not to exceed seventy-five days in any one year."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2192 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2217 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3, delete the word "shiplifting" and insert in lieu thereof the word "shoplifting"

On page 2, line 6, delete the word "ninety" and insert in lieu thereof the word "thirty"

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2217 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2218 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2218 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2219 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2219 was placed on the 11th order of business on the calendar for the succeeding legislative day.

#### 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. 2044

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

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

#### FIRST READING OF SENATE BILLS

Senators Thane, Ringsak, Lashkowitz, Pyle, Barth, Wenstrom introduced:

Senate Bill No. 2304. A Bill for an Act to provide a North Dakota no-fault motor vehicle reparations Act, to provide for basic required insurance, and to provide for the administration of this Act.

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

Senators Thane, Strinden, Morgan, Homuth introduced:

Senate Bill No. 2305. A Bill for an Act to create and enact a new subsection to section 19-02.1-10 of the North Dakota Century Code, relating to when food is deemed to be misbranded under the North Dakota Food, Drug, and Cosmetic Act.

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

Senators Homuth, Solberg introduced:

Senate Bill No. 2306. A Bill for an Act to amend and reenact sections 47-10-07 and 47-19-05 of the North Dakota Century Code, relating to the content of deeds granting interests in real property.

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

Senators Ringsak, Thane, Morgan, Jones, Strand introduced:

Senate Bill No. 2307. A Bill for an Act to amend and reenact section 23-01-10 of the North Dakota Century Code, relating to the location of the state department of health.



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

Senators Fritzell, Wright introduced:

Senate Bill No. 2308. A Bill for an Act to provide for an acceleration and extension of the program by soil conservation districts for control of soil erosion and sediment damage resulting from land-disturbing activities within the state, adoption of a comprehensive statewide soil erosion and sediment control program and guidelines by the state soil conservation committee, and adoption of soil erosion and sediment control programs consistent with the statewide program and guidelines by soil conservation districts; to require the filing and approval of plans for the control of soil erosion and sediment damage in connection with land-disturbing activities; to provide for inspections, reports, administration, and enforcement; to provide for financial and other assistance to districts and the state soil conservation committee; and providing a penalty.

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

Senator Freed introduced:

Senate Bill No. 2309. A Bill for an Act to provide for a county severance tax on coal; to provide for the imposition, collection, and administration of such tax; and to provide a penalty.

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

Senators J. Schultz, Kautzmann introduced:

Senate Bill No. 2310. A Bill for an Act to repeal section 46-02-16 of the North Dakota Century Code, relating to vouchers for public printing and declaring an emergency.

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

Senator Melland introduced:

Senate Bill No. 2311. A Bill for an Act to amend and reenact section 48-02-02 of the North Dakota Century Code, relating to prerequisites for building or repairing public buildings.

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Lips introduced:

Senate Concurrent Resolution No. 4025. A concurrent resolution directing a study by the Legislative Council to determine the feasibility of adopting a benefit formula retirement plan for the public employees' retirement system.

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

Senators Morgan, Thane, Iszler introduced:

Senate Concurrent Resolution No. 4026. A concurrent resolution urging Congress to raise the federal estate tax exemption to one hundred fifty thousand dollars.

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

Senator Thane introduced:

Senate Concurrent Resolution No. 4027. A concurrent resolution for the amendment of subsection 2 and subsection 4 of article 54 of the amendments to the Constitution of the State of North Dakota, relating to the qualifications and to the compensation of the members of the State Board of Higher Education.

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

## FIRST READING OF HOUSE BILLS

**House Bill No. 1052.** A Bill for an Act to amend and reenact section 15-10-28.1 of the North Dakota Century Code, relating to veterinary medicine, optometry, and dentistry student loans.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1070.** A Bill for an Act to prohibit an employment agency or an employer from requesting an applicant for employment or an employee to take a polygraph test, to prohibit unauthorized disclosure of a polygraph test given at the employee's request, to provide certain exemptions for police officers, and providing a penalty.

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

**House Bill No. 1072.** A Bill for an Act to amend and reenact section 54-52.1-03 of the North Dakota Century Code, relating to the eligibility of employees to remain in the uniform group insurance program upon retirement or termination of employment, and declaring an emergency.

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

**House Bill No. 1093.** A Bill for an Act to provide for a safe level of immunization for the people of North Dakota against diphtheria, pertussis, tetanus, measles (rubeola), rubella, mumps, and poliomyelitis; and to repeal sections 23-07-17 and 23-14-02 of the North Dakota Century Code, relating to compulsory vaccination or inoculation.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1095.** A Bill for an Act to amend and reenact section 65-05-19 of the North Dakota Century Code, relating to nondependency payments.

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

**House Bill No. 1096.** A Bill for an Act authorizing the director of state parks to provide for conversion to metric signs.

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

**House Bill No. 1097.** A Bill for an Act to provide for issuance of permits to residents sixty years of age or more which would allow such persons free access to state parks.

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

**House Bill No. 1107.** A Bill for an Act to provide for the responsibilities of the state department of health relative to health statistics and the registration of vital events, and providing for a penalty; and to repeal Chapter 23-02 of the North Dakota Century Code.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1108.** A Bill for an Act to create and enact section 15-55-04.1 of the North Dakota Century Code, relating to the authority of the board of higher education to lease revenue producing buildings.

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

**House Bill No. 1119.** A Bill for an Act to create and enact a new subsection to section 26-08-11 of the North Dakota Century Code and to amend and reenact section 26-08-12 of the North Dakota Century Code, relating to authorized investment of insurance companies.

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

**House Bill No. 1122.** A Bill for an Act to amend and reenact section 41-09-46.1 of the North Dakota Century Code relating to the liability of the filing officer in performing his responsibilities under the Uniform Commercial Code.

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

**House Bill No. 1130.** A Bill for an Act to amend and reenact sections 54-34.2-01, 54-34.2-02, 54-34.2-03, 54-34.2-04, and 54-34.2-05 of the North Dakota Century Code, relating to the administration and purpose of the Indian development fund.

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

**House Bill No. 1131.** A Bill for an Act to amend and reenact section 18-12-04 of the North Dakota Century Code, relating to employment of registered architects and engineers.

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

**House Bill No. 1136.** A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, relating to weekly compensation allowances for death claims.

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 sections 2-05-04, 4-02.1-26, 4-05-10, 4-06-04, 4-13-09, 4-27-11, 6-01-10, 7-05-03, 15-02-08, 15-10-14.1, 15-11-14, 15-20.1-21, 15-21-14, 15-52-28, 18-01-29, subsection 3 of section 20.1-02-04, sections 23-01-06, 24-02-10, subsection 7 of section 26-01-02, sections 26-23-21, 27-15-08, 34-05-01, 34-06-20, 36-01-11, subsection 5 of section 37-03-05, sections 37-14-09, 37-15-19, 43-01-06, 43-02-06, 43-04-19, 43-09-05, 43-10-08, 43-13-09, 43-15-12, 43-17-12, 43-23-02, 43-28-09, subsection 3 of section 46-02-04, sections 47-23-07, 49-01-13, 50-06-13, 52-02-03, 52-10-09, 54-06-03, 54-06-04, 54-06-05, subsection 3 of section 54-10-01, subsection 12 of section 54-11-01, sections 54-12-05, 54-17-06, 54-21-09, 54-36-06, 54-42-05, subsection 15 of section 54-44-04, section 54-46-11, subsection 9 of section 57-01-02, sections 61-03-04 and 65-02-09 of the North Dakota Century Code, relating to biennial reports of executive and administrative agencies and departments; the time when such reports shall be made; and the contents, printing, and binding of such reports.

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

**House Bill No. 1144.** A Bill for an Act to amend and reenact sections 15-34.2-14 and 39-21-18 of the North Dakota Century Code, relating to definition and size of a school bus.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1155.** A Bill for an Act to amend and reenact section 19-08-05 of the North Dakota Century Code, relating to beverage licenses.

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

**House Bill No. 1162.** A Bill for an Act to amend and reenact section 37-01-12 of the North Dakota Century Code, relating to the exemption of members of the national guard from civil or criminal personal liability and to provide for furnishing lawyers at state expense for guardsmen in tort actions arising from acts committed while on state active duty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1174.** A Bill for an Act to amend and reenact subsection 5 of section 41-09-42, subsections 1 and 2 of section 41-09-44, section 41-09-45, and subsection 2 of section 41-09-46 of the North Dakota Century Code,

relating to fees charged by the filing officer under the Uniform Commercial Code.

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

**CONSIDERATION OF AMENDMENTS**

Senator Lips moved that the amendments to Senate Bill No. 2003 as recommended by the Committee on Appropriations as printed on page 159 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2103 as recommended by the Committee on Transportation as printed on page 159 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2120 as recommended by the Committee on Political Subdivisions as printed on page 160 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2142 as recommended by the Committee on Transportation as printed on page 160 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Stroup moved that the Committee Report on Senate Bill No. 2027, as printed on page 159 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2027, the roll was called and there were 42 ayes; 9 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, I. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL	●		● LIPS			● RINGSACK		●	● TWETEN		●
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2027 was indefinitely postponed.

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

LEO LEIDHOLM, Secretary

**ELEVENTH DAY**

Bismarck, January 21, 1975

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

Prayer by Father Arnold Spain, St. Anne's Church, Bismarck.

Almighty and loving Father, We raise our minds and hearts to You in this place made sacred by the labors of those senators who preceeded us. They planted well and we reap the harvest of their labors. We remember them with gratitude and commend them to your love.

May the generations that succeed us be blessed through our wise decisions, for seldom is the chance given to create laws that will have more bearing on the lives of our people now and in the years to come as is given to us.

Father, we realize that all our lives we've trained ourselves to see only what we want to see. Help us to overcome this blindness so that we may



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●		●	●		●	●		●
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	
●	FREED		●	LEE		●	REITEN		●	THANE	
●	FRITZELL		●	LIPS		●	RINGSACK		●	TWETEN	
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●	HOMUTH		●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

**Senate Bill No. 2145.** A Bill for an Act to provide for the health and welfare by ensuring workmen's compensation claimants services necessary to assist the claimant and the claimant's family in the adjustments required by the injury to the end that the claimant may receive comprehensive rehabilitation services; to amend and reenact sections 65-05-07 and 65-05-28 of the North Dakota Century Code, relating to services and articles furnished for rehabilitation and failure to cooperate; and to repeal section 65-02-14 of the North Dakota Century Code, relating to allowance during rehabilitation.

Which has been read.

#### MOTION

Senator Longmire moved that Senate Bill No. 2145 be amended as follows:

On page 5, delete lines 16 through 20 inclusive, and renumber the lines accordingly.

Senator Longmire moved that the amendment be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2145 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

Senator C. Schultz moved that Senate Bill No. 2145 be further amended as follows:

On page 5, line 11 correct the spelling of the word "association".

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

Senator Schultz moved that the rules be suspended, that Senate Bill No. 2145 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 2145.** A Bill for an Act to provide for the health and welfare by ensuring workmen's compensation claimants services necessary to assist the claimant and the claimant's family in the adjustments required by the injury to the end that the claimant may receive comprehensive rehabilitation services; to amend and reenact sections 65-05-07 and 65-05-28 of the North Dakota Century Code, relating to services and articles furnished for rehabilitation and failure to cooperate; and to repeal section 65-02-14 of the North Dakota Century Code, relating to allowance during rehabilitation.

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 yes, 34; nays, 17; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER		●	● NAA DEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5		●	● JONES			● NETHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED		●	● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2151. A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable the commissioner of insurance and to provide for authority in the commissioner of insurance to set and establish fees at the estimated cost of providing services and authorizing the commissioner to collect such fees.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 27; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER		●	● NAA DEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5		●	● JONES			● NETHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED		●	● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill was declared lost.

Senate Bill No. 2169. A Bill for an Act to amend and reenact section 19-16.1-03 of the North Dakota Century Code, relating to registration 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5		●	● JONES			● NETHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED		●	● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2170. A Bill for an Act to amend and reenact section 19-

13.1-06 of the North Dakota Century Code, relating to registration of commercial feed products.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2175. A Bill for an Act creating and enacting three new sections to chapter 54-35 of the North Dakota Century Code, relating to the powers and duties of the legislative 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2183. A Bill for an Act to amend and reenact section 19-01-02, 21-10-01, and 39-03A-03 of the North Dakota Century Code, relating to the membership of the governor or his representative on certain boards and commissions.

Which has been read.

#### MOTION

Senator Freed moved that Senate Bill No. 2183 be amended as follows:

On page 1, line 20, after the word "a" insert the word "non-voting"

On page 2, line 18, after the word "a" insert the word "non-voting"

On page 2, line 28, after the word "a" insert the word "non-voting"

And renumber the lines accordingly.

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

Senator Freed moved that the rules be suspended, that Senate Bill No. 2183 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.





● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2216. 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 sales 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Lashkowitz moved that Senate Bill No. 2203 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Lashkowitz requested the unanimous consent of the Senate to withdraw Senate Bill No. 2203, which request was granted.

**SECOND READING OF A SENATE BILL**

Senate Bill No. 2241. A Bill for an Act authorizing the social service board to make seasonal adjustments in payments to AFDC recipients, and declaring an emergency.

Which has been read.

**MOTION**

Senator Melland moved that Senate Bill No. 2241 be amended as follows:

On page 1, line 20 of the bill, delete the number "1" after the word "section" and insert in lieu thereof the number "6".

Senator Melland moved that the amendment be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2241 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF A SENATE BILL**

Senate Bill No. 2241. A Bill for an Act authorizing the social service board to make seasonal adjustments in payments to AFDC recipients, 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, 41; nays, 10; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		

● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

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

**SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4001.** A concurrent resolution urging the Congress of the United States to pass amendments to the Fair Labor Standards Act to allow exemptions to the minimum wage provisions of the Act when the productivity of patient labor is less than that required of a full-time non-patient employee, and urging the North Dakota Congressional Delegation to propose such amendments.

Which has been read.

The question being on the adoption of Senate Concurrent Resolution No. 4001.

Senator Melland moved that Senate Concurrent Resolution No. 4001 be adopted, which motion prevailed.

**Senate Concurrent Resolution No. 4008.** A concurrent resolution designating United States Highway No. 281 through the State of North Dakota as "American-Canadian Legion Memorial Highway".

Which has been read.

The question being on the adoption of Senate Concurrent Resolution No. 4008.

Senator Melland moved that Senate Concurrent Resolution No. 4008 be adopted, which motion prevailed.

**MESSAGE FROM THE HOUSE**

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

- House Bill No. 1020
- House Bill No. 1021
- House Bill No. 1079
- House Bill No. 1084
- House Bill No. 1134

ROY GILBREATH, Chief Clerk

**MESSAGE TO THE HOUSE  
Senate Chamber**

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2067
- Senate Bill No. 2068
- Senate Bill No. 2073
- Senate Bill No. 2096
- Senate Bill No. 2118
- Senate Bill No. 2141

Senate Concurrent Resolution No. 4024

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

LEO LEIDHOLM, Secretary

Senator Nething moved that after the reading of Senate Bills Nos. 2003, 2077, 2103, 2120, 2142, 2149, 2219, that the Senate recess until 1:30 P.M., January 22, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

ELEVENTH DAY AFTER RECESS  
AND TWELFTH DAY

Bismarck, January 22, 1975

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. 2103

Senate Bill No. 2120

Senate Bill No. 2142

And find the same correctly engrossed.

SEN. STRAND, Chairman

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

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2042 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 4 add the following new language after the period: "However, any industry thus established which will require more than five thousand dollars in materials, supplies, and equipment, or will generate more than fifty thousand dollars in revenues will require the approval of the North Dakota Legislature."

On page 3, line 19 after the period delete the remainder of the line and insert in lieu thereof the following new language: "A separate appropriation is hereby authorized for the prison industries. Expenditures from industry revenue is not to be restricted by any provisions of 54-16-03. The Emergency Commission is to have the authority to permit the prison, upon the request of the Director of Institutions, to spend income or revenues beyond the limits of the prison industry appropriations for the purchase of needed raw material."

On page 3, delete lines 20 through 35

On page 4, delete lines 1 through 10

On page 6, line 13 delete the beginning triple parentheses before the word "or"

On page 6, line 13 delete the ending triple parentheses after the word "industries" and delete the remainder of the line

On page 6, line 14 delete the letters "dustries,"

On page 6, line 15 delete the words following the period: "The compensation of prisoners work."

On page 6, delete lines 16 through 18

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2042 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government 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 1, line 3 delete the words "and royalty"

On page 1, line 21 delete the words "and royalty"

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2153 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2171 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 "for an Act to amend and reenact section 49-03-01 of the North Dakota Century Code relating to certificates of public convenience and necessity."

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

SECTION 1. AMENDMENT.) Section 49-03-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

49-03-01. CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY — SECURED BY PUBLIC UTILITY.) No public utility henceforth shall begin in the construction or operation of a public utility plant or system or extension thereof, without first obtaining from the commission a certificate that public convenience and necessity require or will require such construction and operation. This section shall not be construed to require any such public utility to secure such certificate for an extension within any municipality within which it has lawfully commenced operations. On an application for a certificate of public convenience and necessity for electric service to a customer or area the public service commission, upon a prima facie showing of public convenience and necessity, may issue a temporary conditional certificate of public convenience and necessity but shall then hold a hearing with notice thereof to the electric cooperative supplier in the area and on such hearing shall consider the evidence on the following topics:

1. location of the lines of the suppliers;
2. reliability of service;
3. economic feasibility to the electric suppliers;
4. orderly development of service in the area without wasteful duplication of facilities;
5. customer preference;

and shall decide the application in the public interest. The provisions of this section shall not be construed to exempt a public utility, operating an oil or gas pipeline gathering system for the purpose of collecting oil or gas at the well producing the oil or gas and transporting such products to another destination, from obtaining a certificate of public convenience and necessity from the public service commission prior to extending such pipelines to provide service to any wells in an oil or gas field not presently served, unless such oil or gas field borders within three miles of an oil or gas field presently being served. If any public utility in constructing or extending its line, plant, or system, unreasonably interferes with or is about to interfere unreasonably with the service or system of any other public utility, or any electric cooperative corporation, the commission on complaint of the public utility or the electric cooperative corporation claiming to be injuriously affected, after notice and hearing as provided in this title, may make such order enforcing this section with respect to such public utility and prescribe such terms and conditions as are just and reasonable."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2171 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2173 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14, after the word "same" delete the word "util" and insert in lieu thereof the word "until"

On page 2, line 20, following the "comma" insert the following new language: "nor shall any state or national bank be required to be bonded as provided herein in order to conduct a sale in this state as a clerk, but shall otherwise comply with all other provisions of this chapter,"

On page 5, line 20, after the word "an" delete the word "auctioneer" and insert in lieu thereof the word "owner"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2173 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2185 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2185 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred Senate Bill No. 2226 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2226 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2228 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2228 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2229 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2229 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1051 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1051 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1053 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1053 was placed on the 14th order of business on the calendar for the succeeding legislative day.

## FIRST READING OF SENATE BILLS

Senator Reiten introduced:

Senate Bill No. 2312. A Bill for an Act to amend and reenact section 43-10-05 of the North Dakota Century Code, relating to the powers of the state board of embalmers to require rules reasonably designed to disclose the cost of merchandise and services for funerals.

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

Senators Lashkowitz, Longmire, Jones, Ringsak, Lips, Schuster introduced:

Senate Bill No. 2313. A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts, and to repeal section 27-02-02.1 relating to additional compensation for the supreme and district court judges.

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

Senators Lashkowitz, Longmire, Jones, Ringsak, Lips, Schuster introduced:

Senate Bill No. 2314. A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation of supreme and district court judges from January 1, 1975 to June 30, 1975; providing an appropriation thereto; and declaring an emergency.

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

Senator Conlin introduced:

Senate Bill No. 2315. A Bill for an Act to require that a statement of full consideration be filed with certain deeds or with the state tax commissioner; and providing a penalty.

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

Senator Longmire introduced:

Senate Bill No. 2316. A Bill for an Act relating to the size of juries; and to amend and reenact sections 28-14-05, 29-17-09, 29-17-12, and 33-12-19, relating to the size of juries and challenges to jury members.

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

Senators Thane, Iszler, Strinden, Naaden introduced:

Senate Bill No. 2317. A Bill for an Act relating to the game and fish fund.

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

Senators Nething, Melland introduced:

Senate Bill No. 2318. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

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

Senators Barth, L. Christensen introduced:

Senate Bill No. 2319. A Bill for an Act to require compulsory retirement of all full-time state employees at the age of sixty-five, and providing exceptions.

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

Senators Lips, Goodman introduced:

Senate Bill No. 2320. A Bill for an Act to amend and reenact section 54-17.1-12 of the North Dakota Century Code, relating to taxes, appropriations, and transfers for purposes of repaying the Vietnam veterans adjusted compensation bonds; to repeal section 57-38-30.2 of the



North Dakota Century Code, relating to the Vietnam veteran surtax; to provide an appropriation; and to provide an effective date.

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

Senators Lips, J. Schultz introduced:

**Senate Bill No. 2321.** A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code, relating to individual income tax rates.

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

Senators Barth, Wright introduced:

**Senate Bill No. 2322.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to the formation of county weed control boards; and to repeal chapter 63-01.1 of the North Dakota Century Code, relating to noxious weed control.

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

Senators Morgan, Homuth, Redlin, J. Schultz introduced:

**Senate Bill No. 2323.** A Bill for an Act to amend and reenact sections 62-01-04, 62-01-05, 62-01-07, 62-01-08, 62-01-20, and 62-03-01 of the North Dakota Century Code, relating to the possession of pistols, licenses to carry pistols; and to provide a penalty.

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

Senators Lips, Solberg, J. Schultz, Melland, Nething introduced:

**Senate Bill No. 2324.** A Bill for an Act relating to income tax credits for charitable contributions to nonprofit private institutions of higher education.

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

Senator Lips introduced:

**Senate Bill No. 2325.** A Bill for an Act to amend and reenact subsection 1 of section 52-04-07, the initial paragraph of subsection 1 of section 52-04-18, subdivisions a and b of subsection 2 of section 52-04-18, the initial paragraph of subsection 4 of section 52-04-18, and subdivision a of subsection 11 of section 52-07.1-03 of the North Dakota Century Code, relating to unemployment compensation benefits payable to former employees of nonprofit organizations subject to the unemployment compensation law.

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

Senator C. Schultz moved that the Senate reconsider the action by which Senate Bill No. 2151 was lost, which motion prevailed.

Senator Shablow moved that Senate Bill No. 2151 be re-referred to the Committee on State and Federal Government, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Jones moved that the amendments to Senate Bill No. 2121 as recommended by the Committee on State and Federal Government as printed on page 169 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2192 as recommended by the Committee on State and Federal Government as printed on page 169 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2217 as recommended by the Committee on Judiciary as printed on page 170 of the Senate Journal be adopted, which motion prevailed.

#### COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT

Senator Freed moved that the Committee Report on Senate Bill No. 2218, as printed on page 170 of the Senate Journal be adopted.

## ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2218, the roll was called and there were 33 ayes; 17 nays; absent and not voting, 1.

REGULAR SESSION			NORTH DAKOTA SENATE						1975 LEGISLATURE		
ROLL-CALL			ROLL-CALL						ROLL-CALL		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAADEN					● SHABLOW
● BERUBE		●	● JACOBSON			● NASSET					● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES		●	● NETHING		●			● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN		●	● PYLE			●		● STRAND
● CONLIN			● LARSON			● RAIT					● STRINDEN
● ERDMAN		●	● LASHKOWITZ			● REDLIN					● STROUP
● FREED			● LEE			● REITEN		●			● THANE
● FRITZELL			● LIPS		●	● RINGSAK					● TWETEN
● GOODMAN			● LONGMIRE			● SANDS			●		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS					● WALSH
● HOFFNER			● MELLAND		●	● SCHULTZ, C #14					● WENSTRÖM
● HOLLAND			● MORGAN			● SCHULTZ, J #32					● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER					MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2218 was indefinitely postponed.

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

LEO LEIDHOLM, Secretary

## TWELFTH DAY

Bismarck, January 22, 1975

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

Prayer by Father Claude Seeberger, Corpus Christi Church, Bismarck.

"Almighty and eternal God, You have revealed Your glory to all nations and in many special ways blessed our nation and this state. We confess and proclaim Your name before this assembly. Source of all power help us to rightly use the authority we have to enact wise laws and make fair judgments. Assist us with the light of Your spirit to preserve and perpetuate the blessings we so gratefully possess. Through Christ our Lord. Amen."

## ROLL CALL

All Senators present.

A quorum was declared by the President.

## CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the tenth day after recess and eleventh day and recommends that the same be corrected as follows: On page 170, line 49, insert the letter "s" after the word "Senator".

On page 176, line 36, delete the word "the" at the end of the sentence and insert in lieu thereof the word "for".

On page 176, after line 40, insert the following: "Senator Schultz moved that the amendment be adopted, which motion prevailed".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

## FIRST READING OF HOUSE BILLS

House Bill No. 1020. A Bill for an Act to provide for the creation of multidistrict vocational education boards, and to provide for the establishment, control, and administration of multidistrict vocational education centers.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1021.** A Bill for an Act to amend and reenact section 15-41-24 of the North Dakota Century Code, relating to the inclusion for accreditation purposes of vocational education courses offered through approved cooperative programs.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1079.** A Bill for an Act to amend and reenact section 27-08.1-03 of the North Dakota Century Code, relating to hearings before a small claims court.

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 subdivision b of subsection 1 of section 38-08-04, subsection 1 of section 38-12-01, and subdivision b of subsection 1 of section 38-12-02 of the North Dakota Century Code, relating to the authority of the industrial commission and to the definition of "subsurface minerals".

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

**House Bill No. 1134.** A Bill for an Act to amend and reenact subdivision 6 of subsection a and subsection b of section 39-09-02 and to repeal subsection e of section 39-09-02 of the North Dakota Century Code, relating to the establishment of a statutory speed limit of fifty-five miles per hour as mandated by the Congress of the United States, and declaring an emergency.

Which was read the first time and referred to the Committee on Transportation.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3013.** A concurrent resolution requesting that Lydia O. Jackson be designated as Associate Poet Laureate of North Dakota.

Which was read.

#### MOTION

Senator Ringsak moved that House Concurrent Resolution No. 3013 be amended as follows:

On page 1, line 1, being the same line as the fifth line on page 164 of the House Journal, delete everything after the name "Lydia O. Jackson" and insert in lieu thereof the following:

"and Henry R. Martinson be designated as Associate Poets Laureate of North Dakota.

WHEREAS, Corbin A. Waldron was designated as Poet Laureate of the State of North Dakota by the Thirty-fifth Legislative Assembly and has served with honor and distinction in such capacity since that time; and

WHEREAS, Lydia O. Jackson was born in North Dakota and is a highly respected lifelong resident of the State; and

WHEREAS, Mrs. Jackson is the author of several books of poems including: *Rhymes for Every Season*, 1943; *Selected Poems*, 1962; and *Pardon My Gaff*, 1965. Mrs. Jackson also compiled a book of poems entitled *Peace Garden of Verses*, 1967, and has written many poems which have particular significance and meaning for the State of North Dakota, including *Sakakawea In Bronze*; and

WHEREAS, Mrs. Jackson has received the unusual honor and distinction of having her work acclaimed by her contemporaries in the field of poetry, as evidenced by the inclusion of a biographical sketch of her life in the *International Who's Who In Poetry* on several occasions and as evidenced by her designation as Poet Laureate by the American Poets Fellowship Society in 1972-73; and

WHEREAS, Henry R. Martinson is a respected and long-time citizen of this State and is of high moral character; and

WHEREAS, Mr. Martinson homesteaded eighteen miles southwest of Crosby, worked as a member of the painter's trade in Minot, and subsequently worked with the labor movement and conducted a class in Labor History during the depression; and

WHEREAS, Mr. Martinson was an unsuccessful candidate for public office on several occasions, but was appointed Deputy Commissioner of Labor by the Commissioner of Agriculture and Labor and served in that capacity from 1937 until 1965; and

WHEREAS, the same Mr. Martinson is a poet and compiled the published book of poems entitled "Old Trails And New", and was the editor of the "Iconoclast" which featured poetry in almost every issue by both local poets and poets of national fame;

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

That Lydia O. Jackson of Grafton, North Dakota, and Henry R. Martinson of Fargo, North Dakota, be designated as Associate Poets Laureate of the State of North Dakota until a successor is named for each by the Legislature; and

BE IT FURTHER RESOLVED, that duly enrolled copies of this resolution be forwarded by the Clerk of the House of Representatives to Mrs. Lydia O. Jackson and Mr. Henry R. Martinson."

Senator Ringsak moved that the amendments to House Concurrent Resolution No. 3013 be adopted, which motion prevailed.

Mr. President: Senator Lashkowitz:

It is with great pleasure that I rise to acknowledge with much admiration the career of my fellow townsman, Henry Martinson, the poet laureate of Fargo. Not only is he a poet of distinction but he has had a lifetime of service for the State of North Dakota.

Henry Martinson served as Deputy Commissioner of Agriculture under the Honorable Matt Dahl, and has worked for over fifty years in the Sons of Norway.

Henry Martinson has had a diversified career as an Historian, poet, farmer and painter.

Henry Martinson has contributed many poems which talk of the life and times of the people of North Dakota. He served as business manager of the poetry magazine known as "Prairie Wings" as well as contributed much poetry to this magazine.

He also contributed poems to *North Dakota Outdoors*, one of these is:

#### OLD MISSOURI

They will tame you, Old Missouri,  
Guide your urge to reach the sea.  
Build a wall to spread your waters  
Over woodland, field and lea.

They will yoke you, Old Missouri,  
To their whirring dynamo —  
Sweep the shadows from the prairies  
With the power of your flow.

Man has tossed a butte and hilltop  
Across your current wild and free.  
Nevermore will Old Missouri  
Flow unfettered to the sea.

—Henry R. Martinson

Jan. 1951 from *North Dakota Outdoors*.

He also contributed poems to the magazine, Old Trails and New one of which is "Badlands Fantasy".  
 When the Western plains were sundered  
 By Missouri's little stream,  
 Nature shaped the weird badlands  
 In a wild, fantastic dream:  
 Cast the buttes in phantom order —  
 Wound with bands of every hue,  
 Dwarfed the cedars in submission —  
 Traced a sinuous river through;  
 Broke the mold that made the prairies,  
 Graved a thousand buttes between —  
 Flecked them all with flaming colors —  
 Mounted them in valleys green.

When we gaze in awesome wonder  
 As these witching scenes unfold,  
 Then we know at prairie's ending  
 Is the promised pot of gold.

These, ladies and gentlemen, are the samples of the work of a vigorous 92-year-old North Dakotan who walks to work every day and sometimes walks an additional two or three miles every day. Thank you very much.

Senator Ringsak moved that the rules be suspended, that House Concurrent Resolution No. 3013 as printed on page 164 of the House Journal be placed on the calendar for second reading and final passage, as amended, which motion prevailed.

**SECOND READING OF  
 A HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3013. A concurrent resolution requesting that Lydia O. Jackson be designated as Associate Poet Laureate of North Dakota.

Which has been read.

Senator Ringsak moved that House Concurrent Resolution No. 3013 be adopted, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2003. A Bill for an Act making an appropriation for defraying expenses of the judicial branch of the government of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 159), the roll was called and there were ayes, 45; nays, 5; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•			•			•		
•	BARTH		•	ISZLER		•	NAADEN		•	SHABLOW	
•	BERUBE		•	JACOBSON		•	NASSET			SMYKOWSKI	•
•	CHRISTENSEN, H. #5		•	JONES		•	NETHING		•	SOLBERG	
•	CHRISTENSEN, L. #3		•	KAUTZMANN		•	PYLE		•	STRAND	
•	CONLIN			LARSON	•	•	RAIT		•	STRINDEN	
•	ERDMAN			LASHKOWITZ		•	REDLIN		•	STROUP	
•	FREED		•	LEE		•	REITEN		•	THANE	
•	FRITZELL		•	LIPS		•	RINGSAK		•	TWETEN	
•	GOODMAN		•	LONGAIRE		•	SANDS		•	VOSPER	
•	GRONHOVD		•	MAHER		•	SANDNESS		•	WALSH	
•	HOFFNER		•	MELAND		•	SCHULTZ, C. #14		•	WENSTROM	
•	HOLLAND		•	MORGAN		•	SCHULTZ, J. #32		•	WRIGHT	
•	HOMUTH			MUTCH	•	•	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

**Senate Bill No. 2077.** A Bill for an Act to amend and reenact section 54-21-06 of the North Dakota Century Code to remove necessity for approval of senate for appointee position of director of institutions, 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, 14; nays, 35; absent and not voting, 2.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill was declared lost.

**Senate Bill No. 2103.** A Bill for an Act to provide minimum requirements for the construction and equipment of motorcycles.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 159), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2120.** A Bill for an Act to amend and reenact section 23-14-11 of the North Dakota Century Code, relating to the authorizing and disbursing of health district funds.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 160), the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN

• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2142. A Bill for an Act to amend and reenact subsection 42 of section 24-01-01.1, sections 24-01-01.2, 24-01-02, 24-01-05 and 24-02-08 of the North Dakota Century Code, relating to the definition, mileage, and designation of the state and county road systems and the coordination of systems.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 160), the roll was called and there were ayes, 42; nays, 6; absent and not voting, 3.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE								
REGULAR SESSION			ROLL-CALL			ROLL-CALL			1975 LEGISLATURE			REGULAR SESSION			ROLL-CALL			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
• BARTH			• ISZLER			• NAADEN			• SHABLOW			• BARTH			• SHABLOW			• BARTH			• SHABLOW			• SHABLOW		
• BERUBE			• JACOBSON		•	• NASSET			• SMYKOWSKI			• BERUBE			• SMYKOWSKI			• BERUBE			• SMYKOWSKI			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG			• CHRISTENSEN, H. #5			• SOLBERG			• CHRISTENSEN, H. #5			• SOLBERG			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND			• CHRISTENSEN, L. #3			• STRAND			• CHRISTENSEN, L. #3			• STRAND			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN			• CONLIN			• STRINDEN			• CONLIN			• STRINDEN			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP			• ERDMAN			• STROUP			• ERDMAN			• STROUP			• STROUP		
• FREED			• LEE			• REITEN			• THANE			• FREED			• REITEN			• FREED			• THANE			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN			• FRITZELL			• SANDS			• FRITZELL			• TWETEN			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER			• GOODMAN			• SANDNESS			• GOODMAN			• VOSPER			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH			• GRONHOVD			• SCHULTZ, C. #14			• GRONHOVD			• WALSH			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, J. #32			• WENSTROM			• HOFFNER			• SCHULTZ, J. #32			• HOFFNER			• WENSTROM			• WENSTROM		
• HOLAND			• MORGAN			• SCHUSTER			• WRIGHT			• HOLAND			• SCHUSTER			• HOLAND			• WRIGHT			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT			• HOMUTH			• SCHUSTER			• HOMUTH			MR. PRESIDENT			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2149. A Bill for an Act to amend and reenact section 15-01-02.1 of the North Dakota Century Code, relating to setting and establishing fees by the board of university and school lands and the collection 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, 31; nays, 17; absent and not voting, 3.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE								
REGULAR SESSION			ROLL-CALL			ROLL-CALL			1975 LEGISLATURE			REGULAR SESSION			ROLL-CALL			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
• BARTH			• ISZLER			• NAADEN			• SHABLOW			• BARTH			• SHABLOW			• BARTH			• SHABLOW			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI			• BERUBE			• SMYKOWSKI			• BERUBE			• SMYKOWSKI			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG			• CHRISTENSEN, H. #5			• SOLBERG			• CHRISTENSEN, H. #5			• SOLBERG			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND			• CHRISTENSEN, L. #3			• STRAND			• CHRISTENSEN, L. #3			• STRAND			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN			• CONLIN			• STRINDEN			• CONLIN			• STRINDEN			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP			• ERDMAN			• STROUP			• ERDMAN			• STROUP			• STROUP		
• FREED			• LEE			• REITEN			• THANE			• FREED			• REITEN			• FREED			• THANE			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN			• FRITZELL			• SANDS			• FRITZELL			• TWETEN			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER			• GOODMAN			• SANDNESS			• GOODMAN			• VOSPER			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH			• GRONHOVD			• SCHULTZ, C. #14			• GRONHOVD			• WALSH			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, J. #32			• WENSTROM			• HOFFNER			• SCHULTZ, J. #32			• HOFFNER			• WENSTROM			• WENSTROM		
• HOLAND			• MORGAN			• SCHUSTER			• WRIGHT			• HOLAND			• SCHUSTER			• HOLAND			• WRIGHT			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT			• HOMUTH			• SCHUSTER			• HOMUTH			MR. PRESIDENT			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**PERSONAL PRIVILEGE**

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

Mr. President, ladies and gentlemen of the Senate, maybe it's to explain my vote on Senate Bill No. 2003, and maybe it's to apologize to one of our colleagues. This was the appropriation for the Supreme Court. I voted

against it. I'm not so sure that the increased appropriation that we are considering for the Supreme Court is going to change much of what the court is doing and has done. I am not in agreement with some of their decisions, but I think the important thing here is that the amount of increase was not given when we discussed the bill, the increase was 102 per cent. I would hope the court would be that much better two years from now, but I will hold my judgment until that time has lapsed, but I apologize to Senator Lee for not saying how much the increase was and I think that this is probably a matter that the people on the Appropriations Committee should consider and bring out when they explain the bill on the floor. Thank you.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2219. A Bill for an Act to amend and reenact section 32-03-39 of the North Dakota Century Code, to increase the liability of a parent of a minor who maliciously or willfully destroys property of another.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASS ET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**PERSONAL PRIVILEGE**

Mr. President, I rise on a point of personal privilege.

Senator Wenstrom:

Many of you members of this body will recall that in the 1963 session it was my privilege to preside over the North Dakota Senate. During one of the night sessions, and believe me we had a number of them in 1963, but apparently we didn't solve all the problems that session and some were postponed until the session of 1975. What I want to relate to you is that at that time, we debated a very similar bill to this one and during this night session, we had 44 different talks presented by the members of the Senate on that one particular piece of legislation. Believe it or not 44, I don't mean that 44 of the senators got themselves involved in the discussion, but 44 different talks, and I recognized 44 different talks on this one piece of legislation. Finally the bill was defeated and I just noticed the number of green votes we had today on a very similar piece of legislation. And just another point while I am on the floor, I think Senator Strinden, Senator Ringsak, Senator Morgan, Senator Kautzmann, Senator Longmire, Senator Lips, Senator Redlin, and Senator Berube, are the only senators still remaining that were in the Senate in 1963, I think they will all remember that evening. Thank you ladies and gentlemen.

**MESSAGE FROM THE HOUSE**

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



which the House has passed and your favorable consideration is requested on:

House Bill No. 1026  
House Bill No. 1043  
House Bill No. 1046  
House Bill No. 1056  
House Bill No. 1057  
House Bill No. 1068  
House Bill No. 1081  
House Bill No. 1082  
House Bill No. 1118  
House Bill No. 1124  
House Bill No. 1127  
House Bill No. 1143  
House Bill No. 1151  
House Bill No. 1165  
House Bill No. 1169  
House Bill No. 1175  
House Bill No. 1184  
House Concurrent Resolution No. 3006

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2044  
Senate Bill No. 2144  
Senate Bill No. 2145  
Senate Bill No. 2169  
Senate Bill No. 2170  
Senate Bill No. 2175  
Senate Bill No. 2188  
Senate Bill No. 2191  
Senate Bill No. 2216  
Senate Bill No. 2241  
Senate Concurrent Resolution No. 4001  
Senate Concurrent Resolution No. 4008

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

LEO LEIDHOLM, Secretary

Senator Nothing moved that after the reading of Senate Bills Nos. 2121, 2185, 2192, 2217, 2226, 2228, 2229 and House Bills Nos. 1051 and 1053, that the Senate recess until 1:30 P.M., January 23, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



## TWELFTH DAY AFTER RECESS AND THIRTEENTH DAY

Bismarck, January 23, 1975

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. 2121

Senate Bill No. 2192

Senate Bill No. 2217

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

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

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2112 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Bill No. 2112 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2155 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2155 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2172 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, delete the triple parentheses around the word "certificate" and following the word "certificate", insert the word "or"  
And renumber the lines accordingly.

SENATOR MUTCH, Chairman

Senate Bill No. 2172 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2189 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2189 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2196 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2196 was placed on the eleventh order of business for the next legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2207 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman  
Senate Bill No. 2207 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2209 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman  
Senate Bill No. 2209 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2211 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman  
Senate Bill No. 2211 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2215 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman  
Senate Bill No. 2215 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2232 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman  
Senate Bill No. 2232 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2237 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman  
Senate Bill No. 2237 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2263 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman  
Senate Bill No. 2263 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2269 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman  
Senate Bill No. 2269 was placed on the 11th order of business on the calendar for the succeeding legislative day.

#### RECOGNITION

Mr. President:  
Senator Freed:

The Senate Judiciary Committee had an excellent hearing on SCR 4007 and SCR 4022 on Wednesday morning at the Highway Department Auditorium.

Both sides gave an excellent presentation. Following the general session Wednesday afternoon, the Judiciary Committee met and after further discussion the Committee recommended indefinite postponement of SCR 4007, the ERA amendments, by a vote of 5-2. The Committee also

recommended a do pass on SCR 4022, which provides for a 2-year interim study, by a vote of 4 to 3.

The vote on SCR 4007 appears to be political by virtue of the vote of the individual members, but I wish to point out that the testimony and citizens input indicates that there are Republicans in favor of the ERA amendments and Democrats against it.

**REPORTS OF STANDING COMMITTEES**

Mr. President: The majority of your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4007 has had the same under consideration and recommends that the same be indefinitely postponed.

For the majority:

- Senator Freed
- Senator Iszler
- Senator Ringsak
- Senator Sands
- Senator H. Christensen

**SENATOR FREED, Chairman**

Mr. President: The minority of your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4007 has had the same under consideration and recommends that the same do pass.

For the minority:

- Senator Lashkowitz
- Senator Schuster

Senator Lashkowitz moved that the report of the minority be substituted for the report of the majority, which motion prevailed on a roll call vote.

**MOTION**

Senator Longmire requested a recorded roll call vote on Senate Concurrent Resolution No. 4007, which motion prevailed.

**ROLL CALL**

The question being on the adoption of the minority report, the roll was called and there were ayes, 30; nays, 20; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			ISZLER		●	NAADEN		●	SHABLOW		●
●			JACOBSON		●	NASSET		●	SMYKOWSKI		●
●			JONES		●	NETHING		●	SOLBERG		●
●			KAUTZMANN		●	PYLE		●	STRAND		●
●			LARSON		●	RAIT		●	STRINDEM		●
●			LASHKOWITZ		●	REDLIN		●	STROUP		●
●			LEE		●	REITEN		●	THANE		●
●			LIPS		●	RINGSAK		●	TWETEN		●
●			LONGMIRE		●	SANDS		●	VOSPER		●
●			MAHER		●	SANDNESS		●	WALSH		●
●			MELLAND		●	SCHULTZ, C. #14		●	WENSTROM		●
●			MORGAN		●	SCHULTZ, J. #37		●	WRIGHT		●
●			MUTCH		●	SCHUSTER		●	MR. PRESIDENT		●

Senate Concurrent Resolution No. 4007 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4022 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

**SENATOR FREED, Chairman**

Senate Concurrent Resolution No. 4022 was re-referred to the Legislative Council Resolutions Committee.

**CONSIDERATION OF AMENDMENTS**

Senator Jones moved that the consideration of amendments to Senate Bill No. 2042 be laid over one legislative day, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2153 as

recommended by the Committee on State and Federal Government as printed on page 184 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that we dispense with the reading of the proposed amendments to Senate Bill No. 2171, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2171 as recommended by the Committee on Industry, Business and Labor as printed on pages 184 and 185 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2173 as recommended by the Committee on Industry, Business and Labor as printed on page 185 of the Senate Journal be adopted, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senators Goodman, J. Schultz, Ringsak, Strinden introduced:

Senate Bill No. 2326. 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 sales tax exemptions for all sales to hospitals, nursing homes, and intermediate care facilities licensed by the state health department.

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

Senators Barth, Solberg, Hoffner introduced:

Senate Bill No. 2327. A Bill for an Act to amend and reenact section 54-52.1-06 and to repeal section 54-52.1-07 of the North Dakota Century Code, relating to state contribution and optional coverage for employee's family, and to provide for an appropriation.

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

Senators Ringsak, Vosper, Shablow, Lashkowitz, Morgan introduced:

Senate Bill No. 2328. A Bill for an Act to provide for a mental retardation coordinating committee and its powers and duties; and to amend sections 25-10-01, 25-10-02, 25-10-04, 25-12-01, 25-12-02, 25-12-03, 25-12-04, subsection 2 of section 25-16-01, section 25-16-02, the initial paragraph of section 25-16-03, section 25-16-04, 25-16-06, the initial paragraph of section 25-16-08, sections 25-16-09, 25-16-10, 25-16-11, and 25-16-12 of the North Dakota Century Code, relating to mental retardation services performed by the state health department and mental health and retardation service units.

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

Senators Smykowski, Thane, Conlin introduced:

Senate Bill No. 2329. A Bill for an Act to amend and reenact section 53-01-18 of the North Dakota Century Code, relating to exemptions granted boxing, sparring, and wrestling exhibitions in educational institutions.

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

Senators Homuth, Lee introduced:

Senate Bill No. 2330. A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to expenses and allowances for public officials and employees while attending meetings or performing duties away from their normal working or living residences.

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

Senators Holand, Conlin, Schuster, Redlin, Walsh introduced:

Senate Bill No. 2331. A Bill for an Act to establish a legislative sub-districting committee to provide for the subdistricting of legislative districts with more than one senator and two representatives.

Was read the first time and referred to the Committee on Judiciary.  
 Senator Hoffner introduced:

Senate Bill No. 2332. A Bill for an Act to amend and reenact sections 12-53-01, 12-53-06, 12-53-07, 12-53-10, 12-53-11 and 12-53-12 of the North Dakota Century Code, relating to when a sentence for a misdemeanor or felony may be suspended, to placing a defendant on probation when a felony sentence is suspended, to the duty of the clerk of court when a felony sentence is suspended, to arrest of a person under suspended sentence for breach of probation conditions, to revocation of suspension and termination of probation after hearing, and to release from probation.

Was read the first time and referred to the Committee on Judiciary.  
 Senator Hoffner introduced:

Senate Bill No. 2333. A Bill for an Act to amend and reenact sections 12-47-27, 12-47-28, 12-47-29, and 12-59-14 of the North Dakota Century Code, relating to transfer of penitentiary inmates to state hospital, written orders of commitment, disposition of mentally ill persons upon recovery or expiration of prison sentence, and psychiatric evaluation and transfer to state hospital of parolees.

Was read the first time and referred to the Committee on Judiciary.  
 Senator Hoffner introduced:

Senate Bill No. 2334. A Bill for an Act to provide for the establishment of judicial sentencing councils.

Was read the first time and referred to the Committee on Judiciary.  
 Senator Morgan introduced:

Senate Bill No. 2335. A Bill for an Act to repeal sections 15-53.1-37 and 15-53.1-38 of the North Dakota Century Code, relating to proportionate tax rates in reorganized school districts and for the alteration of proportionate rates; and to provide that such repeal shall be effective on districts with proportionate tax rates.

Was read the first time and referred to the Committee on Education.  
 Senator Kautzmann introduced:

Senate Bill No. 2336. A Bill for an Act to amend and reenact section 6-09-12 of the North Dakota Century Code, relating to interest rates fixed by commission, time deposits, and limitations; and declaring an emergency.

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

Senators Morgan, Thane, Smykowski introduced:

Senate Bill No. 2337. A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to commitment and discharge of a prisoner when there is no jail in a county.

Was read the first time and referred to the Committee on Judiciary.  
 Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTEENTH DAY

Bismarck, January 23, 1975

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

Prayer by Walter Scott, Church of Jesus Christ of Latter Day Saints, Bismarck.

"Our eternal gracious heavenly Father:

"We bow our heads in supplication to Thee at the end of this session of the North Dakota Senate, to ask Thy inspiration for those actions which are taken here this day.

"Wilt Thou bless us each as individuals that we may understand the need for compassion in our day-to-day contact with other human beings and translate this to being our brother's keeper.

"Wilt Thou bless the members of this august body that they may represent the people of North Dakota in a manner pleasing unto Thee — that they may be truly inspired to enact laws which have an optimum benefit to the people of this state. Wilt Thou inspire them to understand the ramification of those laws in the evaluation process, and objectively weigh them before final enactment.

"Wilt Thou ever keep us humble in the service of our fellow man, we pray in the name of Jesus Christ:

Amen"

Roll Call: All Senators present except Strinden.  
A quorum was declared by the President.

#### CORRECTION AND REVISION

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

On page 189, delete lines 34, 35, and 36 and insert in lieu thereof the following:

On page 1, line 1, being the same line as the fifth line on page 164 of the House Journal, delete everything after the name "Lydia O. Jackson" and insert in lieu thereof the following:

On page 194, after line 39, insert Senator Wenstrom:

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2003

Senate Bill No. 2103

Senate Bill No. 2120

Senate Bill No. 2142

Senate Bill No. 2149

Senate Bill No. 2219

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

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3013

Which the Senate has amended.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

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

House Bill No. 1128

House Bill No. 1135

House Bill No. 1138

House Bill No. 1140

House Bill No. 1141

House Bill No. 1158

House Bill No. 1182

House Bill No. 1199





● BERUBE	● JACOBSON	● NASSET	● SMYKOWSKI
● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEB
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

### PERSONAL PRIVILEGE

Mr. President:

Senator Nething: I rise on a point of personal privilege.

Mr. President: State your point Senator Nething:

Mr. President, ladies and gentlemen of the Senate, I would just like to take a few seconds to commend the individuals who conducted a debate on Senate Concurrent Resolution No. 4007. I think it was done in a manner that not only left a good impression, that the people debating knew the subject matter and that it was done with the dignity and decorum that is fitting to this chamber.

Senator Nething moved that after the reading of Senate Bills Nos. 2153, 2155, 2171, 2173, 2189, 2196, 2207, 2209, 2211, 2232, 2237, 2263, 2269 and SCR 4007, that the Senate recess until 1:00 P.M., January 24, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

## THIRTEENTH DAY AFTER RECESS AND FOURTEENTH DAY

Bismarck, January 24, 1975

The Senate convened at 1:00 P.M., 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. 2153

Senate Bill No. 2171

Senate Bill No. 2173

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Maher 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. 2006 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2006 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2071 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2071 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2081 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2081 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2091 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2091 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2138 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senate Bill No. 2138 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2165 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2165 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2184 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2184 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2210 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2210 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2227 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senate Bill No. 2227 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2249 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senate Bill No. 2249 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2266 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senate Bill No. 2266 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2286 has had the same under consideration and recommends that the same do pass and be re-referred to the Appropriations Committee.

SENATOR RINGSACK, Chairman

Senate Bill No. 2286 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1054 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1054 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1123 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1123 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE BILLS

Senators Barth, Solberg, Hoffner introduced:

Senate Bill No. 2338. A Bill for an Act to create and enact section 54-06-14.1 of the North Dakota Century Code, relating to compensation for accumulated sick leave.

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

Senators Thane, Ringsack, Naaden introduced:

**Senate Bill No. 2339.** A Bill for an Act to amend and reenact sections 15-61-05 and 24-03-15 of the North Dakota Century Code, relating to disposition or exchange of state surplus property and to the sale of obsolescent highway equipment.

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

Senator Stroup introduced:

**Senate Bill No. 2340.** A Bill for an Act to amend and reenact section 47-18-01 of the North Dakota Century Code, relating to homestead exemption from judgments and execution.

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

Senator Freed introduced:

**Senate Bill No. 2341.** A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of the proceeds of such tax; to provide for the exemption of coal and electricity from sales and use taxes; to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to gross receipts from the sale of coal and electricity; to amend and reenact subsections 2, 3, and 5 of section 57-39.2-01, subsection 2 of section 57-39.2-02, subsection 2 of section 57-39.2-03, subsection 2 of section 57-39.2-03.1, subsection 2 of section 57-39.2-18, and subdivision a of subsection 6 of section 57-40.2-01 of the North Dakota Century Code, relating to the exemption of electricity from sales and use taxes; and to provide a penalty.

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

Senator Hoffner introduced:

**Senate Bill No. 2342.** A Bill for an Act to create and enact sections 26-03A-12, 26-26-22, 26-27-23, 26-27.1-27, and 26-27.2-26 of the North Dakota Century Code, relating to continued insurance coverage of an insured prisoner while incarcerated.

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

Senator Reiten introduced:

**Senate Bill No. 2343.** A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the North Dakota Century Code, relating to the power of municipalities to defray expense of improvements by special assessments.

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

Senator Reiten introduced:

**Senate Bill No. 2344.** A Bill for an Act to amend and reenact subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to a municipality's share of a federal aid highway project.

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

Senators Morgan, J. Schultz introduced:

**Senate Bill No. 2345.** A Bill for an Act to provide a method for distribution of funds derived from automobile liability insurance premium taxes for police services.

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

Senator L. Christensen introduced:

**Senate Bill No. 2346.** A Bill for an Act relating to the use of rental-purchase-type agreements in the acquisition of certain office equipment.

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



• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2112 was indefinitely postponed.

Senator Jones moved that the Committee Report on Senate Bill No. 2215, as printed on page 198 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2215, the roll was called and there were 49 ayes; 0 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FRED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOOD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2215 was indefinitely postponed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2153. A Bill for an Act to amend and reenact sections 38-09-17, 38-09-18, and 38-11-02 of the North Dakota Century Code, relating to the bidding or offers of bonus for leases; terms of an oil and gas lease and the unit of operation and providing for a minimum delay rental of twenty-five cents per acre; the leasing of certain mineral rights in state lands and providing that rentals shall not be deducted from royalties.

Which has been read.

**MOTIONS**

Senator Jones moved that Senate Bill No. 2153 be amended as follows:

On Page 2 of the engrossed bill in Line 26 after the word "or" insert the following:

"upon such other royalty sharing basis as may appear equitable to the"

And renumber the lines and pages accordingly.

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

Senator Jones moved that the rules be suspended, that Senate Bill No. 2153 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2153. A Bill for an Act to amend and reenact sections 38-09-17, 38-09-18, and 38-11-02 of the North Dakota Century Code, relating to the bidding or offers of bonus for leases; terms of an oil and gas lease and the unit of operation and providing for a minimum delay rental of twenty-five cents per acre; the leasing of certain mineral rights in state lands and providing that rentals shall not be deducted from royalties.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 184), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEW
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHØVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2155. A Bill for an Act to amend and reenact section 39-12-11 of the North Dakota Century Code, relating to the impoundment of overweight 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, 1; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEW
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHØVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2171. A Bill for an Act to amend and reenact section 49-03-01 of the North Dakota Century Code, relating to certificates of public convenience and necessity.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 184 and 185), the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEW
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHØVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.



MOTION

Senator Kautzmann moved that Senate Bill No. 2171 be re-printed, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2173. A Bill for an Act to create and enact chapter 51-05.1 of the North Dakota Century Code relating to auctioneers and auction sales and the licensing of auctioneers and clerks, and providing for a penalty; and to repeal chapter 51-05 of the North Dakota Century Code. Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 185), the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEM		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

MOTION

Senator Nething moved that Senate Concurrent Resolution No. 4007 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4007. A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, prohibiting states from denying a citizen equality of rights under law on account of sex.

Which has been read.

ROLL CALL

The question being on the final adoption of the bill, the roll was called and there were ayes, 28; nays, 22; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEM		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			• MR. PRESIDENT		

So Senate Concurrent Resolution No. 4007 was adopted.

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

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

LEO LEIDHOLM, Secretary

#### FOURTEENTH DAY

Bismarck, January 24, 1975

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

Prayer by Rev. E.C. Schumacher, Bismarck Alliance Church, Bismarck.

"Great God and Heavenly Father, Creator and Sustainer of all things, we look to Thee today for wisdom, and guidance to do the things that are right in Thy sight and good for the people of North Dakota. We are so limited in knowledge and in foresight, but Thou dost possess limitless wisdom, and Thou dost see the end from the beginning. So guide us by Thy Spirit and over-rule in our deliberations.

"Give us also the courage of our convictions, that we may dare to stand up against the pressures of the moment, and do the things for which future generations shall be thankful, and which shall bring them rich blessings. We ask these mercies in the Name of Thy Son, our Lord and Saviour, Jesus Christ. Amen."

Roll Call: All Senators present except Holand, Homuth and Strinden. A quorum was declared by the President.

#### CORRECTION AND REVISION

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

On page 199, after line 30, insert the following:

#### ROLL CALL

"The question being on the adoption of the minority report, the roll was called and there were ayes, 30; nays 20; absent and not voting, 1."

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2189. A Bill for an Act to amend and reenact subdivision a of subsection 1 of section 39-21-42 of the North Dakota Century Code, relating to types of warning devices carried in motor vehicles.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NETHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	CONLIN		●	RAIT		●	STRIDEN	●
●			●	LARSON		●	REITEN		●	STROUP	●
●			●	LASHKOWITZ		●	REDLIN		●	THANE	
●			●	LEE		●	RINGSAK		●	TWETEN	
●			●	LIPS		●	SANDS		●	VOSPER	
●			●	LONGMIRE		●	SANDNESS		●	WALSH	
●			●	MAHER		●	SCHULTZ, J. #14		●	WENSTROM	
●			●	MELLAND		●	SCHULTZ, J. #32		●	WRIGHT	
●			●	HOLAND		●	SCHUSTER		●	MR. PRESIDENT	
●			●	HOMUTH							
●			●	MUTCH							

So the bill passed and the title was agreed to.



● CHRISTENSEN, H. #5	JONES	● NETHING	SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDER
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2209. A Bill for an Act to amend and reenact section 4-21.1-13 and 4-21.1-14 of the North Dakota Century Code, relating to filing of nonresident nursery certificates and exemptions of nursery stock.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDER		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2211. A Bill for an Act to amend and reenact section 10-15-54, section 10-23-04, section 10-23-05, section 10-23-06, section 10-28-01, section 10-28-02, subsection 2 of section 45-10-02, and subsection 1 of section 54-09-04 of the North Dakota Century Code, relating to filing fees for various documents and increasing such fees.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDER		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2217. A Bill for an Act to amend and reenact section 40-05-06 of the North Dakota Century Code, relating to the penalty which a city may impose for a violation of its ordinances relating to vandalism or shoplifting.

Which has been read.

#### MOTION

Senator Ringsak moved that Senate Bill No. 2217 be amended as follows:

In line 5, page 2 of the engrossed bill, delete the figure "one thousand dollars" and insert in lieu thereof the figure "ten thousand dollars"  
Which motion failed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 170), the roll was called and there were ayes, 42; nays, 3; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SAIKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRIDEM		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK	●		● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2226. A Bill for an Act to amend and reenact subsection 4 of section 57-37-11 of the North Dakota Century Code, relating to the determination of the net estate and providing that debts must be paid to be deducted from the gross 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, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SAIKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRIDEM		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2228. A Bill for an Act to amend and reenact subsection 2 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption for transportation services.

Which has been read.

**MOTION**

Senator Stroup moved that Senate Bill No. 2228 be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2229. A Bill for an Act to amend and reenact section 43-07-11 of the North Dakota Century Code, relating to bond requirements for contractors.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	ISZLER			●	NAADEN			●	SHABLOW
●			●	JACOBSON			●	NASSET			●	SMYKOWSKI
●			●	JONES			●	NETHING			●	SOLBERG
●			●	KAUTZMANN			●	PYLE			●	STRAND
●			●	LARSON			●	RAIT			●	STRINDE
●			●	LASHKOWITZ			●	REDLIN			●	STROUP
●			●	LEE			●	REITEN			●	THANE
●			●	LIPS			●	RINGSACK			●	TWETEN
●			●	LONGMIRE			●	SANDS			●	VOSPER
●			●	MAHER			●	SANDNESS			●	WALSH
●			●	MELLAND			●	SCHULTZ, C. #14			●	WENSTROM
●			●	MORGAN			●	SCHULTZ, J. #32			●	WRIGHT
●			●	MUTCH			●	SCHUSTER			●	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2232. A Bill for an Act to amend and reenact sections 36-06-05, 36-06-06, 64-02-05, 64-02-06, 64-02-07, 64-02-08, 64-02-09, 64-02-10, 64-02-13, 64-02-14, 64-02-15, and 64-02-20 of the North Dakota Century Code, relating to changing chief inspector to director of weights and measures; and to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fee schedule for inspection of weighing and measuring 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, 41; nays, 4; absent and not voting, 6.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	ISZLER			●	NAADEN			●	SHABLOW
●			●	JACOBSON			●	NASSET			●	SMYKOWSKI
●			●	JONES			●	NETHING			●	SOLBERG
●			●	KAUTZMANN			●	PYLE			●	STRAND
●			●	LARSON			●	RAIT			●	STRINDE
●			●	LASHKOWITZ			●	REDLIN			●	STROUP
●			●	LEE			●	REITEN			●	THANE
●			●	LIPS			●	RINGSACK			●	TWETEN
●			●	LONGMIRE			●	SANDS			●	VOSPER
●			●	MAHER			●	SANDNESS			●	WALSH
●			●	MELLAND			●	SCHULTZ, C. #14			●	WENSTROM
●			●	MORGAN			●	SCHULTZ, J. #32			●	WRIGHT
●			●	MUTCH			●	SCHUSTER			●	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2237. A Bill for an Act to amend and reenact section 57-01-03 of the North Dakota Century Code, relating to the office of the Tax Commissioner and office hours of that 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, 37; nays, 9; absent and not voting, 5.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	ISZLER			●	NAADEN			●	SHABLOW
●			●	JACOBSON			●	NASSET			●	SMYKOWSKI
●			●	JONES			●	NETHING			●	SOLBERG
●			●	KAUTZMANN			●	PYLE			●	STRAND
●			●	LARSON			●	RAIT			●	STRINDE
●			●	LASHKOWITZ			●	REDLIN			●	STROUP
●			●	LEE			●	REITEN			●	THANE
●			●	LIPS			●	RINGSACK			●	TWETEN
●			●	LONGMIRE			●	SANDS			●	VOSPER
●			●	MAHER			●	SANDNESS			●	WALSH
●			●	MELLAND			●	SCHULTZ, C. #14			●	WENSTROM
●			●	MORGAN			●	SCHULTZ, J. #32			●	WRIGHT
●			●	MUTCH			●	SCHUSTER			●	MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2263.** A Bill for an Act to amend and reenact section 1-03-02 of the North Dakota Century Code, to provide that when November 11 falls on a Sunday, the following Monday is a holiday.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDER		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2269.** A Bill for an Act to regulate the practice of public accounting in the public interest; to create a state board of accountancy and to prescribe its powers and duties; and to provide penalties for violations of the provisions of this Act; and to repeal Chapter 43-02 of the North Dakota Century Code.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDER		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE

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

- House Bill No. 1147
- House Bill No. 1171
- House Bill No. 1172
- House Bill No. 1176
- House Bill No. 1183
- House Bill No. 1185
- House Bill No. 1198
- House Bill No. 1216
- House Bill No. 1244

ROY GILBREATH, Chief Clerk

Senator Nething moved that at the conclusion of the Thirteenth Order, and after the reading of Senate Bills Nos. 2006, 2042, 2071, 2081, 2091, 2165, 2172, 2184, 2210, 2227, 2249 and House Bills Nos. 1054 and 1123, that the Senate stand recessed until 1:30 P.M., Monday, January 27, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



**FOURTEENTH DAY AFTER RECESS  
AND FIFTEENTH DAY**

Bismarck, January 27, 1975

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

**FIRST READING OF HOUSE BILLS**

**House Bill No. 1026.** A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1043.** A Bill for an Act to provide for control of obscene materials and performances; to repeal chapter 12.1-27 of the North Dakota Century Code as contained in section 26 of chapter 116 of the 1973 Session Laws of the State of North Dakota and subsection 62 of section 40-05-01 of the North Dakota Century Code, relating to controls on dissemination of obscene materials; and providing penalties; and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1046.** A Bill for an Act to create and enact subsection 6 of section 30.1-05-05, and to amend and reenact section 30.1-02-05, subsection 1 of section 30.1-04-03, subsection 2 of section 30.1-12-02, subsection 1 of section 30.1-14-07, subsection 1 of section 30.1-15-03, subsection 2 of section 30.1-15-14, subsection 2 of section 30.1-18-06, subsection 1 of section 30.1-21-01, section 30.1-26-02, the initial paragraph of section 30.1-29-01, subsection 2 of section 30.1-29-07, sections 30.1-29-11, 30.1-29-14, 30.1-32-01, and 30.1-34-04 as contained in section 1 of chapter 257 of the 1973 Session Laws of North Dakota, relating to decedents' estates, conservatorships, and trusts; to amend and reenact section 38-13-01 of the North Dakota Century Code, relating to trustees for execution of mineral leases; and to amend and reenact subsection 15 of section 57-37-11, section 57-37-16, subsection 1 of section 57-37-23, and subsections 1, 2, 3, and 6 of section 57-37-24 and section 57-37-32, all of the North Dakota Century Code and as amended by sections 66 and 69 of chapter 257 of the 1973 Session Laws of North Dakota, which section and subsections relate to the taxation of estates; and to repeal subsection 7 of section 57-37-24 of the North Dakota Century Code, relating to refund of certain estate tax payments.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1056.** A Bill for an Act to provide for solid waste management and land protection, and providing a penalty.

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

**House Bill No. 1057.** A Bill for an Act to create and enact sections 23-25-01.1 and 23-25-04.1 of the North Dakota Century Code, relating to the public policy on air pollution and relating to trade secrets; to amend and

reenact section 23-25-01, subsection 6 of section 23-25-02, sections 23-25-03, 23-25-04, 23-25-05, 23-25-06, 23-25-08, and 23-25-10 of the North Dakota Century Code, relating to definitions, the power of the air pollution control advisory council, the powers and duties of the department of health, classification of air contaminant sources, on-site inspections, permits, notice of hearings, and enforcement; and to repeal sections 23-25-07 and 23-25-09 of the North Dakota Century Code, relating to emission control requirements and injunction proceedings; and providing a penalty.

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

**House Bill No. 1068.** A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to the incarceration of county prisoners in federal institutions, institutions in other states, and institutions in other counties in this state, and providing for continuing jurisdiction of the committing agency; and to amend and reenact section 32-22-36 of the North Dakota Century Code, relating to the transferring of prisoners from one prison to another; and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1081.** A Bill for an Act to amend and reenact sections 11-17-04 and 35-27-12 of the North Dakota Century Code, relating to fees to be charged by the clerk of the district court and to the duty of the clerk to file the notice of intent to file a mechanic's lien notice.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1082.** A Bill for an Act to amend and reenact sections 24-06-28 and 24-06-30 of the North Dakota Century Code, relating to construction of fences across section lines and removal of fences when section lines are open for travel; and providing a penalty.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1118.** A Bill for an Act to amend and reenact section 27-08-19 of the North Dakota Century Code, to provide that bailiffs shall be compensated at the same rate that jurors are compensated for required attendance of district and county court sessions.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1124.** A Bill for an Act to amend and reenact sections 57-02.2-01, 57-02.2-02, and 57-02.2-03 of the North Dakota Century Code, to provide for the exemption of improvements to residential buildings.

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

**House Bill No. 1127.** A Bill for an Act to amend and reenact sections 36-11-07 and 36-11-10 of the North Dakota Century Code, to prevent the owner or possessor of livestock in a grazing area from being liable for property damage or trespass caused by such livestock; to provide establishment of a grazing area by petition to the board of county commissioners; to provide for release of wrongfully distrained livestock in grazing areas and for damages; and to repeal section 36-11-08 of the North Dakota Century Code.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1128.** A Bill for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to exemption of religious materials from state sales and use taxes.

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

**House Bill No. 1135.** A Bill for an Act relating to the establishment of health maintenance organizations and to provide for the licensing of such organizations by the state department of health and the commissioner of insurance; to provide for the regulation of such organization by the commissioner of insurance; to provide grounds and procedure for the suspension, revocation and denial of a certificate of authority for such organizations; and to provide a penalty for the violation of the Act.

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

**House Bill No. 1138.** A Bill for an Act to create and enact chapter 26-17.1 of the North Dakota Century Code and to amend and reenact subsection 9 of section 26-09-01, sections 26-09B-01, 26-09B-02, 26-09B-06, 26-09B-07, 26-09B-10, 26-09B-11, 26-09B-12, 26-10-10, 26-10-11, 26-10-13.1, 26-13-17 and 26-14-22 of the North Dakota Century Code, all relating to the qualifications and procedures for the licensing of insurance agents, insurance brokers, surplus lines brokers, insurance consultants and limited insurance representatives and grounds for license denial, non-renewal, or termination; and to repeal subsection 10 of section 26-09-01, sections 26-09B-03, 26-10-08 and 26-10-12, and chapter 26-17 of the North Dakota Century Code, relating to the qualifications and procedures for the licensing of insurance agents; and providing a penalty for the violation thereof.

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

**House Bill No. 1140.** A Bill for an Act to amend and reenact section 15-03-15 of the North Dakota Century Code, relating to the meeting of the board of university and school lands to consider the authorization and approval of investments and approval of farm loans and providing authority to seek assistance on the investment of funds in securities enumerated in section 21-10-07.

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

**House Bill No. 1141.** A Bill for an act to amend and reenact subsection 30 of section 20.1-01-02 and subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the definitions of a guide or outfitter and the power of the state game and fish commissioner to license such.

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

**House Bill No. 1143.** A Bill for an Act to amend and reenact section 39-21-27.1 of the North Dakota Century Code, relating to the resale of a school bus.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1151.** A Bill for an Act to repeal section 24-06-03 of the North Dakota Century Code, relating to a required election if a township wishes to spend more than four hundred dollars on road building equipment.

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

**House Bill No. 1158.** A Bill for an Act to amend and reenact section 11-18-16 of the 1973 Supplement to the North Dakota Century Code, relating to area limits of buried transmission facilities.

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

**House Bill No. 1165.** A Bill for an Act to amend and reenact section 29-26-22 of the North Dakota Century Code, relating to criminal sentences and the imposition of costs; and to repeal section 33-12-33 of the North

Dakota Century Code, relating to the disposition of fines assessed by a county justice.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1169.** A Bill for an Act to amend and reenact section 57-15-41 of the North Dakota Century Code, relating to fund transfer.

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

**House Bill No. 1175.** A Bill for an Act to repeal chapter 50-24 of the North Dakota Century Code, relating to aid to aged, blind or disabled program, but continuing certain provisions in effect.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1182.** A Bill for an Act to amend and reenact section 6-03-59.1 of the North Dakota Century Code, relating to leasing of personal property, regarding limitation and amount.

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

**House Bill No. 1184.** A Bill for an Act to repeal subsection 5 of section 54-11-01 of the North Dakota Century Code, relating to duties of the state treasurer.

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

**House Bill No. 1199.** A Bill for an Act to amend and reenact sections 15-21-01 and 44-01-03 of the North Dakota Century Code, relating to the term of office of the superintendent of public instruction and to the time when state and district officers shall qualify for office.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1209.** A Bill for an Act to create and enact section 54-01-27 of the North Dakota Century Code, relating to the acceptance of legislative jurisdiction by the state of North Dakota, over lands owned or controlled by the United States of America, where the United States of America relinquishes partially or entirely legislative jurisdiction over same.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1219.** A Bill for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption from sales tax of the receipts from educational, religious or charitable activities, and providing for the exemption of the net receipts from such activities.

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

**House Bill No. 1246.** A Bill for an Act to provide for the creation of the municipal bond assurance fund and constituting the municipal bond assurance act.

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3006.** A concurrent resolution urging the Board of University and School Lands to make dispositions of lands under the control of the board in the fall of the year.

Which was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution No. 3008.** A concurrent resolution urging Congress and the United States Department of Agriculture to purchase food and agricultural products for distribution to starving nations.

Which was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution No. 3014.** A concurrent resolution urging a celebration to commemorate the bicentennial anniversary of the signing of the Declaration of Independence.

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

#### REPORT OF PROCEDURAL COMMITTEE

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

Senate Bill No. 2042

Senate Bill No. 2172

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

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

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2028 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Bill No. 2028 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2055 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2055 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2060 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR MELLAND, Vice Chairman

Senate Bill No. 2060 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 and be re-referred to the Committee on Appropriations.

SENATOR JONES, Chairman

Senate Bill No. 2079 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2089 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21, following the words "exceeds one" delete the word "hunderd" and insert in lieu thereof the word "hundred"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2089 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations 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 2, delete the numerals "100,000" and insert in lieu thereof the numerals "200,000"

On page 2, after line 2, insert the following lines:

"Total all funds	\$257,500
Less estimated income	<u>100,000</u> "

On page 2, line 15, delete the numerals "188,000" and insert in lieu thereof the numerals "460,000"

On page 2, after line 15, insert the following line:

"Supplies and materials	<u>90,000</u> "
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On page 2, line 16, delete the numerals "188,000" and insert in lieu thereof the numerals "550,000"

On page 3, after line 3, insert the following subdivisions:

"Subdivision 11.

#### REGISTRAR OF MOTOR VEHICLES

Fees and services	\$35,600
Supplies and materials	<u>52,400</u>
Total special fund appropriation	\$88,000
Subdivision 12	

#### ADJUTANT GENERAL AND NATIONAL GUARD

Supplies and materials	\$15,000
Total general fund appropriation	<u>\$15,000</u>
Subdivision 13	

#### HIGHWAY PATROL

Supplies and materials	\$32,000
Equipment	<u>11,000</u>
Total appropriation from highway maintenance fund	\$43,000
Subdivision 14	

#### PUBLIC SERVICE COMMISSION— UTILITY VALUATION

Fees and services	<u>\$20,000</u>
Total general fund appropriation	\$20,000
Subdivision 15	

#### PARK SERVICE

Equipment	\$156,745
Total general fund appropriation	<u>\$156,745</u>
Subdivision 16	

#### TEACHERS FUND FOR RETIREMENT

Fees and services	\$5,000
Total special fund appropriation	<u>\$5,000</u> "

On page 3, line 4, delete the numerals "923,072" and insert in lieu thereof the numbers "1,476,817"

On page 3, line 5, delete the numerals "1,307,952" and insert in lieu thereof the numerals "1,543,952"

On page 3, line 6, delete the numerals "2,231,024" and insert in lieu thereof the numerals "3,020,769"

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The amendment reflects adjustments not contemplated by the State Penitentiary and the State Hospital at the time the bill was prepared by the Executive Office of the Budget and provides an appropriation to the

Registrar of Motor Vehicles; Adjutant General and National Guard; Highway Patrol; Teachers Fund for Retirement; Public Service Commission — Utility Valuation; and the Park Service for emergency situations in addition to those included in the bill at the time it was drafted.

SENATOR LIPS, Chairman

Senate Bill No. 2110 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred Senate Bill No. 2181 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2181 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2186 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 11, delete the "semicolon" and the word "and" and insert in lieu thereof a "period"

On page 2, delete lines 12 through 31

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass, and be referred to the Committee on Appropriations.

SENATOR FREED, Chairman

Senate Bill No. 2186 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2190 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2190 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2194 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2194 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2206 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MELLAND, Vice Chairman

Senate Bill No. 2206 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2223 has had the same under consideration and recommends that the same be amended as follows:

On page 2, after line 13, insert the following new section:

"SECTION 4. RULES AND REGULATIONS.) The tax commissioner may prescribe rules and regulations for the administration of this Act which shall be, except as otherwise required by this Act, based upon the regulations prescribed for the administration of subchapter Q of the Internal Revenue Code of 1954, as amended."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2223 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2230 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2230 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 KAUTZMANN, Chairman

Senate Bill No. 2257 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 amended as follows:

On page 1, line 21, delete the word "thirty" and insert in lieu thereof the word "fifteen"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2258 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2268 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2268 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2279 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2279 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred Senate Bill No. 2291 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2291 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2294 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Bill No. 2294 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1174 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1174 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE BILLS

Senators Lee, Stroup introduced:

Senate Bill No. 2352. A Bill for an Act to amend and reenact subsection 8 of section 38-14-05 of the North Dakota Century Code, relating to the duties of a surface mine operator.



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

Senator Hoffner introduced:

Senate Bill No. 2353. A Bill for an Act to create and enact a new subdivision to subsection 1 of section 12.1-32-02 of the North Dakota Century Code, as contained in section 31 of chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to sentencing alternatives.

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

Senators Holand, Wenstrom, Melland, Lips, L. Christensen introduced:

Senate Bill No. 2354. A Bill for an Act to create a constitutional revision commission and set forth its membership, powers, and duties; to provide an appropriation; and declaring an emergency.

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

Senators Sandness, Solberg, Nasset introduced:

Senate Bill No. 2355. A Bill for an Act to amend and reenact subsection 4 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county officers.

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

Senator Stroup introduced:

Senate Bill No. 2356. A Bill for an Act to provide for the prepayment of taxes by certain large coal development or conversion plants; to provide for the administration and collection of prepaid taxes; to provide that prepaid taxes may be claimed as a credit against certain taxes; and to provide a penalty on delinquent payments.

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

Senator Schuster introduced:

Senate Bill No. 2357. A Bill for an Act to repeal section 27-05-18 of the North Dakota Century Code, relating to prohibiting of district judges from holding consecutive jury terms in certain counties.

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

Senators Ringsak, Schuster, Iszler, Lashkowitz introduced:

Senate Bill No. 2358. A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporter.

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

Senators Ringsak, Schuster, Iszler, Lashkowitz introduced:

Senate Bill No. 2359. A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

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

Senators Lips, J. Schultz introduced:

Senate Bill No. 2360. A Bill for an Act to amend and reenact sections 11-10.1-01 and 11-10.1-05 of the North Dakota Century Code, relating to qualifications, duties and terms of office of county director of tax equalization and city assessor, and providing for a reimbursement to the counties for a portion of the salaries of the county directors of tax equalization, and for reimbursement to qualifying cities for a portion of the salaries of city assessors; and providing for an appropriation.

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

Senators Lashkowitz, Schuster, J. Schultz introduced:

Senate Bill No. 2361. A Bill for an Act to amend and reenact sections 54-52.1-06 and 54-52.1-07 of the North Dakota Century Code, relating to the state contribution for the group insurance program and to optional coverage for employees' families.



• CHRISTENSEN, H. #5	• JONES	• NETHING	• SOLBERG
• CHRISTENSEN, L. #3	• KAUTZMANN	• PYLE	• STRAND
• CONLIN	• LARSON	• RAIT	• STRINDEN
• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2138 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on Senate Bill No. 2266, as printed on page 206 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2266, the roll was called and there were 46 ayes; 2 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2266 was indefinitely postponed.

**FIRST READING OF A HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3020. A concurrent resolution expressing sorrow on the death of Mrs. Mattie Grinnell, the last known full-blooded Mandan Indian.

Which was read the first time.

**MOTION**

Senator Nothing moved that the rules be suspended, that House Concurrent Resolution No. 3020 as printed on page 222 of the House Journal not be referred to a committee, but placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF A HOUSE CONCURRENT RESOLUTION**

House Concurrent Resolution No. 3020. A concurrent resolution expressing sorrow on the death of Mrs. Mattie Grinnell, the last known full-blooded Mandan Indian.

Which has been read.

**MOTION**

Senator Nothing moved that House Concurrent Resolution No. 3020 be adopted, which motion prevailed.

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

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## FIFTEENTH DAY

Bismarck, January 27, 1975

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

Prayer by Rev. Roger Thorson, St. Olaf Lutheran Church, Devils Lake.

“Let us pray: Almighty and gracious Father, You know that we live in a busy and troubled world. You know that we are pressed in in every side with concerns. You know that we have our ups and downs, our joys and our sorrows, our griefs and our guilts, our hopes and our fears. Help us all to rest gently in the confidence that you do understand where we are at. Help us to drink deeply from the cup of your grace, your goodness and your mercy. Help us not to take lightly the cries for help which come from people in all sorts of conditions. Help us not to ignore the gentle cries of those about us, those with whom we work and those with whom we live. Give to all of us the wisdom to share joy with each other and gladness and give especially to these legislators the wisdom and the insight to distinguish between their responsibility to the people of our state and their accountability to you. We ask that you would strengthen them in their task and make us good citizens of the land in which we live. In Jesus’ name. Amen.”

Roll Call. All Senators present except Mutch, Shablow and Solberg.

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 212, line 20, after the word “present” insert the word “except”. And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

## SECOND READING OF SENATE BILLS

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

Which has been read.

## MOTION

Senator Barth moved that Senate Bill No. 2006 be amended as follows:

On page 3, line 19, delete the figure “\$30,000” and insert in lieu thereof, the figure “\$60,000”.

On page 3, line 20, delete the figure “\$30,000” and insert in lieu thereof, the figure “\$60,000”.

On page 3, line 21, delete the figure “\$1,601,060” and insert in lieu thereof the figure “\$1,631,060”.

Senator Barth moved that the amendments be adopted, which motion failed.

## SECOND READING OF SENATE BILLS

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

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON	•		• NASSET	•	• SMYKOWSKI
• CHRISTENSEN, H. #5	•		• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN	•		• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ	•		• REDLIN		• STROUP
• FREED		•	• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK	•	• TWETEN
• GOODMAN			• LONGMIRE			• SANDS	•	• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•	• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32	•	• WRIGHT
• HOMUTH			• MUTCH	•		• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2042. A Bill for an Act to amend and reenact sections 12-48-01, 12-48-02, 12-48-03, 12-48-03.1, 12-48-05, 12-48-06, 12-48-14, and 54-23-24 of the North Dakota Century Code, relating to the operation and funding of certain industries at the penitentiary, to inventory at the twine plant, and to compensation of inmates; and to repeal sections 12-48-04, 12-48-07, 12-48-12, 12-48-13, 12-48-23, and chapter 12-49 of the North Dakota Century Code, relating to inmate labor on highways, to prison industries, to the employment and equipping of inmates to work in those industries, and to the deposit of industry receipts in the general fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 183), the roll was called and there were ayes, 17; nays, 31; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5	•		• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN	•		• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ	•		• REDLIN		• STROUP
• FREED		•	• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH	•		• SCHUSTER		• MR. PRESIDENT

So the bill was declared lost.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2121
- Senate Bill No. 2153
- Senate Bill No. 2155
- Senate Bill No. 2171
- Senate Bill No. 2173
- Senate Bill No. 2185
- Senate Bill No. 2189
- Senate Bill No. 2192
- Senate Bill No. 2196
- Senate Bill No. 2207
- Senate Bill No. 2209
- Senate Bill No. 2211
- Senate Bill No. 2217
- Senate Bill No. 2226

Senate Bill No. 2229

Senate Bill No. 2232

Senate Bill No. 2237

Senate Bill No. 2263

Senate Bill No. 2269

Senate Concurrent Resolution No. 4007

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

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3020

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

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

House Bill No. 1059

House Bill No. 1089

House Bill No. 1215

House Bill No. 1245

House Bill No. 1277

House Bill No. 1288

House Concurrent Resolution No. 3019

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2038

Senate Bill No. 2043

Senate Bill No. 2049

Senate Bill No. 2074

Senate Bill No. 2087

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2060, 2194, 2230, 2257, 2291 and House Bill No. 1174, that the Senate recess until 1:00 P.M., January 28, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTEENTH DAY AFTER RECESS  
AND SIXTEENTH DAY

Bismarck, January 28, 1975

The Senate convened at 1:00 P.M., 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 Resolution No. 1  
Senate Memorial Resolution No. 1  
Senate Memorial Resolution No. 2  
Senate Concurrent Resolution No. 4012  
Senate Concurrent Resolution No. 4013  
Senate Concurrent Resolution No. 4024  
And find the same correctly enrolled.

SEN. STRAND, Chairman

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

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

Senate Bill No. 2038  
And find the same correctly enrolled.

SEN. STRAND, Chairman

Senator Walsh 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. 2038

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

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2038

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

LEO LEIDHOLM, Secretary

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2146 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15, following the underscored word "without" delete the underscored numeral "5" and insert in lieu thereof the underscored numeral "2"

And renumber the lines accordingly

SENATOR MUTCH, Chairman

Senate Bill No. 2146 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2159 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18, after the first comma delete the figure "1977" and insert in lieu thereof "1979"

On page 2, line 23, following the word "curbs" delete the word "at" and insert in lieu thereof the word "and"

On page 2, line 23, following the word "crosswalks" delete the word "and", and insert in lieu thereof the words "at principal"

On page 2, line 24, following the word "intersections" delete the words "of all streets and highways" and insert in lieu thereof the words "in the vicinity of public buildings"

On page 2, line 25, delete the word "by" and insert in lieu thereof the word "to"

On page 2, line 29, insert beginning triple parentheses after the comma

On page 2, line 31, insert ending triple parentheses after the word "secured" and after the ending triple parentheses insert the words "or in the case of existing multiple story buildings provide such access to only one floor"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2159 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2208 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2208 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2261 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2261 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2298 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Bill No. 2298 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2299 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2299 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2310 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Bill No. 2310 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2319 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, delete the word "calendar" and insert in lieu thereof the word "fiscal"



And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2319 was placed on the sixth order of business on the calendar for the succeeding legislative day.

**CONSIDERATION OF AMENDMENTS**

Senator Stroup moved that the amendments to Senate Bill No. 2089 as recommended by the Committee on Finance and Taxation as printed on page 223 of the Senate Journal be adopted, which motion prevailed.

Senator C. Schultz moved that the reading of the amendments to Senate Bill No. 2110 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2110 as recommended by the Committee on Appropriations as printed on pages 224 and 225 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2186 as recommended by the Committee on Judiciary as printed on page 225 of the Senate Journal be adopted, and that Senate Bill No. 2186 be referred to the Committee on Appropriations, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2223 as recommended by the Committee on Finance and Taxation as printed on page 225 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2258 as recommended by the Committee on Industry, Business and Labor as printed on page 226 of the Senate Journal be adopted, which motion failed and Senate Bill No. 2258 was placed on the calendar for second reading without the amendments.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Nasset moved that the Committee Report on Senate Bill No. 2028, as printed on page 223 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2028, the roll was called and there were 29, ayes; 21, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZIER		•	NAADEN		•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	
•			•	JONES		•	NETHING		•	SOLBERG	
•			•	KAUTZMANN	•	•	PYLE		•	STRAND	•
•			•	LARSON		•	RAIT		•	STRINDEN	
•			•	LASHKOWITZ	•	•	REDLIN	•	•	STROUP	•
•			•	LEE		•	REITEN	•	•	THANE	
•			•	LIPS	•	•	RINGSAM		•	TWETEN	
•			•	LONGMIRE		•	SANDS		•	VOSPER	
•			•	MAHER	•	•	SANDNESS		•	WALSH	•
•			•	MELLAND	•	•	SCHULTZ, C. #14		•	WENSTROM	•
•			•	MORGAN		•	SCHULTZ, J. #32		•	WRIGHT	•
•			•	MUTCH		•	SCHUSTER	•	•	MR. PRESIDENT	

The motion prevailed, and Senate Bill No. 2028 was indefinitely postponed.

**MOTIONS**

Senator Freed moved that Senate Bill No. 2214 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Freed requested the unanimous consent of the Senate to withdraw Senate Bill No. 2214, which request was granted.

Senator Lips moved that Senate Bill No. 2325 be returned to the Senate from the Committee on Industry, Business and Labor, which motion prevailed.

Senator Lips requested the unanimous consent of the Senate to withdraw Senate Bill No. 2325, which request was granted.

Senator Nething moved that after completing the reading of the bills on the Ninth Order, the Senate stand recessed subject to the call of the chair.

Which motion prevailed.

#### FIRST READING OF SENATE BILLS

Senators Holand, Fritzell, Barth introduced:

Senate Bill No. 2368. A Bill for an Act to provide for registration as a lobbyist; to provide for the reporting of income and expenses of lobbyists; to provide for a penalty; and to repeal chapter 54-05 of the North Dakota Century Code, relating to legislative lobbying.

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

Senators Naaden, Thane introduced:

Senate Bill No. 2369. A Bill for an Act to provide owners and occupiers of land subject to power transmission line easements acquired through eminent domain proceedings the right to negotiate for additional compensation and damages with holders of the easements every ten years, to provide limitations on the right to negotiate, and to provide for payment of additional compensation and damages annually; to create and enact section 32-15-25.1 of the North Dakota Century Code, relating to annual payments for power transmission line easements; and to amend and reenact sections 32-15-23 and 32-15-25 of the North Dakota Century Code, relating to the time damages accrued and judgments are paid.

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

Senators Naaden, Mutch introduced:

Senate Bill No. 2370. A Bill for an Act to provide for state legislative apportionment, and to repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code and chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

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

Senators Barth, Strand introduced:

Senate Bill No. 2371. A Bill for an Act to amend and reenact section 43-15-35 of the North Dakota Century Code, relating to the restriction on the ownership of a pharmacy.

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

Senators J. Schultz, Lee, Wenstrom introduced:

Senate Bill No. 2372. A Bill for an Act to create and enact new sections of chapters 26-13 and 26-27 of the North Dakota Century Code, relating to discrimination against doctors of podiatry and to participation by doctors of podiatry in nonprofit medical service corporations.

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

Senator Rait introduced:

Senate Bill No. 2373. A Bill for an Act to create and enact a new section of the North Dakota Century Code, relating to the governing of activity in proximity to electric transmission lines and providing a penalty.

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

Senators Kautzmann, Wenstrom, Redlin introduced:

**Senate Bill No. 2374.** A Bill for an Act to amend and reenact section 6-07-20 of the North Dakota Century Code, relating to compensation of a bank receiver; and declaring an emergency.

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

Senators Lashkowitz, Stroup, L. Christensen, Wenstrom, Thane introduced:

**Senate Bill No. 2375.** A Bill for an Act to provide for state and regional planning, the creation, organization, powers, and duties of regional planning councils, state funding for the use of regional planning councils, supervision of the activities of regional planning councils, and providing an appropriation.

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

Senator Reiten introduced:

**Senate Bill No. 2376.** A Bill for an Act to create and enact subsection 7 of section 21-03-07 of the North Dakota Century Code, providing for dedication of authorized mill levies towards the purchase, construction, reconstruction, or repair of public buildings.

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

Senator Shablow introduced:

**Senate Bill No. 2377.** A Bill for an Act to amend and reenact subdivision i of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide limitations on the adjustment to taxable income for individuals for dividends from domestic corporations, and providing an effective date.

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

Senators Nething, Melland introduced:

**Senate Bill No. 2378.** A Bill for an Act to provide for the leasing of certain property by the city of Jamestown for the creation and operation of a sanitary landfill.

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

Senators Nething, Thane introduced:

**Senate Bill No. 2379.** A Bill for an Act to provide for nonresident waterfowl hunting licenses; to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code, relating to definition of waterfowl; and to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a fee for a nonresident waterfowl hunting license.

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

Senator Shablow introduced:

**Senate Bill No. 2380.** A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 and subdivision c of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, to provide for limitations on the adjustment to taxable income for individuals and corporations for federal income taxes, and providing an effective date.

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

Senators J. Schultz, Homuth, Barth, Stroup introduced:

**Senate Bill No. 2381.** A Bill for an Act to amend and reenact subsection 1 of section 5 of chapter 36 of the 1973 Session Laws of North Dakota, relating to the issuance of revenue bonds by the state laboratories commission.

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

Senator Melland introduced:

Senate Bill No. 2382. A Bill for an Act to provide for an actuarial study of the teachers' fund for retirement; to provide for an appropriation for the unfunded liability of the fund; and declaring an emergency.

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

Senators Conlin, Homuth introduced:

Senate Bill No. 2383. A Bill for an Act making an appropriation for the development and distribution of Indian education curriculum.

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

Senator Homuth introduced:

Senate Bill No. 2384. A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the disposal of alcoholic beverages on certain days, and providing a penalty.

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

Senators Thane, Strinden introduced:

Senate Bill No. 2385. A Bill for an Act making an appropriation on a matching basis to the cities of Valley City and Wahpeton to provide navigational aid facilities at their municipal airports.

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

Senators Thane, Strinden introduced:

Senate Bill No. 2386. A Bill for an Act to amend and reenact subsection 4 of section 19-03.1-22 of the North Dakota Century Code, relating to the requirements of a prescription for dispensing certain controlled substances.

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

Senator Freed introduced:

Senate Bill No. 2387. A Bill for an Act to repeal section 11-11-40 of the North Dakota Century Code, relating to an appeal from a decision by the board of county commissioners.

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

Senator Schuster introduced:

Senate Bill No. 2388. A Bill for an Act to amend and reenact subsection 1 of section 41-02-90, and sections 41-02-93 and 41-02-94 of the North Dakota Century Code, relating to buyer's remedies in general, buyer's damages for breach in regard to accepted goods, and buyer's incidental and consequential damages under the sales provisions of the Uniform Commercial Code.

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

Senator Sands introduced:

Senate Bill No. 2389. A Bill for an Act to create and enact a new section to chapter 40-01 of the North Dakota Century Code, relating to summary removal of members of a city appointive agency, board, or commission acting in an advisory or policy decisionmaking capacity.

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

Senator Pyle introduced:

Senate Bill No. 2390. A Bill for an Act to create and enact a new subdivision to subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to counties issuing bonds to provide funds for solid waste

disposal facilities; and to amend and reenact subsection 14 of section 11-11-14 of the North Dakota Century Code, relating to establishing a county garbage and trash collection system.

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

Senator Lips introduced:

Senate Bill No. 2391. A Bill for an Act to provide for the sharing of state income and sales tax revenues with county and municipal governments.

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

Senator Lips introduced:

Senate Bill No. 2392. A Bill for an Act to create and enact section 40-57-21 of the North Dakota Century Code, to provide an alternative form of procedures and transactions in order to accomplish the financing of projects which need not be owned by municipalities.

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

Senator Lips introduced:

Senate Bill No. 2393. A Bill for an Act appropriating funds to the division of vocational rehabilitation for the construction and maintenance of a rehabilitation facility for handicapped persons in the Bismarck-Mandan area, and declaring an emergency.

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

Committee on Appropriations introduced:

Senate Bill No. 2394. A Bill for an Act requiring the state tax commissioner to submit budget estimates on the personal property tax replacement.

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

Senator Fritzell introduced:

Senate Bill No. 2395. A Bill for an Act to create and enact a new section to chapter 40-47 of the North Dakota Century Code, relating to the authority of a city to enact zoning regulations; and to amend and reenact sections 11-33-20 and 40-48-18 of the North Dakota Century Code, relating to the authority of a county to enact zoning regulations within certain limits and the authority of a city to enact subdivision regulations.

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

Senator Fritzell introduced:

Senate Bill No. 2396. A Bill for an Act to provide for the continuation of township zoning regulations; to amend and reenact sections 11-33-20, 11-35-01, and 11-35-02 of the North Dakota Century Code, relating to the authority of counties and cities to enact zoning regulations; and to repeal sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code, relating to the authority of townships to establish zoning regulations.

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

Senator Lashkowitz introduced:

Senate Bill No. 2397. A Bill for an Act to create and enact three new sections to chapter 12.1-30 as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota relating to the operation of business establishments on memorial day, and providing a penalty.

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

Senator Nething introduced:

**Senate Bill No. 2398.** A Bill for an Act to amend and reenact sections 6-09.2-01, 6-09.2-02, subsections 2, 4, and 6 of section 6-09.2-03, subsections 1, 3, 4, and 6 of section 6-09.2-04, section 6-09.2-05, subsection 1 of section 6-09.2-06, and the initial language of section 6-09.2-07 of the North Dakota Century Code, relating to an agricultural development mortgage insurance program in the Bank of North Dakota.

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

Senator Schuster introduced:

**Senate Bill No. 2399.** A Bill for an Act to authorize the electorate of home rule cities to approve the conduct of business or labor on Sunday, and to amend and reenact section 12.1-01-05 as contained in section 3 of Senate Bill No. 2040 of the forty-fourth legislative assembly, relating to the authority of home rule cities to supersede certain state laws.

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

Senator Schuster introduced:

**Senate Bill No. 2400.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to North Dakota taxable income for individuals and allowing an additional seven hundred fifty dollars for each exemption claimed.

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

Senators Lashkowitz, Schuster introduced:

**Senate Bill No. 2401.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code to provide for the exemption of military retirement pay from the state income tax.

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

Senators Lashkowitz, Barth introduced:

**Senate Bill No. 2402.** A Bill for an Act to amend and reenact subsection 4 of section 52-04-06 of the North Dakota Century Code, relating to a variation in the standard rate of unemployment compensation contributions by an employer.

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

Senators Tweten, Longmire introduced:

**Senate Bill No. 2403.** A Bill for an Act to amend and reenact section 15-55-02.1 of the North Dakota Century Code relating to the issuance of refunding bonds by the board of higher education.

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

Senators Lashkowitz, Homuth introduced:

**Senate Bill No. 2404.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to issuing revenue bonds and setting up a special fund to finance housing for low-income families, low-income elderly persons, low-income disabled veterans, and low-income handicapped persons to be administered through cities, counties, and city and county housing authorities, and establishing an advisory council to approve such financing.

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

Senator Naaden introduced:

**Senate Bill No. 2405.** A Bill for an Act to amend and reenact section 4-30-55 of the North Dakota Century Code, relating to the sale of raw milk or milk products.

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

Senator Longmire introduced:

**Senate Bill No. 2406.** A Bill for an Act to create and enact section 15-39.1-25.1, and to amend and reenact section 15-39.1-27 of the North Dakota Century Code, relating to teaching credit for part-time teaching for purposes of computing teachers' retirement benefits.

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

Senator Longmire introduced:

**Senate Bill No. 2407.** A Bill for an Act to amend and reenact section 25-12-02 of the North Dakota Century Code, relating to mental health service units.

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

Senator Longmire introduced:

**Senate Bill No. 2408.** A Bill for an Act to amend and reenact section 16-04-29 of the North Dakota Century Code, relating to the vote required to be received at a primary election to be deemed nominated as a candidate for office.

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

Senator Longmire introduced:

**Senate Bill No. 2409.** A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation paid to election officials.

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

Senators Lashkowitz, Schuster, Homuth, Barth, Wenstrom, Redlin introduced:

**Senate Bill No. 2410.** A Bill for an Act to amend and reenact section 34-06-12 of the North Dakota Century Code, relating to orders by the labor commissioner and requiring an annual wage cost of living increase.

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

Senator Stroup introduced:

**Senate Bill No. 2411.** A Bill for an Act making an appropriation to the public service commission for the purpose of conducting surface mine reclamation research.

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

Senators H. Christensen, Redlin, Reiten introduced:

**Senate Bill No. 2412.** A Bill for an Act to provide for standards for the regulation of model rockets and model rocket launch sites, and to provide for the reporting of model rocket accidents to the fire marshal.

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

Senators Sandness, Wright introduced:

**Senate Bill No. 2413.** A Bill for an Act to amend and reenact subsection 1 of section 39-06-14 of the North Dakota Century Code, relating to licenses issued to motor vehicle operators.

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

Senators Barth, Conlin, Naaden introduced:

**Senate Bill No. 2414.** A Bill for an Act to amend and reenact section 4-34-01 of the North Dakota Century Code, relating to the purposes of the Beef Promotion Act.

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

Senators Holand, Homuth, Strand, H. Christensen introduced:

**Senate Bill No. 2415.** A Bill for an Act to define, license, and regulate the business of lending in amounts of exceeding one thousand dollars and not exceeding five thousand dollars; to prescribe maximum rates of charge

which licensees are permitted to make; to provide for administration and enforcement of the Act, and to prescribe penalties.

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

Senator Maher introduced:

Senate Bill No. 2416. A Bill for an Act to create and enact a new section to chapter 38-04 of the North Dakota Century Code, relating to the licensing of coal mines.

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

Senator Maher introduced:

Senate Bill No. 2417. A Bill for an Act to amend and reenact section 14-07-17 of the North Dakota Century Code, relating to presumption of intent to abandon.

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

Senator Maher introduced:

Senate Bill No. 2418. A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to mileage of officials.

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

Senator Maher introduced:

Senate Bill No. 2419. A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to expense account, amount allowed, and verification of an elective or appointive officer, employee, representative, or agent of the state or its subdivisions, agencies, bureaus, boards, or commissions.

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

Senators Naaden, Smykowski, Thane introduced:

Senate Bill No. 2420. A Bill for an Act to amend and reenact section 20.1-01-17 of the North Dakota Century Code, relating to the hunting of furbearers from motor vehicles.

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

Senators Lashkowitz, Longmire, J. Schultz, Ringsak introduced:

Senate Bill No. 2421. A Bill for an Act to provide chiropractic preparation scholarships to qualified students who express an intent to practice in this state, designating the state board of chiropractic examiners to administer this Act, and providing an appropriation.

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

Senator Maher introduced:

Senate Bill No. 2422. A Bill for an Act relating to changing the name of the county welfare board to the county social service board.

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

Senator Gronhoyd introduced:

Senate Bill No. 2423. A Bill for an Act to amend and reenact section 43-35-14 of the North Dakota Century Code, relating to a bond required of water well contractors.

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

Senator Fritzell introduced:

Senate Bill No. 2424. A Bill for an Act to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves; and to provide for the state historical society to administer the Act.



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

Senators Iszler, Barth introduced:

Senate Bill No. 2425. A Bill for an Act to establish a central North Dakota beef cattle experiment station; to provide for determining its location; and to provide an appropriation.

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

Senators Iszler, Strand introduced:

Senate Bill No. 2426. A Bill for an Act to amend and reenact section 39-21-45.1 of the North Dakota Century Code relating to modification of motor vehicles.

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

Senators Hoffner, Lips introduced:

Senate Bill No. 2427. A Bill for an Act to amend and reenact section 1-03-02.1 of the North Dakota Century Code, relating to bank holidays when they fall on Saturday.

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

Senator Hoffner introduced:

Senate Bill No. 2428. A Bill for an Act to create and enact a new section to chapter 61-16 and a new section to chapter 61-21 of the North Dakota Century Code, relating to the authority of a water management district board and a board of drainage commissioners to cause a non-complying drain to be closed; to amend and reenact section 61-01-22 of the North Dakota Century Code, relating to acquiring a drainage permit; and to repeal subsection 3 of section 61-21-39 of the North Dakota Century Code, relating to the authority of a board of drainage commissioners to close a non-complying drain; and to provide a penalty.

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

Senator Hoffner introduced:

Senate Bill No. 2429. A Bill for an Act to provide for the formation of hospital districts, to authorize counties to levy taxes for the support and maintenance of the hospital districts, and declaring an emergency.

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

Senator Jones introduced:

Senate Bill No. 2430. A Bill for an Act to amend and reenact subsection 6 of section 13-06-03, subsection 2 of section 54-10-01, and sections 54-10-13 and 54-10-14 of the North Dakota Century Code, to authorize licensed public accountants to adjust debts and perform audits for occupational and professional boards, county agencies and political subdivisions.

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

Senator Solberg introduced:

Senate Bill No. 2431. A Bill for an Act to amend and reenact section 49-18-11 of the North Dakota Century Code, relating to the requirement that the rates for all classes of common carriers be uniform.

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

Senator Barth introduced:

Senate Bill No. 2432. A Bill for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, to provide immediate notice and written report of an accident.

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

Senator Wright introduced:

**Senate Bill No. 2433.** A Bill for an Act to amend and reenact section 57-02-41 of the North Dakota Century Code, relating to attachment of tax lien and prorating taxes as between vendor and purchaser.

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

Senator Melland introduced:

**Senate Bill No. 2434.** A Bill for an Act to amend and reenact section 4-12-08 of the North Dakota Century Code, relating to rules and regulations of the commissioner on infectious diseases of honey bees.

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

Committee on Appropriations introduced:

**Senate Bill No. 2435.** A Bill for an Act to limit the number of persons employed by the state to the number of employee positions approved by the legislature, and to file quarterly reports.

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

Committee on Appropriations introduced:

**Senate Bill No. 2436.** A Bill for an Act making an appropriation to the director of institutions for the construction of a building addition to be used for the storage of records.

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

Senators Conlin, Barth, J. Schultz introduced:

**Senate Bill No. 2437.** A Bill for an Act to amend and reenact section 54-36-01 of the North Dakota Century Code, relating to the membership of the Indian affairs commission.

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

Senators Conlin, Lashkowitz, Barth introduced:

**Senate Bill No. 2438.** A Bill for an Act authorizing the state social service board to contract for off-reservation Indian health care, and providing an appropriation.

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

Senators Conlin, J. Schultz introduced:

**Senate Bill No. 2439.** A Bill for an Act to create and enact a new subsection to section 57-02-08, a new subsection to section 57-39.2-04, and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to the exemption from property taxes and sales and use taxes of solar energy systems to heat or cool buildings and structures.

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

Senator Kautzmann introduced:

**Senate Bill No. 2440.** A Bill for an Act to authorize the director of state parks of the North Dakota park service to sell and convey certain land owned by the state of North Dakota.

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

Senator Lashkowitz introduced:

**Senate Bill No. 2441.** 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.

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

Senator Lashkowitz introduced:

**Senate Bill No. 2442.** A Bill for an Act to require common carriers to inform passengers when hazardous materials are to be transported with the passengers and providing a penalty.

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

Senator Kautzmann introduced:

Senate Bill No. 2443. A Bill for an Act to amend and reenact subsection 8 of section 6-03-02 of the North Dakota Century Code, relating to powers of banks.

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

Senators Barth, Kautzmann introduced:

Senate Bill No. 2444. A Bill for an Act to create and enact chapter 4-30.1 of the North Dakota Century Code, relating to the establishment of central milk testing, creation of a state milk testing board, the basing of all payments for raw milk on the tests thereby made, acquisition of the necessary facilities and equipment therefor, location of the facilities, fees to be charged for tests and providing an appropriation therefor.

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

Senators Homuth, Maher, Lee introduced:

Senate Bill No. 2445. A Bill for an Act to create and enact subsection 6 of section 39-06.1-10 and subsection 4 of section 39-08-01, and to amend and reenact paragraph 5 of subdivision b of subsection 3 of section 39-06.1-10, all of the North Dakota Century Code, relating to the penalties for driving while intoxicated.

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

Senator Holand introduced:

Senate Bill No. 2446. A Bill for an Act to provide for the regulation of supplemental parental care for children through the licensing of day care centers and the registration of family day care homes and day care attendants; providing a penalty; to amend and reenact sections 50-11-01, 50-11-01.3, and 50-11-02 of the North Dakota Century Code, relating to the licensing of foster family care homes for children and the use of public funds; and to repeal sections 50-11-01.1 and 50-11-01.2 of the North Dakota Century Code, relating to the definition of family day care home for children and the definition of day care center for children.

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

Senator Holand introduced:

Senate Bill No. 2447. A Bill for an Act to create and enact section 50-12-14.1 of the North Dakota Century Code, relating to conditions for the placement of children in the state; to amend and reenact section 50-12-17 of the North Dakota Century Code, relating to the penalty for illegal placement of children; and to repeal sections 50-12-14 and 50-12-15 of the North Dakota Century Code, relating to foreign associations placing children in the state and residents bringing children into the state for permanent care.

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

Senator Holand introduced:

Senate Bill No. 2448. A Bill for an Act to provide for the disclosure of campaign contributions.

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

Senator Nething introduced:

Senate Bill No. 2449. A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code, relating to income tax rates for individuals and providing that there be no tax on the first three thousand dollars of taxable income; providing an effective date; and providing that the provisions of this Act shall be temporary.

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

Senators Freed, Wenstrom introduced:

**Senate Bill No. 2450.** A Bill for an Act to amend and reenact section 54-40-09 of the North Dakota Century Code, relating to human service centers and their powers and duties.

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

Senator Nething introduced:

**Senate Bill No. 2451.** A Bill for an Act to provide an appropriation to the North Dakota heritage commission for the construction of a heritage center.

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

Senator Reiten introduced:

**Senate Bill No. 2452.** A Bill for an Act to provide for the establishment of recreation service districts for the purpose of providing police protection, water and sewer, and garbage removal services, to provide for elections and for a board of recreation service commissioners, and to provide for the levying of taxes and special assessments.

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

Senators L. Christensen, Fritzell, Hoffner, Mutch, Thane introduced:

**Senate Bill No. 2453.** A Bill for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09-15, 6-09.1-02, 6-09.1-03 and 54-17-11 of the North Dakota Century Code to create an operations review board for the Bank of North Dakota and encourage deposits by banks in state.

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

Senator Kautzmann introduced:

**Senate Bill No. 2454.** A Bill for an Act to amend and reenact section 26-10-18 of the North Dakota Century Code, relating to avails of life insurance policies.

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

Senators Nasset, Tweten introduced:

**Senate Bill No. 2455.** A Bill for an Act to amend and reenact section 15-53.1-07 of the North Dakota Century Code, to require transportation services in territory annexed to school districts.

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

Senator Mutch introduced:

**Senate Bill No. 2456.** A Bill for an Act to create and enact section 49-12-34 and 49-13-30 of the North Dakota Century Code, relating to railroad livestock shipments and railroad employee pay; to amend and reenact sections 8-10-05, 49-11-15, 49-11-17, subsection 1 of section 49-02-01, subsection 5 of section 49-02-02, and subsection 2 of section 49-11-06 of the North Dakota Century Code, relating to railroads; to repeal chapters 36-20 and 49-08 and section 49-04-11, 49-04-12, 49-04-13, and 49-04-14 of the North Dakota Century Code, and section 49-09-12 of the 1973 Supplement to the North Dakota Century Code, relating to railroads; providing for a limited redraft of law relating to railroads in North Dakota.

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

Senator J. Schultz introduced:

**Senate Bill No. 2457.** A Bill for an Act to create and enact a new subsection to section 54-52.1-01, relating to the definition of long term medical disability benefits coverage; and to amend and reenact subsection 5 of section 54-52.1-01; and to amend and reenact section 54-52.1-02 of the

North Dakota Century Code, relating to the uniform group insurance program; and providing an appropriation.

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

Senator Melland introduced:

Senate Bill No. 2458. A Bill for an Act to amend and reenact subsections 2, 4, 11, 12, and 13 of section 57-36-01, sections 57-36-02, 57-36-04, 57-36-05, 57-36-09, 57-36-09.1, 57-36-24, and subsection 2 of section 57-36-29 of the North Dakota Century Code, and subsection 1 of section 57-36-33 of the North Dakota Century Code, as contained in section 637 of senate bill no. 2039, as approved by the forty-fourth legislative assembly, relating to cigars, snuff, and other tobacco products; to repeal subsections 9 and 10 of section 57-36-01 and sections 57-36-20, 57-36-25, 57-36-26, and 57-36-28 of the North Dakota Century Code, relating to the tax imposed on cigars, snuff, and other tobacco products, and to provide a penalty.

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

Senator Longmire introduced:

Senate Bill No. 2459. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school starting age and reading programs in schools.

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

Senators Tweten, Longmire introduced:

Senate Bill No. 2460. A Bill for an Act to amend and reenact section 57-15-57 of the North Dakota Century Code, relating to a levy for county welfare.

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

Senator Wright introduced:

Senate Bill No. 2461. A Bill for an Act to amend and reenact section 15-03-06 of the North Dakota Century Code, relating to farm loan procedure to Indians.

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

Senator Lashkowitz introduced:

Senate Bill No. 2462. A Bill for an Act to promote industrial development within the state; to authorize the industrial commission to acquire or construct, but not to operate, industrial facilities, together with all necessary appurtenances; to authorize the issuance and sale of revenue bonds for the purpose of this Act; and to appropriate the revenue received by the industrial commission for payment of the principal and interest of the bonds.

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

Senator Nething introduced:

Senate Bill No. 2463. A Bill for an Act to amend and reenact section 16-17-15 of the North Dakota Century Code, relating to organization of state committees of political parties.

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

Senators Lashkowitz, Schuster, Lips, Melland, Thane introduced:

Senate Bill No. 2464. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to salaries of judges of county courts of increased jurisdiction.

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

Senators Barth, Hoffner introduced:

Senate Bill No. 2465. A Bill for an Act to amend and reenact subsection 1 of section 57-38-01.2 and subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for

individuals and fiduciaries and to adjustments to taxable income for corporations; to repeal section 57-38-66 of the North Dakota Century Code, providing for a business and corporation privilege tax; and to provide an effective date.

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

Senator Barth introduced:

Senate Bill No. 2466. A Bill for an Act to create and enact section 4-30-57 through 4-30-60 of the North Dakota Century Code, relating to licensing and bonding of dairy farm equipment dealers selling equipment to dairy and milk producers, creating a North Dakota dairy equipment dealer's licensing board, providing for inspections maintenance of service and repairs by dealers of dairy farm equipment installations, and regulating such installations.

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

Senators Lee, Stroup introduced:

Senate Bill No. 2467. A Bill for an Act to create a natural resources council and providing an appropriation.

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

Senator Schuster introduced:

Senate Bill No. 2468. A Bill for an Act to amend and reenact section 49-05-06 of the North Dakota Century Code, relating to hearings held by the public service commission on proposed rate changes.

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

Senator Schuster introduced:

Senate Bill No. 2469. A Bill for an Act to provide a landing tax on scheduled commercial aircraft; to provide for the imposition, collection, and administration of such tax; to provide for the allocation of revenues generated to airport authorities; and to provide a penalty.

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

Senator Schuster introduced:

Senate Bill No. 2470. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the annual salary of the county treasurer, register of deeds, county judge, and state's attorney.

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

Senator Longmire introduced:

Senate Bill No. 2471. A Bill for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to the attorney general drug control cash fund.

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

Senator Longmire introduced:

Senate Bill No. 2472. A Bill for an Act to provide for the adoption by the state of North Dakota of the system of plane coordinates established by the United States coast and geodetic survey, and providing an effective date.

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

Senators Sands, Conlin introduced:

Senate Bill No. 2473. A Bill for an Act to create and enact sections 27-02-27, 27-05-29, 27-08-43, 27-18-08, and 40-18-22 of the North Dakota Century Code, to require each judge of the supreme court, district courts, and county courts of increased jurisdiction, county justice, and municipal judge to attend and participate in educational sessions annually unless

excused by the supreme court; to provide for referral to the commission on judicial qualifications any judge who fails to attend and participate in such educational sessions; and to repeal sections 12-61-07 and 12-61-08 of the North Dakota Century Code relating to training of municipal judges and county justices.

Was read the first time and referred to the Committee on Judiciary.  
Senator Ringsak introduced:

**Senate Bill No. 2474.** A Bill for an Act to amend and reenact sections 50-26-01, 50-26-02, and 50-26-03 of the North Dakota Century Code, relating to the establishment of the governor's council on human resources, powers and duties of the council, and committee organization and expenses.

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

Senators J. Schultz, Smykowski, Reiten introduced:

**Senate Bill No. 2475.** A Bill for an Act to amend and reenact subsection 7 of section 12-61-03 of the North Dakota Century Code, relating to selection standards for peace officers.

Was read the first time and referred to the Committee on Judiciary.  
Senator Gronhovd introduced:

**Senate Bill No. 2476.** A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to giving notice of an application for the appropriation of water.

Was read the first time and referred to the Committee on Agriculture.  
Senator Walsh introduced:

**Senate Bill No. 2477.** A Bill for an Act making an appropriation for the support of retarded children while attending the sheltered workshop for mentally retarded and handicapped persons at Minot.

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

Senator Mutch introduced:

**Senate Bill No. 2478.** A Bill for an Act to amend and reenact section 24-16-07 of the North Dakota Century Code, relating to compensation for the removal of junkyards.

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

Senators Barth, Fritzell, Homuth, Reiten introduced:

**Senate Bill No. 2479.** A Bill for an Act regulating the offer, sale, and purchase of franchises; providing penalties; and providing an appropriation.

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

Senators Longmire, Tweten introduced:

**Senate Bill No. 2480.** A Bill for an Act to amend and reenact section 15-10-19 of the North Dakota Century Code, relating to the definition of a nonresident student for tuition purposes.

Was read the first time and referred to the Committee on Education.  
Senators Redlin, Thane, Conlin, Wenstrom introduced:

**Senate Bill No. 2481.** A Bill for an Act to amend and reenact section 15-38.1-02 of the North Dakota Century Code, to include institutions of higher learning within professional negotiations law.

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

Senator Jones introduced:

**Senate Bill No. 2482.** A Bill for an Act to amend and reenact section 61-02-04 of the North Dakota Century Code, relating to the appointment of the members of the water conservation commission.

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

Senators Redlin, Reiten introduced:

**Senate Bill No. 2483.** A Bill for an Act to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code, relating to the definition of gun dogs, and to amend and reenact section 20.1-04-12 of the North Dakota Century Code, relating to the training of gun dogs.

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

Senator Morgan introduced:

**Senate Bill No. 2484.** A Bill for an Act to amend and reenact subsection 2 of section 39-17-07 of the North Dakota Century Code, relating to limitations on the amount payable from the unsatisfied judgment fund.

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

Senators Morgan, Jacobson introduced:

**Senate Bill No. 2485.** A Bill for an Act to provide for legislative intent, to define certain terms of a coal lease, to allow cancellation of a coal lease under certain conditions, and to require a disclosure statement setting forth certain terms of a coal lease.

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

Senators Lashkowitz, Iszler, Sandness introduced:

**Senate Bill No. 2486.** A Bill for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, to provide for the licensing of American citizens graduating from foreign medical schools.

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

Senator Kautzmann introduced:

**Senate Bill No. 2487.** A Bill for an Act to amend and reenact sections 16-17-09 and 16-17-16 of the North Dakota Century Code, relating to the composition of the district committee of a political party and election of delegates to the state party convention.

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

Senator Hoffner introduced:

**Senate Bill No. 2488.** A Bill for an Act to amend and reenact section 16-11-06 of the North Dakota Century Code, relating to arrangement of names on ballot.

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

Senator Holand introduced:

**Senate Bill No. 2489.** A Bill for an Act relating to recording of roll call voting by members of the legislative assembly.

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

Senators Thane, Strinden, Sandness, Iszler, Smykowski introduced:

**Senate Bill No. 2490.** A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the allocation of the highway tax distribution fund to the state highway department, counties, and cities, and to provide for allocations to townships.

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

Senators J. Schultz, Kautzmann, Barth introduced:

**Senate Bill No. 2491.** A Bill for an Act to amend and reenact section 2-05-18 of the North Dakota Century Code, relating to the control of aerial spraying, and providing a penalty.

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

Senator Lashkowitz introduced:

**Senate Bill No. 2492.** A Bill for an Act to amend and reenact sections 16-13-36 and 16-13-47.1 of the North Dakota Century Code, relating to the



meeting of the state board of canvassers and the application for a recount of election results.

Was read the first time and referred to the Committee on Judiciary.  
Senator Lashkowitz introduced:

**Senate Bill No. 2493.** A Bill for an Act to amend and reenact subsection 2 of section 37-19.1-01 and subsection 5 of section 37-19.1-02 of the North Dakota Century Code, relating to veteran's preference in the employment of certified employees by school districts.

Was read the first time and referred to the Committee on Education.  
Senator Naaden introduced:

**Senate Bill No. 2494.** A Bill for an Act to repeal section 36-15-21 of the North Dakota Century Code, relating to requiring calfhood vaccination against brucellosis.

Was read the first time and referred to the Committee on Agriculture.  
The Senate reconvened at the call of the chair, the President presiding.

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following:  
Senate Bill No. 2038  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

#### REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2038

Was delivered to the Governor for his approval at the hour of 2:07 o'clock p.m., Jan. 28, 1975.

SEN. STRAND, Chairman

#### COMMUNICATION State of North Dakota Executive Office Bismarck

January 28, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on January 28, 1975, I signed Senate Bill 2038.  
Sincerely yours,  
ARTHUR A. LINK  
Governor

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Sands moved that the committee report on Senate Bill No. 2055 be laid over one legislative day, which motion prevailed.

Senator Stroup moved that the Committee report on Senate Bill No. 2181, as printed on page 225 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2181, the roll was called and there were 38, ayes; 12, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAA DEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5		•	• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN			• LARSON		•	• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE		•	• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAM		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND		•	• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN		•	• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2181 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2190, as printed on page 225 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2190, the roll was called and there were 48, ayes; 2, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAA DEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN			• LARSON		•	• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE		•	• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAM		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND		•	• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN		•	• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2190 was indefinitely postponed.

Senator Melland moved that the Committee Report on Senate Bill No. 2206, as printed on page 225 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2206, the roll was called and there were 41, ayes; 8, nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAA DEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN			• LARSON		•	• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE		•	• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAM		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND		•	• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN		•	• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2206 was indefinitely postponed.



The motion prevailed, and Senate Bill No. 2294 was indefinitely postponed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2060. A Bill for an Act relating to the distribution, storage, transportation, use and application and disposal of pesticides and devices; providing for the examination of such materials and the licensing of pesticide dealers and commercial applicators, and certification of applicators of restricted use pesticides; imposing penalties; and for other 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, 42; nays, 8; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS	●	● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14	●	● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32	●	● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2071. A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to legislative council budget section approval of certain emergency commission action.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2081. A Bill for an Act to create and enact section 11-10-24 of the North Dakota Century Code, providing authorization for the establishment of an association of county governments; and to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the powers of boards 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, 46; nays, 4; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2091. 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, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2165. A Bill for an Act to amend and reenact section 12-44-06 of the North Dakota Century Code, relating to the filing of jail rules in the Secretary of States 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2172. A Bill for an Act to amend and reenact section 49-18-21 of the North Dakota Century Code, relating to substituting the word permit in reference to certificates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended (SJ page 197), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAN			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2184. A Bill for an Act to create and enact section 39-06.1-14 of the North Dakota Century Code, relating to the failure to surrender licenses; to amend and reenact subsection 5 of section 39-06.1-10 and sections 39-06-35 and 39-06-37 of the North Dakota Century Code, relating to the suspension, revocation and cancellation of driver's licenses and permits, the period of suspension, and the surrender and return of license or permit; and declaring an emergency.

Which has been read.

MOTION

Senator Longmire moved that Senate Bill No. 2184 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2194. A Bill for an Act to amend and reenact section 6-09-15 of the North Dakota Century Code, relating to loans made by the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 20; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAN			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill was declared lost for lack of a constitutional majority.

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

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

LEO LEIDHOLM, Secretary

SIXTEENTH DAY

Bismarck, January 28, 1975

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

Prayer by Father Gerald Ruelle, Chaplain, St. Alexius Hospital, Bismarck.

"O God, we earnestly request Your favors on this chamber of legislators. We thank You for the service of these elected senators who give so liberally of their talents, energies and endurance.

"We entreat You to share generously with them of Your Wisdom, Your Counsel and Your Vision, that they may remain loyal toward sound and objective principles in the vigorous and enthusiastic commitment they make to their beliefs, their country, their state and their party.

"May their mutual appreciation, and respect for diverse views and personalities assist them to persevere in the strenuous and sometimes discouraging challenge politics and stewardship have to offer.

"Inspire them, Lord, to put heart into what they do that Your work in this world may be demonstrated through them. Amen."

Roll Call: All Senators present except Ringsak and Vosper.

A quorum was declared by the President.

**CORRECTION AND REVISION**

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

On page 229, line 42, delete the words "and referred to the committee on."

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2210. A Bill for an Act relating to designation of a big horn sheep hunting season and providing that recipients of a big horn sheep hunting license shall not be eligible to apply for another such 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, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NEHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT		●	STRINDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STROUP	
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSAK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

Senate Bill No. 2227. A Bill for an Act to create and enact two new subsections of section 61-28-02, two new subsections of section 61-28-04 and one new subsection of section 61-28-06 of the North Dakota Century Code, relating to definitions, powers and duties of the state department of health and prohibitions; amending and reenacting subsections 1 and 2 of

section 61-28-02, relating to definitions, and subsections 12 and 16 of section 61-28-04 of the North Dakota Century Code, relating to powers and duties of the state department of health.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN	•		• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZEL			• LIPS			• RINGSAN	•		• TWETEN	•	
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2228. A Bill for an Act to amend and reenact subsection 2 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption for transportation 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, 41; nays, 8; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZEL			• LIPS			• RINGSAN	•		• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS		•	• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND		•	• SCHULTZ, C. #14		•	• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH			• MUTCH		•	• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2230. A Bill for an Act to amend and reenact section 43-11-17 of the North Dakota Century Code, relating to the certificates of registration issued to schools of hairdressing, cosmetology and shops, and the fee for annual 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, 43; nays, 6; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN		•	• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZEL			• LIPS			• RINGSAN	•		• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS		•	• VOSPER		



● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTRÖM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2249. A Bill for an Act to create and enact new subsections to section 27-20-45 of the North Dakota Century Code, relating to procedures by which the court may ascertain the identity of the parents of a child born out of wedlock; to amend and reenact subsection 2 of section 27-20-45 of the North Dakota Century Code, relating to efforts to identify the parents of a child born out of wedlock.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTRÖM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

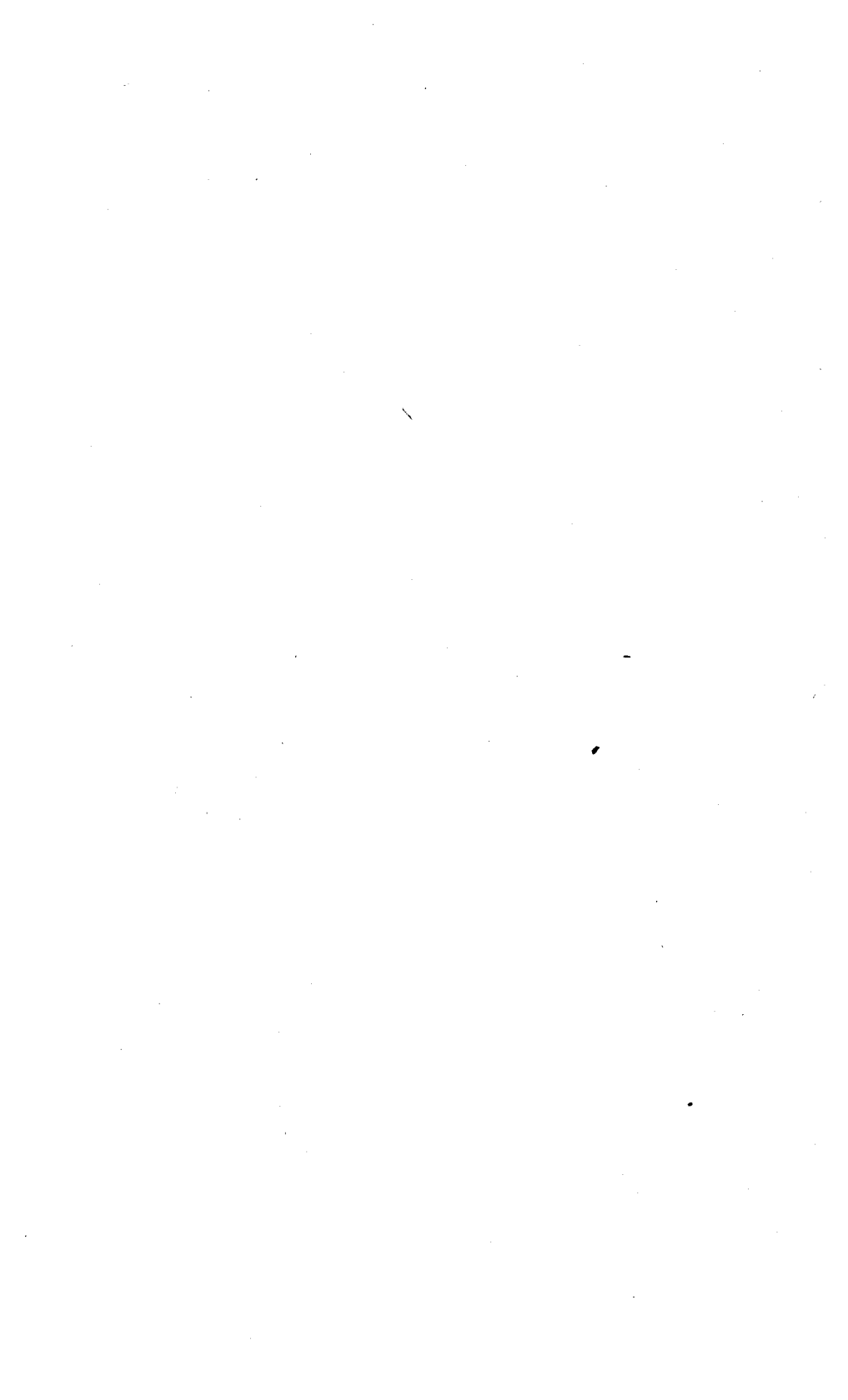
Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on

- House Bill No. 1088
- House Bill No. 1160
- House Bill No. 1173
- House Bill No. 1189
- House Bill No. 1237
- House Bill No. 1242

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2089, 2110, 2208, 2223, 2258, 2261 and 2299, that the Senate stand recessed until 1:00 P.M., January 29, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



SIXTEENTH DAY AFTER RECESS  
AND SEVENTEENTH DAY

Bismarck, January 29, 1975

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. 2089

Senate Bill No. 2110

Senate Bill No. 2186

Senate Bill No. 2223

And find the same correctly engrossed.

SENATOR STRAND, Chairman

Senator Maher 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. 2049

Senate Bill No. 2074

Senate Bill No. 2087

And find the same correctly enrolled.

SENATOR STRAND, Chairman

Senator Strand 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. 2264 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 8, after the word "a" insert the words "copy of the"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2264 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2293 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2293 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2312 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, after the word "disclose" insert the words "in writing"

And renumber the lines and pages accordingly.  
And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2312 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2318 has had the same under consideration and recommends that the same do pass and be re-referred to the Appropriations Committee.

SENATOR JONES, Chairman

Senate Bill No. 2318 was re-referred to the Appropriations Committee.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2320 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 6, after the first semicolon insert the words: "stating legislative intent concerning the authority of the industrial commission;"; and in the same line delete the word "and"

On page 1, line 7, before the period insert the following: "; and to declare an emergency"

On page 2, line 5, insert a period after the word "thereon", and delete the remainder of the line

On page 2, delete line 6

On page 2, after line 6, insert the following new section:

"SECTION 4. LEGISLATIVE INTENT—EMERGENCY COMMISSION AUTHORITY.) The legislative assembly intends that the moneys appropriated by section 3 of this Act, and other moneys in the sinking fund, may be expended by the industrial commission to purchase, in the open market or by negotiation, outstanding Vietnam conflict adjusted compensation bonds, of either or both series, at such times as the commission sees fit. The industrial commission is hereby authorized to purchase and retire the aforementioned bonds whenever the commission shall judge that it is financially in the best interest of the state to do so."

On page 2, after line 9, insert the following new section:

"SECTION 6. 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, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2320 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2330 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2330 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2336 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2336 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Concurrent Resolution 4021 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR KAUTZMANN, Chairman

Senate Concurrent Resolution 4021 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4025 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4025 was re-referred to the Legislative Council Resolutions Committee.

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 indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1018 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1019 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1019 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1122 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, delete the beginning and ending triple parenthesis.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1122 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1137 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1137 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### CONSIDERATION OF AMENDMENTS

Senator Mutch moved that the amendments to Senate Bill No. 2146 as recommended by the Committee on Transportation as printed on page 233 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2159 as recommended by the Committee on Political Subdivisions as printed on page 234 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2319 as recommended by the Committee on State and Federal Government as printed on pages 234 and 235 of the Senate Journal be adopted, which motion prevailed.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Sands moved that Senate Bill No. 2055 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Jones moved that the Committee Report on Senate Bill No. 2298, as printed on page 235 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate

Bill No. 2298, the roll was called and there were 32, ayes; 16, nays; absent and not voting, 3.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		●	●	ISZLER			●	NAADEN			●	SHABLOW
●		BERUBE	●	JACOBSON		●	NASSET			●	SMYKOWSKI	
		●	●	JONES		●	NETHING			●	SOLBERG	
●		CHRISTENSEN, H. #5	●	KAUTZMANN		●	PYLE			●	STRAND	
●		CHRISTENSEN, L. #3	●	LARSON		●	RAIT			●	STRINDEN	
		●	●	LASHKOWITZ		●	REDLIN			●	STROUP	
●		FREED	●	LEE		●	REITEN			●	THANE	
		●	●	LIPS		●	RINGSAN			●	TWETEN	
		●	●	LONGMIRE		●	SANDS			●	VOSPER	
		●	●	MAHER		●	SANDNESS			●	WALSH	
		●	●	MELLAND		●	SCHULTZ, C. #14			●	WENSTROM	
		●	●	MORGAN		●	SCHULTZ, J. #32			●	WRIGHT	
		●	●	MUTCH		●	SCHUSTER			●	MR. PRESIDENT	

The motion prevailed, and Senate Bill No. 2298 was indefinitely postponed.

Senator Jones moved that the Committee Report on Senate Bill No. 2310, as printed on page 234 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2310, the roll was called and there were 48, ayes; 0, nays; absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●		BARTL	●	ISZLER		●	NAADEN		●		SHABLOW
●		BERUBE	●	JACOBSON		●	NASSET		●		SMYKOWSKI
●		CHRISTENSEN, H. #5	●	JONES		●	NETHING		●		SOLBERG
●		CHRISTENSEN, L. #3	●	KAUTZMANN		●	PYLE		●		STRAND
●		CONLIN	●	LARSON		●	RAIT		●		STRINDEN
●		ERDMAN	●	LASHKOWITZ		●	REDLIN		●		STROUP
●		FREED	●	LEE		●	REITEN		●		THANE
●		FRITZELL	●	LIPS		●	RINGSAN		●		TWETEN
●		GOODMAN	●	LONGMIRE		●	SANDS		●		VOSPER
●		GRONHOVD	●	MAHER		●	SANDNESS		●		WALSH
●		HOFFNER	●	MELLAND		●	SCHULTZ, C. #14		●		WENSTROM
●		HOLAND	●	MORGAN		●	SCHULTZ, J. #32		●		WRIGHT
●		HOMUTH	●	MUTCH		●	SCHUSTER		●		MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2310 was indefinitely postponed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Erdman, Berube, L. Christensen, Jones, Larson introduced:

**Senate Concurrent Resolution No. 4028.** A concurrent resolution urging Congress to provide financial reimbursement to farmers who suffer substantial grain loss due to deprecation by ducks and geese.

Was read the first time and referred to the Committee on Agriculture. Senator L. Christensen introduced:

**Senate Concurrent Resolution No. 4029.** A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Garrison Diversion Project and urging that the Bureau of Reclamation deal more equitably with persons affected by the project.

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

Senators Morgan, Smykowski introduced:

**Senate Concurrent Resolution No. 4030.** A concurrent resolution urging the President of the United States to seek an amendment to the Convention for the Protection of Migratory Birds and Mammals.

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

Senator Nething introduced:

**Senate Concurrent Resolution No. 4031.** A concurrent resolution declaring a moratorium on the construction of college buildings.

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

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1059.** A Bill for an Act to provide for the enforcement of environmental laws in the state of North Dakota through actions brought in the district courts.

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

**House Bill No. 1088.** A Bill for an Act to amend and reenact subsection 1 of section 40-61-14 of the North Dakota Century Code, relating to tax exemptions for property of municipal parking authorities.

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

**House Bill No. 1089.** A Bill for an Act to amend and reenact section 54-40-08 of the North Dakota Century Code to allow state agencies, boards, or institutions and political subdivisions of the state to enter into agreements to allow such political subdivisions to use buildings and facilities of the state for such periods as the parties deem necessary, to allow the political subdivisions to make improvements to such buildings and facilities in lieu of rent, and to provide that the state agency, board, or institution may move or replace the building or facility at any time during an agreement, and declaring an emergency.

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

**House Bill No. 1147.** A Bill for an Act to create and enact section 43-18-11.1 of the North Dakota Century Code, relating to the need for a plumber's license; and to amend and reenact section 43-09-16 of the North Dakota Century Code, relating to the need for an electrician's license.

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

**House Bill No. 1160.** A Bill for an Act to designate a march as the North Dakota state march which may be played at official state functions.

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

**House Bill No. 1171.** A Bill for an Act to amend and reenact subsection 8 of section 39-03A-01, 39-03A-09, 39-03A-11, 39-03A-13, 39-03A-14, 39-03A-16, 39-03A-21 and 39-03A-21.1 of the North Dakota Century Code relating to the North Dakota highway patrolmen's retirement system.

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

**House Bill No. 1172.** A Bill for an Act to provide for classification of the Little Missouri River as a state scenic river, and for its protection and preservation as a free-flowing and navigable river.

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 21-10-02, 21-10-03, 21-10-04, 21-10-09, and 21-10-10 of the North Dakota Century Code, relating to the powers of the state investment board and the appointment of the investment director or advisory service and agents; providing for the president of the Bank of North Dakota as secretary of the board; coordination of activities with the Bank of North Dakota; the penalty for a violation of the chapter and the cost of operations of the board.

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

**House Bill No. 1176.** A Bill for an Act to create and enact subsections 9, 10, and 11 of section 26-30-04 and section 26-30-04.1 of the North Dakota Century Code; to amend and reenact subsection 1 of section 26-30-04 and sections 26-30-07 and 26-30-08 of the North Dakota Century Code; and to repeal section 26-30-09 of the North Dakota Century Code, all relating to unfair insurance practices; and providing a penalty.

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

**House Bill No. 1183.** A Bill for an Act to amend and reenact section 6-09-15.2 of the North Dakota Century Code, relating to investments of the state Bank of North Dakota.

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

**House Bill No. 1185.** A Bill for an Act to amend and reenact section 6-05-04 of the North Dakota Century Code, relating to surety deposit investments.

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

**House Bill No. 1189.** A Bill for an Act to amend and reenact subsections 1, 2, 3, and 4 of section 44-08-04, and sections 54-03-20 and 54-06-09 of the North Dakota Century Code, relating to the mileage and expense reimbursement for members of the legislative assembly, and declaring an emergency.

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

**House Bill No. 1198.** A Bill for an Act to amend and reenact section 6-01-20 of the North Dakota Century Code, relating to the Bank of North Dakota being entitled to records.

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

**House Bill No. 1215.** A Bill for an Act to amend and reenact section 57-13-03 of the North Dakota Century Code, relating to changing the meeting date of the state board of equalization from the fourth to the second Tuesday in August.

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

**House Bill No. 1216.** A Bill for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to the powers and duties of the tax commissioner, and providing the authority to remove certain uncollectable accounts from the tax commissioner's records.

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

**House Bill No. 1237.** A Bill for an Act to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to salaries and travel expenses of juvenile supervisors.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1242.** A Bill for an Act to create and enact a new section to the North Dakota Century Code, relating to the gift of game or fish.

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

**House Bill No. 1244.** A Bill for an Act to create and enact sections 26-26-01.1, 26-27-02.1, 26-27.1-02.1 and 26-27.2-02.1 of the North Dakota Century Code, relating to hospital service corporations, medical service corporations, dental service corporations and vision service corporations and providing that unfair insurance practices applies to them.







to the suspension, revocation and cancellation of driver's licenses and permits, the period of suspension, and the surrender and return of license or permit; and declaring an emergency.

Which has been read.

**MOTION**

Senator Mutch moved that Senate Bill No. 2184 be re-referred to the Committee on Transportation, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2208. A Bill for an Act to amend and reenact subsection 2 of section 39-12-05.1 of the North Dakota Century Code, relating to weight limitations for vehicles on designated highways; 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, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● COULIN			● JARSON			● RAIT			● STRINDEN		
● ERODMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FRED			● LEF			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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

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

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

**SEVENTEENTH DAY**

Bismarck, January 29, 1975

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

Prayer by Rev. Alvin Reimnitz, Zion Lutheran Church, Bismarck.

"Almighty and eternal God, You have made known to us through Your Son, Jesus Christ, Your loving concern for the government, institutions, and relationships of men: Grant that the spirit of prayer and reverence for Your Name may prevail throughout our deliberations and that this Senate may be blessed with Your aid.

"May our effections be guided by whatsoever things are true and honest and of good report; that our understandings may be enlightened by Your wisdom, our spirits empowered by Your spirit. So bless our thoughts and intentions, words and actions, that all we think or speak or do may redounded to Your honor and the well-being of our state; we pray in Jesus' name."

Roll Call: All Senators present except Ringsak.

A quorum was declared by the President.

**CORRECTION AND REVISION**

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Fifteenth Day after

Recess and Sixteenth Day and recommends that the same be corrected as follows:

On page 251, delete lines 45 and 46.

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

### SECOND READING OF SENATE BILLS

Senate Bill No. 2223. A Bill for an Act to provide for income averaging for state income tax purposes; and to provide an effective date.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 225), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2257. A Bill for an Act to amend and reenact section 26-08-10 of the North Dakota Century Code, relating to the authorization required for investment of funds with loans of a domestic insurance company, and prohibited investment practices.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2258. A Bill for an Act to amend and reenact subsection 1 of section 26-11-10 of the North Dakota Century Code, relating to the salaries and expenses of officers and agents of domestic life 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, 41; nays, 9; absent and not voting, 1.



Which has been read.

### ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAEDEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEF			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAP			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

- Senate Memorial Resolution No. 1
- Senate Memorial Resolution No. 2
- Senate Resolution No. 1
- Senate Concurrent Resolution No. 4012
- Senate Concurrent Resolution No. 4013
- Senate Concurrent Resolution No. 4024
- Senate Bill No. 2043
- Senate Bill No. 2049
- Senate Bill No. 2074
- Senate Bill No. 2087

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

### MESSAGES TO THE HOUSE

#### Senate Chamber

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2043
- Senate Bill No. 2049
- Senate Bill No. 2074
- Senate Bill No. 2087
- Senate Concurrent Resolution No. 4012
- Senate Concurrent Resolution No. 4013
- Senate Concurrent Resolution No. 4024

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

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2006
- Senate Bill No. 2060
- Senate Bill No. 2071
- Senate Bill No. 2081
- Senate Bill No. 2091
- Senate Bill No. 2165
- Senate Bill No. 2172
- Senate Bill No. 2210
- Senate Bill No. 2227
- Senate Bill No. 2228
- Senate Bill No. 2230

Senate Bill No. 2249

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

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

Senate Concurrent Resolution No. 4017

On page 2, line 8, delete "Crandel" and insert in lieu thereof "Crandell"

On page 7, line 22, delete "Neil" and insert in lieu thereof "Neill"

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE

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

House Bill No. 1251

House Bill No. 1261

House Bill No. 1274

House Bill No. 1283

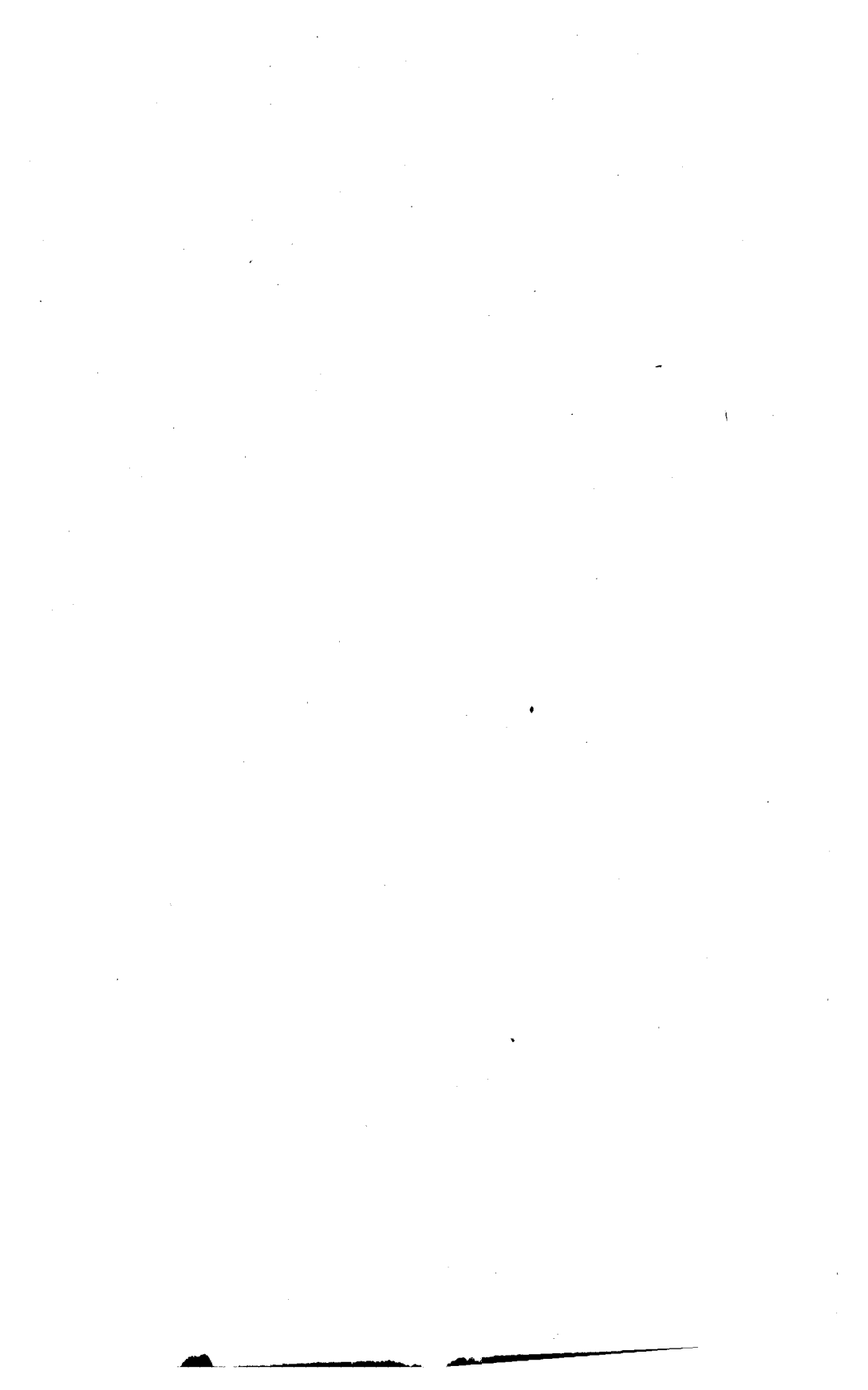
House Bill No. 1291

House Bill No. 1294

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2146, 2159, 2319, 2330, 2336 and House Bills Nos, 1019 and 1137, that the Senate recess until 1:30 p.m., January 30, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





SEVENTEENTH DAY AFTER RECESS  
AND EIGHTEENTH DAY

Bismarck, January 30, 1975

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

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following,  
Senate Bill No. 2043  
Senate Bill No. 2049  
Senate Bill No. 2074  
Senate Bill No. 2087  
Senate Concurrent Resolution No. 4012  
Senate Concurrent Resolution No. 4013  
Senate Concurrent Resolution No. 4024  
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. 2043  
Senate Bill No. 2049  
Senate Bill No. 2074  
Senate Bill No. 2087

Were delivered to the Governor for his approval Jan. 30, 1975.

SENATOR STRAND, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 1  
Senate Memorial Resolution No. 1  
Senate Memorial Resolution No. 2  
Senate Concurrent Resolution No. 4012  
Senate Concurrent Resolution No. 4013  
Senate Concurrent Resolution No. 4024

Were delivered to the Secretary of State, Jan. 30, 1975.

SENATOR STRAND, Chairman

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

Senate Bill No. 2146  
Senate Bill No. 2159  
Senate Bill No. 2184  
Senate Bill No. 2319

And find the same correctly engrossed.

SENATOR STRAND, Chairman

Senator Vosper 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. 2022 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18 delete the word "eighteen" and insert in lieu thereof the word "sixteen" also delete the word "fifty-nine" and insert in lieu thereof the word "seventeen" 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 leave funding for junior college payments at the present level but to allow the new concept in contact hour payment.

SENATOR LIPS, Chairman

Senate Bill No. 2022 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2041 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12, delete the chapter number "39-08-08,"

On page 3, line 15, after the ending triple parentheses insert the following new language "either a course at an approved commercial driver training school or"

On page 4, line 24, after the chapter number "39-06.1", insert the following new language: ", except upon conviction of a resident driver for a criminal offense in another state which is equivalent to one of those offenses defined in section 39-06.1-05"

On page 7, line 21, after the word "anew" delete the beginning triple parentheses

On page 7, line 22, after the word "requested" delete the ending triple parentheses and the words "by the court"

On page 9, line 22, after the word "class" delete the letter "A" and insert in lieu thereof the letter "B"

On page 9, line 22, after the word "appear" insert the words "without just cause"

On page 18, line 31, after the word "engage" insert the words "in a"

On page 20, delete lines 10 through 23

On page 20, line 29, delete the beginning triple parentheses

On page 20, line 29, before the word "ways" insert beginning triple parentheses

On page 20, line 30, after the ending triple parentheses insert the following new language "or private areas to which the public has a right of access for vehicular use"

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2041 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2148 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2148 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2151 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, after the word "chargeable" insert the word "by"

On page 1, line 3, after the word "insurance" insert a "period" and delete the remainder of the line

On page 1 delete lines 4 through 6

On page 1 delete lines 14 through 24

On page 2 delete lines 1 through 35

On page 3 delete lines 1 through 30 and insert in lieu thereof the following:

26-01-04. FEES CHARGEABLE BY COMMISSIONER OF INSURANCE.) The commissioner of insurance shall charge and collect the following fees except that county mutual insurance companies and benevolent societies shall be liable only for the fees mentioned in subsections 3, 4, 5, 6, 9, 12, and 16:

1. For filing articles of incorporation, or copies, or amendments thereof, twenty-five dollars;

2. For filing an annual statement, twenty-five dollars;

3. For each original certificate of authority issued upon admittance, fifty dollars and for renewal of certificate of authority, amendment to certificate of authority, or certified copy thereof, twenty-five dollars;

4. For a copy of any paper filed in his office, twenty cents per folio;

5. For affixing his official seal on a copy of any paper filed in his office and certifying such copy, one dollar;

6. For an official examination, the actual expense and per diem incurred; such per diem charge not to exceed ((twenty-five)) **thirty-five** dollars;

7. For issuing a certificate to a domestic insurance company showing a compliance with the compulsory reserve provisions of this title and the maintenance of proper security deposits, and for any renewal of such certificate, five dollars;

8. For filing an annual report of a fraternal benefit society, and issuing a license or permit to such society, and for each renewal thereof, ((fifteen)) **twenty-five** dollars;

9. For issuing a license for an agent or limited insurance representative of a domestic insurance company, county mutual insurance company, fraternal benefit society, or any other society, or ((a certificate or a copy thereof)) **duplicate**, three dollars;

10. For issuing a license for a resident agent or limited insurance representative of a foreign insurance company, or ((a certificate or copy thereof)) **duplicate**, three dollars;

11. For issuing a nonresident insurance agent's or limited insurance representative's license, or **duplicate**, ten dollars;

12. For each abstract of the annual statement of an insurance company for publication, ((two)) **three** dollars;

13. For issuing an annual reciprocal exchange license, the same fees as those applicable to the issuance of a certificate of authority in subsection 3;

14. For issuing a license to a resident agent for the attorney for a reciprocal exchange, three dollars;

15. For receiving the service of process as attorney, whether he is served with such process or admits service thereon, two dollars;

16. For written ((agents')) **licensees'** examination administered by the office of the insurance commissioner, such examination not to exceed **two lines of insurance at any one sitting**,

17. For filing of any miscellaneous documents or papers, including documents of admission and those filed annually upon license renewal, (each) one dollar;

18. For filing of articles of merger, or copies thereof, thirty dollars;

19. For filing bylaws or amendments thereof, five dollars;

20. For filing of power of attorney by nonadmitted insurer for conduct of business in compliance with surplus lines laws of this state, ten dollars ((.));

21. For issuing a nonresident insurance broker's, surplus lines insurance broker's and insurance consultant's license, or duplicate thereof, fifteen dollars;

22. For issuing a resident insurance broker's, surplus lines insurance broker's and insurance consultant's license, or duplicate thereof, ten dollars;

23. For a written licensee's examination not administered by the office of the insurance commissioner under a contract with a testing service, the actual cost of such examination, not to exceed fifteen dollars, which shall be paid to the testing service;

24. Nonprofit hospital, medical, vision and dental service corporations and health maintenance organizations shall be subject to the same fees as any other insurance company.

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2151 was placed on the sixth order of business on the calendar for the succeeding legislative day.

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:

On page 1, line 13, following the ending triple parentheses delete the word "eighteen" and insert in lieu thereof the word "fifteen"

On page 1, line 21, following the word "than" delete the word "eighteen" and insert in lieu thereof the word "fifteen"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2182 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2201 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, after the "period" insert the following words "Inmates of these institutions must be identified. Upon application by the institution the department shall issue identification tags to each institution."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2201 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2245 has had the same under consideration and recommends that the same be amended as follows:

On page 5, delete all of line 22

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2245 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2247 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2247 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2248 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2248 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

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 FREED, Chairman

Senate Bill No. 2250 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2251 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21, after the first word "the" insert beginning triple parentheses

On page 1, line 21, after the word "of" delete the beginning triple parentheses

On page 1, line 22, after the ending triple parentheses delete the rest of the line and insert the following: "date of sentencing."

On page 1, delete all of line 23

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2251 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2252 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2252 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2254 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2254 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2267 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2267 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2276 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Bill No. 2276 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2311 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 21, after the word "destruction" insert a "comma" and delete the word "or"

On page 2, line 21, after the word "demolition" insert the following words ", or repair"



● CONLIN	● LARSON	RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWEN
● GOODMAN	● LONGHAIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2293 was indefinitely postponed.

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

Senator Nething moved that the Senate adjourn, which motion prevailed.  
LEO LEIDHOLM, Secretary

### EIGHTEENTH DAY

Bismarck, January 30, 1975

The Senate convened at 2:00 P.M., the President presiding. Prayer by the Reverend N.E. McCoy of Jamestown, North Dakota. "Shall we pray — Our Father, and we need not ask You to be here. Thou art everywhere present and we need Thee today, this hour when our state, our nation, and the world looks to Thee more than ever. Thank Thee for our leadership in our state. We thank Thee for the United States of America. That each state is a government in itself. We pray for our Governor, Lieutenant Governor, and every member of this august body with matters that are so essential to everyone of us. What we do here will affect the entire state and the state affect the nation and the nation the world. We do not come just to have a prayer, but pray that Thou will reveal thyself in the direction and the know-how in the lives of each member. May this be a very profitable afternoon here. The outcome will not only be good for the people, but will be pleasing to thee. We thank Thee for every blessing and every care throughout all these years and we're not discouraged and we're not defeated, but a people of great faith and great confidence and our way of life and those who have chosen to represent us here and elsewhere. Beyond all of that, we look to Thee and would remember Thy word tells us that God rules in the affairs of men and if God's people will listen to Him, He has promised to heal the land, and we ask these favors in the name of Jesus Christ, our Savior, and our Lord. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

### CORRECTION AND REVISION

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

On page 270, line 66, delete the number "0" and insert in lieu thereof the number "1".

On page 272, line 59, delete the figure "2277" and insert in lieu thereof the figure "2227":

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

### FIRST READING OF A SENATE RESOLUTION

Senators Nething, Melland introduced:

Senate Resolution No. 2. A resolution welcoming the Chaplain of the Day, the Reverend N.E. McCoy of Jamestown, a voice familiar to

generations of North Dakotans through thirty-eight years in the radio ministry.

Was read the first time.

#### MOTION

Senator Nething moved that the rules be suspended, that Senate Resolution No. 2 not be printed as a resolution, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

#### SENATE RESOLUTION No. 2

A resolution welcoming the Chaplain of the Day, the Reverend N.E. McCoy of Jamestown, a voice familiar to generations of North Dakotans through thirty-eight years in the radio ministry.

WHEREAS, the Reverend N.E. McCoy of Jamestown is a name and voice familiar to generations of North Dakotans through his radio ministry; and

WHEREAS, through his daily broadcasts the past thirty-eight years, the Reverend McCoy has reached and enriched the homes and lives of thousands of citizens of North Dakota and neighboring states; and

WHEREAS, during his fifty-one distinguished years in the ministry, the Reverend McCoy has demonstrated time and again his concern for the troubled and less fortunate as a sponsor for prisoners on parole, supervising them and helping them secure employment; and

WHEREAS, for the past fifteen years, Reverend McCoy has worked with prisoners within the confines of the North Dakota Penitentiary as the official prison chaplain; and

WHEREAS, over the years, Reverend McCoy has actively worked with American servicemen, having served as chaplain of the North Dakota National Guard during World War II; and

WHEREAS, during his fifty-one years in the ministry and thirty-eight years in the radio ministry, the Reverend McCoy has been recognized for his service to mankind through numerous awards, among them the Jamestown College Distinguished Service Award, the Jamestown Chamber of Commerce Outstanding Citizen Award, and the Sertoma International Service to Mankind Award;

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

That the Senate welcomes to its chambers and is honored by the presence of the Chaplain of the Day, the Reverend N.E. McCoy.

#### SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 2. A resolution welcoming the Chaplain of the Day, the Reverend N.E. McCoy of Jamestown, a voice familiar to generations of North Dakotans through thirty-eight years in the radio ministry.

Which has been read the second time.

Senator Nething moved that Senate Resolution No. 2 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 Resolution No. 2.

And find the same correctly Enrolled.

SENATOR STRAND, Chairman



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

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

Senate Resolution No. 2

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

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Lips moved that the Committee Report on House Bill No. 1018, as printed on page 263 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1018, the roll was called and there were 42, ayes; 9, nays; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● ISZLER			● NAADEN		● SHABLOW
			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON		●	● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE	●		● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER	●	MR. PRESIDENT

The motion prevailed, and House Bill No. 1018 was indefinitely postponed.

**CONSIDERATION OF MESSAGE FROM THE HOUSE MOTION**

Senator Solberg moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4017, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Concurrent Resolution No. 4017 be deemed properly engrossed and placed on second reading and final passage, as amended, which motion prevailed.

**SECOND READING OF A SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4017. 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 bill, as amended, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT



CHRISTENSEN, H. #5	JONES	NETHING	SOLBERG
CHRISTENSEN, L. #3	KAUTZMANN	PYLE	STRAND
CONLIN	LARSON	RAIT	STRINDEN
ERDMAN	LASHKOWITZ	REDLIN	STROUP
FREED	LIPS	REITEN	THANE
FRITZELL	LEE	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GRONHOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

So the bill was declared lost.

Senate Bill No. 2330, A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to expenses and allowances for public officials and employees while attending meetings or performing duties away from their normal working or living residences.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 28; absent and not voting, 0.

REGULAR SESSION									1975 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
• BARTH			• ISZLER			• NAADEN			• SHABLOW			• BERUBE					
• CHRISTENSEN, H. #5			• JACOBSON			• NASSET			• SMYKOWSKI			• CHRISTENSEN, L. #3					
• CONLIN			• KAUTZMANN			• NETHING			• SOLBERG			• ERDMAN					
• FREED			• LARSON			• PYLE			• STRAND			• FRITZELL					
• GOODMAN			• LASHKOWITZ			• RAIT			• STRINDEN			• GRONHOVD					
• HOFFNER			• LEE			• REDLIN			• STROUP			• HOLAND					
• HOMUTH			• LIPS			• REITEN			• THANE			• MORGAN					
			• LONGMIRE			• RINGSAK			• TWETEN			• MUTCH					
			• MAHER			• SANDS			• VOSPER								
			• MELLAND			• SANDNESS			• WALSH								
			• SCHULTZ, C. #14			• SCHULTZ, J. #32			• WENSTROM								
			• SCHUSTER			• WRIGHT			• MR. PRESIDENT								

So the bill was declared lost.

MOTIONS

Senator Lashkowitz moved that the Senate reconsider the action by which Senate Bill No. 2194 was indefinitely postponed, which motion failed.

Senator Solberg moved that Marjorie Trangsrud, who was hired as a temporary committee clerk for this week, be considered as properly employed and that she be paid for her work.

ROLL CALL

The question being on compensating Marjorie Trangsrud for her employment as committee clerk, the roll was called and there were 51 ayes; 0 nays; absent and not voting, 0.

REGULAR SESSION									1975 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
• BARTH			• ISZLER			• NAADEN			• SHABLOW			• BERUBE					
• CHRISTENSEN, H. #5			• JACOBSON			• NASSET			• SMYKOWSKI			• CHRISTENSEN, L. #3					
• CONLIN			• JONES			• NETHING			• SOLBERG			• ERDMAN					
• FREED			• KAUTZMANN			• PYLE			• STRAND			• FRITZELL					
• GOODMAN			• LARSON			• RAIT			• STRINDEN			• GRONHOVD					
• HOFFNER			• LASHKOWITZ			• REDLIN			• STROUP			• HOLAND					
• HOMUTH			• LEE			• REITEN			• THANE			• MORGAN					
			• LIPS			• RINGSAK			• TWETEN			• MUTCH					
			• LONGMIRE			• SANDS			• VOSPER								
			• MAHER			• SANDNESS			• WALSH								
			• MELLAND			• SCHULTZ, C. #14			• WENSTROM								
			• SCHULTZ, J. #32			• WRIGHT			• MR. PRESIDENT								
			• SCHUSTER														

So Marjorie Trangsrud will so be paid.

## JOURNAL OF THE SENATE

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Concurrent Resolution No. 4017.

Very respectfully,

LEO LEIDHOLM, Secretary of Senate  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2089  
Senate Bill No. 2110  
Senate Bill No. 2208  
Senate Bill No. 2223  
Senate Bill No. 2257  
Senate Bill No. 2258  
Senate Bill No. 2261  
Senate Bill No. 2291  
Senate Bill No. 2299

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

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

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

House Bill No. 1061  
House Bill No. 1142  
House Bill No. 1164  
House Bill No. 1194  
House Bill No. 1206  
House Bill No. 1207  
House Bill No. 1213  
House Bill No. 1225  
House Bill No. 1226  
House Bill No. 1230  
House Bill No. 1241  
House Bill No. 1252  
House Bill No. 1257  
House Bill No. 1317

House Concurrent Resolution No. 3031

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2148, 2247, 2248, 2252, 2264, 2267, 2312, 2320 and House Bills Nos. 1055 and 1122, that the Senate recess until 1:00 p.m. January 31, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

**EIGHTEENTH DAY AFTER RECESS  
AND NINETEENTH DAY**

Bismarck, January 31, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

**REPORT OF PROCEDURAL COMMITTEE**

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 2.

Was delivered to the Secretary of State Jan. 30, 1975.

SENATOR STRAND, Chairman

**REPORT OF PROCEDURAL COMMITTEE**

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

Senate Bill No. 2261

Senate Bill No. 2312

Senate Bill No. 2320

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Fritzell 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. 2009 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20, delete the numerals "210,248" and insert in lieu thereof the numerals "218,423"

On page 1, line 23, delete the numerals "295,585" and insert in lieu thereof the numerals "303,760"

On page 2, line 2, delete the numerals "34,768" and insert in lieu thereof the numerals "37,439"

On page 2, line 5, delete the numerals "40,224" and insert in lieu thereof the numerals "42,895"

On page 2, line 13, delete the numerals "54,632" and insert in lieu thereof the numerals "58,322"

On page 2, line 16, delete the word "spud" and insert in lieu thereof the word "potato", and in the same line delete the numerals "215,832" and insert in lieu thereof the numerals "219,522"

On page 2, line 19, delete the numerals "1,081,530" and insert in lieu thereof the numerals "1,125,592"

On page 2, line 25, delete the numerals "1,581,949" and insert in lieu thereof the numerals "1,626,011"

On page 2, line 26, delete the numerals "1,535,949" and insert in lieu thereof the numerals "1,580,011"

On page 2, line 28, delete the numerals "381,809" and insert in lieu thereof the numerals "392,655"

On page 2, line 29, delete the numerals "1,776,381" and insert in lieu thereof the numerals "1,824,133"

On page 2, line 30, delete the numerals "2,158,190" and insert in lieu thereof the numerals "2,216,788"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent is to increase the salaries and wages of the Predatory Animal Control Division, Poultry Improvement Board, State Potato Council, and the Seed Department to reflect the increased salary levels provided in House Bill No. 1016 and to provide salary increases of five percent for each year of the biennium.

SENATOR LIPS, Chairman

Senate Bill No. 2009 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2051 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2051 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2052 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2052 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2053 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2053 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2054 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2054 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2117 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2117 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2147 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, delete the words "placing a re—"

On page 1, delete all of line 3

On page 1, line 4, delete the words "of their activities and"

On page 2, line 1, delete the words "state officials" and insert in lieu thereof the words "the office of the state geologist"

On page 2, line 3, delete the word "require" and insert in lieu thereof the word "have"

On page 2, line 4, delete the word "to"

On page 2, line 5, delete the words "a state agency" and insert in lieu thereof the words "the office of the state geologist"

On page 3, line 24, delete the words "ninety days of"

On page 3, line 25, delete the words "field collection of such data" and

insert in lieu thereof the words "a reasonable time as may be prescribed by the state geologist"

On page 3, line 27, delete "officials of the state" and insert in lieu thereof "the office of the state geologist"

On page 3, line 28, delete "if so re."

On page 3, delete all of lines 29, 30 and 31 and insert in lieu thereof the words "and such period of confidentiality shall, upon application, be extended for one year periods by the state geologist, and in no event shall the period of confidentiality exceed seven years."

On page 3, line 32, delete the word "It" and insert in lieu thereof the words "The basic data"

On page 3, line 33, after the word "geologist" insert "and if the information has been developed by or for a person conducting the exploration"

On page 4, line 22, after the word "REQUIRED" insert a "dash" and the word "EXCEPTIONS"

On page 4, line 22, after the parenthesis, insert "1."

On page 4, line 27, after the "period", insert the following words "The permit shall be granted within thirty days after proper application is submitted therefor."

2. This permit shall not be required:

(a) In an area where a permit to surface mine land is in effect pursuant to chapter 38-14,

(b) For holes drilled to guide excavating equipment in an operating mine, or

(c) In areas where a drill-hole is required by any other state agency."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2147 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources 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, line 23, after the word "owned" insert "or operated"

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2154 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2178 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senate Bill No. 2178 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2184 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2184 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2242 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senate Bill No. 2242 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2246 has had the same under consideration and

recommends that the same be amended as follows:

On page 2, delete the underscored lines 9 and 10 and insert in lieu thereof the underscored words "for the refusal of the registration or certificate of title of motor vehicles not equipped as required by chapter 39-21."

And renumber the lines accordingly.

SENATOR MUTCH, Chairman

Senate Bill No. 2246 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2253 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21, after the period insert the following words "Of the money herein appropriated, an adequate amount shall be used by the state water commission for the dispensation of information at public meetings and in the area media to the residents located south and west of the Missouri River of the effects of the proposed development of the water resources and related agricultural and industrial development of southwestern North Dakota, including the Missouri River."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To state the intent of the legislature that a portion of the appropriation be used to inform southwestern North Dakota residents of the effects of the proposed development of natural resources in that area.

SENATOR LIPS, Chairman

Senate Bill No. 2253 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2265 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17, after the word "hunt" insert the words "small game"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2265 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2280 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Appropriations Committee.

SENATOR RINGSACK, Chairman

Senate Bill No. 2280 was re-referred to the Appropriations Committee.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2295 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2295 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2327 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2327 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2394 has had the same under consideration and



recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2394 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 be amended as follows:

On page 3, line 2, delete the "period" and insert in lieu thereof a "semicolon" followed by the word "and"

On page 3, after line 2, insert the following:

"WHEREAS, twenty-five hundred irrigatable acres, a significant acreage of woodlands, a county road, two farmsteads, two intake structures, and several high capacity water wells are also threatened along the banks of the Yellowstone River from its point of entry to North Dakota to its mouth southwest of the City of Williston."

On page 3, line 8, following the word "structures" add the words "and provide technical assistance"

On page 3, line 9, delete the word "segment" and insert in lieu thereof the word "segments"

On page 3, line 9, delete the word "River" and insert in lieu thereof "and Yellowstone Rivers"

On page 3, line 14, delete the words "twelve million dollars" and insert in lieu thereof the words "the necessary funds"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4009 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4010 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senate Concurrent Resolution No. 4010 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4020 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Concurrent Resolution No. 4020 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1092 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1092 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1098 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1098 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1105 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1105 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1106 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1106 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1107 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1107 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1143 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1143 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1162 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 6, after the word "general," delete the words "a special" and insert in lieu thereof the word "an"

On page 2, line 7, after the word "or" delete the word "the" and insert in lieu thereof the word "a"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1162 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1175 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

House Bill No. 1175 was placed on the 6th order of business on the calendar for the succeeding legislative day.

#### MOTION

Senator Jones moved that Senate Bill No. 2375 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Jones moved that Senate Bill No. 2375 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Melland moved that Senate Bill No. 2022 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2041 as recommended by the Committee on Judiciary as printed on page 276 of the Senate Journal be adopted, which motion prevailed.

Senator Rait moved that the reading of the amendments to Senate Bill No. 2151 be dispensed with, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2151 as recommended by the Committee on State and Federal Government as printed on pages 276, 277 and 278 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2182 as recommended by the Committee on Political Subdivisions as printed on page 278 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2201 as recommended by the Committee on Natural Resources as printed on page 278 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2245 as recommended by the Committee on Judiciary as printed on page 278 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2251 as recommended by the Committee on Judiciary as printed on page 279 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2311 as recommended by the Committee on State and Federal Government as printed on pages 279 and 280 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Freed moved that the Committee Report on Senate Bill No. 2250, as printed on page 279 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2250, the roll was called and there were 50 ayes, 0, nays; absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAAEDEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLANDE			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2250 was indefinitely postponed.

**MOTION**

Senator Freed moved that Senate Bill No. 2254 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Nasset moved that the Committee Report on Senate Bill No. 2276, as printed on page 279 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2276, the roll was called and there were 50, ayes; 0, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAAEDEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		

• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSACK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2276 was indefinitely postponed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Walsh introduced:

**Senate Concurrent Resolution No. 4032.** A concurrent resolution urging the Congress to raise the support price of wheat to one hundred percent of parity.

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

Senator Wright introduced:

**Senate Concurrent Resolution No. 4033.** A concurrent resolution directing the legislative council to conduct an interim study to determine the feasibility of legislation which would provide for the compensation of retailers who collect and remit sales taxes to the state and to study the present filing method of sales tax permit holders.

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

Senators Lashkowitz, Schuster, Homuth, Longmire introduced:

**Senate Concurrent Resolution No. 4034.** A concurrent resolution urging the United States Civil Aeronautics Board to grant authority to Frontier Airlines to serve North Dakota cities not served with a flight to Denver and the southwestern portion of the United States.

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

Senator Walsh introduced:

**Senate Concurrent Resolution No. 4035.** A concurrent resolution urging the North Dakota State University College of Agriculture, the North Dakota State University Cooperative Extension Service, and the North Dakota State University Experiment Station to conduct research to determine the feasibility of using grain alcohol as a renewable alternative energy source and of using byproducts from the fermentation process as an animal feed.

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

Senators Longmire, Walsh, Wenstrom introduced:

**Senate Concurrent Resolution No. 4036.** A concurrent resolution urging the Highway Commissioner to concentrate efforts toward needed improvements on U.S. Highway No. 2 across the State of North Dakota as quickly as available financing will permit.

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

Senators Mutch, Naaden introduced:

**Senate Concurrent Resolution No. 4037.** A concurrent resolution expressing support of a bill in the United States House of Representatives which would repeal the National Occupational Safety and Health Act.

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

Senators Naaden, Mutch introduced:

**Senate Concurrent Resolution No. 4038.** A concurrent resolution urging the Congress of the United States to exercise its power, granted under Section 2 of Article 3 of the United States Constitution, to limit the jurisdiction of the United States Supreme Court and to amend Section 242 of Title 18 of the United States Code to prevent deprivation of rights under color of law.

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

Senators Longmire, Walsh, Wenstrom introduced:

**Senate Concurrent Resolution No. 4039.** A concurrent resolution urging Congress to refuse to concur in the President's request for permission to withhold highway funds from the State of North Dakota.

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

Senators Longmire, Larson introduced:

**Senate Concurrent Resolution No. 4040.** A concurrent resolution relating to the participation of the Soil Conservation Service in planning relating to the Devils Lake Basin.

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

Senator Homuth introduced:

**Senate Concurrent Resolution No. 4041.** A concurrent resolution urging all state agencies to solicit consulting and research services from North Dakota colleges and universities.

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

#### FIRST READING OF A SENATE RESOLUTION

Senator Nething introduced:

**Senate Resolution No. 3.** A resolution creating a select Senate committee to study and review the administration, operation, and investment policies of the Bank of North Dakota, and to report its findings and recommendations to the Senate within thirty legislative days of the passage of this resolution.

Was read the first time.

#### MOTION

Senator Nething moved that the rules be suspended, that Senate Resolution No. 3 not be printed as a resolution, not referred to a committee, but printed in the Journal and be laid over for one legislative day, which motion prevailed.

#### SENATE RESOLUTION No. 3

A resolution creating a select Senate committee to study and review the administration, operation, and investment policies of the Bank of North Dakota, and to report its findings and recommendations to the Senate within thirty legislative days of the passage of this resolution.

WHEREAS, there has not been a recent legislative study and review of the operations and administration of the Bank of North Dakota; and

WHEREAS, recent legislative assemblies have added many areas of responsibility to the overall responsibilities of the Bank; and

WHEREAS, it is a necessary prerequisite to any legislative action concerning policy or appropriations that the Legislative Assembly have as many facts and data as possible on the subject at hand; and

WHEREAS, the Forty-fourth Legislative Assembly is already in session, and such facts and data must be gathered swiftly and put before the Senate if it is to be the basis of action during this session;

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

That the creation of a select Senate study and review committee is hereby authorized. The committee shall be composed of seven members, five from the majority party and two from the minority party, to be appointed by the Floor Leaders of the two parties. The appointments are to be made within two days after passage of this resolution, and the

Majority Floor Leader shall appoint the Chairman of the committee. The committee is hereby empowered to study and review the administration and operation of the Bank of North Dakota in all its phases, and the Bank's investment policies. The committee is to report its findings and recommendations to the Senate within thirty legislative days after passage of this resolution; and

BE IT FURTHER RESOLVED, that the select committee created by this resolution may call upon such persons in the employ of the Bank of North Dakota as it may deem appropriate; and may call upon members of the Industrial Commission, the Legislative Council, the State Treasurer, the State Examiner, and any other executive department, agency, office, officer, board, bureau, commission, or institution, or any organization or individuals outside state government, for any reasonable assistance in the conduct of its study and review as the committee deems necessary; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded immediately by the Secretary of State to each member of the Industrial Commission, to the State Examiner, and to the President of the Bank of North Dakota.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1061.** A Bill for an Act to create and enact section 61-04-07.1 of the North Dakota Century Code; and to amend and reenact sections 61-04-07 and 61-04-09 of the North Dakota Century Code, relating to the duties of the state engineer.

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

**House Bill No. 1142.** A Bill for an Act to create and enact a new subsection to 20.1-01-02 relating to definitions, and to create and enact a new subsection to 20.1-02-05 relating to the powers of the commissioner and to amend and reenact section 20.1-04-12 of the 1973 Supplement to the North Dakota Century Code, relating to when bird dogs may not be trained or permitted to run loose.

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

**House Bill No. 1164.** A Bill for an Act to create and enact section 57-50-03.1 of the North Dakota Century Code, relating to the refund of taxes paid on gasoline and special fuels used and taxed in another state; and to provide an effective date.

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

**House Bill No. 1194.** A Bill for an Act to create and enact section 20.1-02-14.1 of the North Dakota Century Code, providing for a uniform complaint and summons to be used in cases involving violations of Title 20.1 of the North Dakota Century Code, the game, fish, predator, and boating regulations.

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

**House Bill No. 1206.** A Bill for an Act to create and enact a new section to chapter 36-21.1 of the North Dakota Century Code, relating to administration of the chapter by the state livestock sanitary board; to amend and reenact sections 36-21.1-01 36-21.1-06 and 36-21.1-11 of the North Dakota Century Code, relating to definitions and the authority to dispose of exposed animals; providing a penalty; and providing an appropriation.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1207.** A Bill for an Act to create and enact section 29-26-22.1, and to amend section 28-26-01, of the North Dakota Century Code, relating to the awarding of costs and attorney's fees to the prevailing defendant in either a civil or criminal case.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1213.** A Bill for an Act to amend and reenact section 4-12-04 of the North Dakota Century Code, relating to beekeeper's licensing fees; and declaring an emergency.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1225.** A Bill for an Act to amend and reenact section 57-38-62 of the North Dakota Century Code, relating to the filing of declarations of estimated income tax by nonresidents and residents and providing for an effective date.

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

**House Bill No. 1226.** A Bill for an Act to amend and reenact section 57-38-06.1 of the North Dakota Century Code, relating to exemptions for nonresident individuals.

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

**House Bill No. 1230.** A Bill for an Act to create and enact subsection 14 of section 61-24-08 of the North Dakota Century Code, relating to the powers and duties of the garrison conservancy district board of directors.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1241.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the filing of separate income tax returns by a husband and wife after joint income tax returns have been filed, and providing for an effective date.

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

**House Bill No. 1251.** A Bill for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the investigation of births out of wedlock and authorizing the provision of protective services.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1252.** A Bill for an Act to create and enact a new subsection to section 57-39.2-14 of the North Dakota Century Code, relating to "transient merchants".

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1257.** A Bill for an Act relating to the mandatory reporting of child abuse and neglect by designated professional persons, relating to the permissive reporting of child abuse and neglect by other persons, providing for protective services, providing for the appointment of a guardian ad litem, providing immunity from liability, providing a penalty for failure to report abuse, and providing for confidentiality of records, and providing a penalty for unauthorized disclosure of reports; and to repeal chapter 50-25 of the North Dakota Century Code relating to the reporting of physical injury and neglect by physicians and other persons.

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 amend and reenact subsection 1 of section 14-15-11 of the North Dakota Century Code, relating to persons entitled to notice of petition for adoption.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1274.** A Bill for an Act to amend and reenact section 40-08-10 of the North Dakota Century Code, relating to the meetings of city councils.

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 section 44-06-12 and 44-08-06 of the North Dakota Century Code, relating to notary public seal, date of expiration, and seal dimensions.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1291.** A Bill for an Act to amend and reenact subdivision a of subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to the definition of a dependent child.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1294.** A Bill for an Act to prohibit fetal experimentation, and providing a penalty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1317.** A Bill for an Act to amend and reenact section 44-02-08 of the North Dakota Century Code, relating to the appointment and term of persons appointed to fill elective offices.

Which was read the first time and referred to the Committee on Judiciary.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3031.** A concurrent resolution commending Mr. Clifford "Fido" Purpur upon his induction into the United States Hockey Hall of Fame.

Was read the first time.

#### MOTION

Senator Longmire moved that the rules be suspended, that House Concurrent Resolution No. 3031 as printed on page 340 of the House Journal not be referred to a committee, but placed on the calendar for second reading and final passage.

**House Concurrent Resolution No. 3031.** A concurrent resolution commending Mr. Clifford "Fido" Purpur upon his induction into the United States Hockey Hall of Fame.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3031.** A concurrent resolution commending Mr. Clifford "Fido" Purpur upon his induction into the United States Hockey Hall of Fame.

Was read the second time.

Senator Longmire moved that House Concurrent Resolution No. 3031 be adopted, which motion prevailed.

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

LEO LEIDHOLM, Secretary



## NINETEENTH DAY

Bismarck, January 31, 1975

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

Prayer by Rev. Wayne Brown, United Methodist Church, Devils Lake, North Dakota.

"Let us pray.

"O God, we thank You for this good land and our rich heritage in it. Though in many places darkness has descended upon it; men and women of good will and restrained passions are working under the guidance of Your Spirit to bring order out of disorder and peace out of discord. Grant us, by our thought, word and deed to be found among the peace makers and not among the creators of strife and tragedy. We are glad that You created us a nation learning what it means to be a government of the people, by the people, and for the people. And so we pray today for our lawmakers here . . . give them wisdom and discernment in order that our citizens will be able to enjoy the fruits of freedom and each one can receive their birthright. Grant to these our Senators that portion of Your Spirit that they will need in order that they may stand courageously for that which is good, and true, and just. We thank You for those who preserve standards that so many have weakly abandoned and who work while others shirk their duty. We are all strengthened by those public officials who are incorruptible and honest; who give inexhaustibly of their energies and who work for building the just society. Help us to support them, as they now support us. Amen."

Roll Call: All Senators present except Holand.

A quorum was declared by the President.

## CORRECTION AND REVISION

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

On page 275, line 27, delete the words "at the hour of".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

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

## SECOND READING OF SENATE BILLS

Senate Bill No. 2148. A Bill for an Act to provide for a declaration of policy and purpose, relating to boating safety and uniformity of boating laws, a boating safety program, the termination of unsafe use of vessels, and the display of labels evidencing compliance with state or federal regulations; to create and enact five new subsections to section 20.1-01-02 and a new subsection to section 20.1-13-03 of the North Dakota Century Code, relating to definitions and numbering and licensing of motorboats; to amend and reenact section 20.1-13-02, subsection 1 of section 20.1-13-03, subsection 9 of section 20.1-13-03, and section 20.1-13-08 of the North Dakota Century Code, relating to the operation of unnumbered and unlicensed motorboats, numbering and licensing of motorboats, reporting of theft and recovery of motorboats, filing of descriptions of collisions or accidents, and liability of persons involved in collisions or accidents; and to repeal subsection 1, subsection 2, and subsection 3 of section 20.1-13-05 of the North Dakota Century Code, relating to boat safety 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2247. A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to 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, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2248. A Bill for an Act to amend and reenact subsections 8 and 9 of section 57-40.3-01 and to create and enact new subsections to section 57-40.3-04 of the North Dakota Century Code, relating to exemptions and providing that said exemptions are found within section 57-40.3-04 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2252. A Bill for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to the definitions of rules and regulations under the Administrative Agencies Practice Act.



• HOFFNER	• MELLAND	SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2312.** A Bill for an Act to amend and reenact section 43-10-05 of the North Dakota Century Code, relating to the powers of the state board of embalmers to require rules reasonably designed to disclose the cost of merchandise and services for funerals.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 261 and 262), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRANDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEM		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GROHNOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2320.** A Bill for an Act to amend and reenact section 54-17.1-12 of the North Dakota Century Code, relating to taxes, appropriations, and transfers for purposes of repaying the Vietnam veterans adjusted compensation bonds; to repeal section 57-38-30.2 of the North Dakota Century Code, relating to the Vietnam veteran surtax; to provide an appropriation; stating legislative intent concerning the authority of the industrial commission; to provide an effective date; and to declare an emergency.

Which has been read.

Senator Melland moved that Senate Bill No. 2320 be amended as follows:

On page 2, line 9 of the engrossed bill, after the word "AUTHORITY", insert the following: "— INVESTMENT BY BANK OF NORTH DAKOTA"; and in that same line after the parenthesis, insert the following: "1."

On page 2, after line 18 of the engrossed bill, insert the following new subsection:

"2. The Bank of North Dakota, on behalf of the state treasurer, shall invest the moneys appropriated by section 3 of this Act, consistent with the provisions of section 21-10-07, at the best possible rate of interest, and all interest earned thereby shall be deposited to the credit of the sinking fund created by section 54-17.1-07 for use in meeting bond principal and interest payments as they come due."

And renumber the lines accordingly.

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

Senator Melland moved that Senate Bill No. 2320 be deemed properly re-engrossed and be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2336.** A Bill for an Act to amend and reenact section 6-09-12 of the North Dakota Century Code, relating to interest rates fixed by



● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1053.** A Bill for an Act to repeal sections 61-01-12, 61-01-13, and 61-01-14 of the North Dakota Century Code, relating to the fouling of public waters.

Which has been read.

**ROLL CALL**

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

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1054.** A Bill for an Act to amend and reenact subsection 9 of section 61-28-04 of the North Dakota Century Code, relating to the powers of the state health department pertaining to pollution; and to repeal section 40-22-04, subdivision c of subsection 2 of section 61-02-14, and sections 61-02-15 and 61-02-21 of the North Dakota Century Code, relating to the powers of the state water commission or state health department pertaining to water pollution.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1055.** A Bill for an Act to amend and reenact subsection 2 of section 23-25-02 of the North Dakota Century Code, relating to the air pollution control 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, 40; nays, 8; absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		
● ERDMAN			● LASKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1122. A Bill for an Act to amend and reenact section 41-09-46.1 of the North Dakota Century Code relating to the liability of the filing officer in performing his responsibilities under the Uniform Commercial Code.

Which has been read.

MOTION

Senator Smykowski moved that House Bill No. 1122 be re-referred to the Committee on Judiciary, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1123. A Bill for an Act to amend and reenact section 37-04-01 of the North Dakota Century Code, relating to the qualifications of commissioned officers of the national guard.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1137. A Bill for an Act to amend and reenact sections 2-05-04, 4-02.1-26, 4-05-10, 4-06-04, 4-13-09, 4-27-11, 6-01-10, 7-05-03, 15-02-08, 15-10-14.1, 15-11-14, 15-20.1-21, 15-21-14, 15-52-28, 18-01-29, subsection 3 of section 20.1-02-04, sections 23-01-06, 24-02-10, subsection 7 of section 26-01-02, sections 26-23-21, 27-15-08, 34-05-01, 34-06-20, 36-01-11, subsection 5 of section 37-03-05, sections 37-14-09, 37-15-19, 43-01-06, 43-02-06, 43-04-19, 43-09-05, 43-10-08, 43-13-09, 43-15-12, 43-17-12, 43-23-02, 43-28-09, subsection 3 of section 46-02-04, sections 47-23-07, 49-01-13, 50-06-13, 52-02-03, 52-10-09, 54-06-03, 54-06-04, 54-06-05, subsection 3 of section 54-10-01, subsection 12 of section 54-11-01, sections 54-12-05, 54-17-06, 54-21-09, 54-36-06, 54-42-05, subsection 15 of section 54-44-04, section 54-46-11, subsection 9 of section 57-01-02, sections 61-03-04 and 65-02-09 of the North Dakota Century Code, relating to biennial reports of executive and administrative agencies and departments; the time when such reports shall be made; and the contents, printing, and binding of such reports.

Which has been read.

### ROLL CALL

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

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
● BARTH			● ISZLER			● NAADEN			● SHABLOW
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND
● CONLIN			● LARSON			● RAIT			● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP
● FREED			● LEE			● REITEN			● THANE
● FRITZELL			● LIPS			● RINGSACK			● TWETEN
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER
● GRONHOVD			● MAHER			● SANDNESS			● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1174. A Bill for an Act to amend and reenact subsection 5 of section 41-09-42, subsections 1 and 2 of section 41-09-44, section 41-09-45, and subsection 2 of section 41-09-46 of the North Dakota Century Code, relating to fees charged by the filing officer under the Uniform Commercial 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, 40; nays, 10; absent and not voting, 1.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		●			●			●	●
● BARTH			● ISZLER			● NAADEN			● SHABLOW
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND
● CONLIN			● LARSON			● RAIT			● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP
● FREED			● LEE			● REITEN			● THANE
● FRITZELL			● LIPS			● RINGSACK			● TWETEN
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER
● GRONHOVD			● MAHER			● SANDNESS			● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT

So the bill passed and the title was agreed to.

### MOTION

Senator Lips moved that Senate Bill No. 2318 be returned to the Senate from the Committee on Appropriations, and placed on the calendar, which motion prevailed.

### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2146

Senate Bill No. 2159

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

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1018

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary



## MESSAGE FROM THE HOUSE

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

House Bill No. 1023  
House Bill No. 1024  
House Bill No. 1116  
House Bill No. 1178  
House Bill No. 1208  
House Bill No. 1212  
House Bill No. 1222  
House Bill No. 1240  
House Bill No. 1258  
House Bill No. 1259  
House Bill No. 1282  
House Bill No. 1284  
House Bill No. 1298  
House Bill No. 1301  
House Bill No. 1318  
House Bill No. 1327  
House Bill No. 1358  
House Bill No. 1360  
House Bill No. 1363  
House Bill No. 1368

ROY GILBREATH, Chief Clerk

House Chamber

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

Senate Bill No. 2098

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2041, 2151, 2182, 2184, 2201, 2245, 2251, 2311, 2318, 2394, Senate Concurrent Resolution No. 4020, Senate Resolution No. 3, and House Bills Nos. 1092, 1098, 1105, 1106, 1107, and 1143, that the Senate recess until 1:00 P.M., Monday, February 3, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



## NINETEENTH DAY AFTER RECESS AND TWENTIETH DAY

Bismarck, February 3, 1975

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. 2041

Senate Bill No. 2151

Senate Bill No. 2182

Senate Bill No. 2201

Senate Bill No. 2245

Senate Bill No. 2251

Senate Bill No. 2311

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

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

## REPORT OF PROCEDURAL COMMITTEE

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

Senate Bill No. 2320

And find the same correctly Re-engrossed.

SENATOR STRAND, Chairman

Senator Maher 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 20, delete the figure "130,546" and insert in lieu thereof the figure "124,613"

On page 2, line 2, delete the figure "239,411" and insert in lieu thereof the figure "233,478"

On page 2, line 5, delete the figure "147,361" and insert in lieu thereof the figure "149,276"

On page 2, line 12, delete the figure "467,105" and insert in lieu thereof the figure "469,020"

On page 2, line 15, delete the figure "24,450" and insert in lieu thereof the figure "26,198"

On page 2, line 19, delete the figure "34,450" and insert in lieu thereof the figure "36,198"

On page 2, line 22, delete the figure "136,893" and insert in lieu thereof the figure "142,957"

On page 2, line 26, delete the figure "162,991" and insert in lieu thereof the figure "169,055"

On page 2, line 29, delete the figure "1,533,120" and insert in lieu thereof the figure "1,472,454"

On page 3, line 4, delete the figure "2,334,849" and insert in lieu thereof the figure "2,274,183"

On page 3, line 7, delete the figure "145,191" and insert in lieu thereof the figure "154,097"

On page 3, line 12, delete the figure "206,891" and insert in lieu thereof the figure "215,797"

On page 3, line 13, delete the figure "3,445,697" and insert in lieu thereof the figure "3,397,731"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose is to increase the salaries and wages of the Public Employees' Retirement System, Public Employees' Group Insurance, Employment Security Bureau, and the Merit System Council to reflect the increased salary levels provided in House Bill No. 1016 and to provide salary increases of five percent for each year of the biennium for all of the agencies in Senate Bill No. 2011.

SENATOR LIPS, Chairman

Senate Bill No. 2011 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2055 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2055 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2058 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2058 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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.

SENATOR NASSET, Chairman

Senate Bill No. 2113 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2129 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2129 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2160 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 amended as follows:

On page 1, line 17, after the first word "The" insert the word "street"

On page 1, line 18, delete the word "or"

On page 1, line 19, delete the "period" and insert in lieu thereof a "semicolon" and add the word "or"

On page 1, delete all of lines 20 and 21

On page 1, line 20, insert the following:

4. Location of rural real estate by miles and direction from nearest city.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2193 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2197 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2197 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2213 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 20, delete the word "six" and insert in lieu thereof the word "seven"

On page 2, line 29, after the "comma" insert the words "a public representative appointed by the commissioner of agriculture,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2213 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2221 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2221 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2240 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2240 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2260 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2260 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2273 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2273 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2287 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2287 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2290 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2290 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2303 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 29, after the word "be" delete the word "less" and insert in lieu thereof the word "more"

On page 2, line 29, after the word "than" delete the word "four" and insert in lieu thereof the word "five"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2303 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4002 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4002 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4003 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4003 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Concurrent Resolution No. 4005 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

SENATOR SANDS, Chairman

Senate Concurrent Resolution No. 4005 was re-referred to the Legislative Research Resolutions Committee.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4016 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senate Concurrent Resolution No. 4016 was re-referred to the Legislative Council Resolutions Committee.

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 be amended as follows:

On page 1, line 21, delete the words "many times in the past" and insert in lieu thereof the words "not made clear"

On page 1, delete lines 22 and 23

On page 2, line 16, delete the words "tactics and representations" and insert in lieu thereof "procedures"

On page 2, line 19, delete the word "responsible"

On page 2, line 20, delete the words "finally disclose to" and insert in lieu thereof the word "inform"

On page 2, line 20, after the word "officials" insert the words "of and discuss with them"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4019 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4027 has had the same under consideration and recommends that the same be amended as follows:

On page 4, line 3, after the word "meetings" insert the word "and"

And renumber the lines accordingly.

And when so amended recommends the same do pass and be referred to the Legislative Council Resolutions Committee.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4027 was placed on the 6th order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1023.** A Bill for an Act to amend and reenact section 15-20.1-08 of the North Dakota Century Code, relating to a mill levy for participation in cooperative vocational education programs.

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

**House Bill No. 1024.** A Bill for an Act to amend and reenact section 15-34.2-06 of the North Dakota Century Code, relating to a mill levy for transportation for school districts.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1116.** A Bill for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to the definition of "saddle mount", and to amend and reenact subdivision a of subsection 1 and subsections 3, 4, 5, 6, and 7 of section 39-12-04 of the North Dakota Century Code, relating to the width, height, and length limitations on vehicles.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1178.** A Bill for an Act to create and enact section 6-08-16.2 of the North Dakota Century Code, relating to the issuance of checks without an account or with insufficient funds and providing a penalty; and to repeal sections 6-08-16 and 6-08-16.1 of the North Dakota Century Code, relating to issuance of checks without an account or with insufficient funds.

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

**House Bill No. 1208.** A Bill for an Act to create and enact a poultry division within the Department of Agriculture, to define the duties of the commissioner of agriculture; to provide for an advisory board and licensing and bonding of poultry buyers; to repeal chapter 4-13 of the North Dakota Century Code relating to the North Dakota Poultry Improvement Board; providing a penalty; and providing transfer of appropriation.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1212.** A Bill for an Act to amend and reenact section 54-07-06 of the North Dakota Century Code, relating to the creation of the Division of Economic Opportunity.

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

**House Bill No. 1222.** A Bill for an Act to create and enact section 26-15-02.1 of the North Dakota Century Code and to amend sections 26-15-05, 26-15-08, 26-15-13, 26-15-15 and 26-15-18 of the North Dakota Century Code relating to the maximum insurance on a single risk, extending the

territorial limits of a county mutual insurance company and authorizing county mutual insurance companies to charge premiums.

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

**House Bill No. 1240.** A Bill for an Act relating to the interest earned on the surplus property special fund.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1258.** A Bill for an Act to amend and reenact section 54-44-11 of the North Dakota Century Code to provide for an increase in working capital in the state purchasing department operating fund.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1259.** A Bill for an Act to amend and reenact sections 39-05-05, 39-05-09.1, and 39-05-19 of the North Dakota Century Code, relating to fees for various motor vehicle office services.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1282.** A Bill for an Act defining "membership subscription plans" and requiring an affirmative response by members of such plans before acceptance of merchandise is acknowledged; and providing a penalty.

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

**House Bill No. 1284.** A Bill for an Act to authorize the public service commission to fix the terms under which the facilities of one public utility will be permitted to cross those of another public utility.

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

**House Bill No. 1298.** A Bill for an Act to amend and reenact section 34-01-12 of the North Dakota Century Code, relating to payment of wages due a deceased employee.

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

**House Bill No. 1301.** A Bill for an Act to amend and reenact section 26-07-08 of the North Dakota Century Code, relating to publication of abstracts of annual statements of insurance companies.

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

**House Bill No. 1318.** A Bill for an Act to amend and reenact section 7-02-13 of the North Dakota Century Code, relating to savings and loan association investment in a service corporation.

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

**House Bill No. 1327.** A Bill for an Act to amend and reenact section 7-02-14 of the North Dakota Century Code, relating to extending powers granted federally chartered savings and loan associations to state-chartered associations.

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

**House Bill No. 1358.** A Bill for an Act to amend and reenact section 21-03-26 and 21-03-31 of the North Dakota Century Code, relating to notices and advertisements required in conjunction with municipal bond sales.

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

**House Bill No. 1360.** A Bill for an Act relating to the establishment of guidelines for the management and use of investments held by



educational, religious, or charitable institutions; and to repeal section 15-10-35 of the North Dakota Century Code, relating to investment of endowment funds by institutions under board of higher education control.

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

**House Bill No. 1363.** A Bill for an Act to ban pay toilets in public establishments.

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

**House Bill No. 1368.** A Bill for an Act to provide for the sale of state lands to the City of Bismarck, North Dakota, for its airport.

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

**CONSIDERATION OF AMENDMENTS**

Senator Nething moved that the reading of the amendments to Senate Bills Nos. 2009, 2147, 2154, 2246, 2253, 2265, Senate Concurrent Resolution No. 4009 and House Bill No. 1162 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2009 as recommended by the Committee on Appropriations as printed on pages 287 and 288 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2147 as recommended by the Committee on Agriculture as printed on pages 288 and 289 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2154 as recommended by the Committee on Natural Resources as printed on page 289 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2246 as recommended by the Committee on Transportation as printed on pages 289 and 290 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2253 as recommended by the Committee on Appropriations as printed on page 290 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2265 as recommended by the Committee on Natural Resources as printed on page 290 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Concurrent Resolution No. 4009 as recommended by the Committee on Natural Resources as printed on page 291 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1162 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 292 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Sands moved that the Committee Report on Senate Bill No. 2051, as printed on page 288 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2051, the roll was called and there were 33, ayes; 16, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	BARTH		•	ISZLER		•	NAADEN		•	SHABLOW	
•	BERUBE		•	JACOBSON			NASSET	•		•	SMYKOWSKI

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
CHRISTENSEN, L. #3	● KALTZMANN	● PYLE	● STRAND
CONLIN	● LARSON	● RAIT	● STRINDEN
ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
FREED	● LEE	● REITEN	● THANE
FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLANBY	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2051 was indefinitely postponed.

Senator Sands moved that the Committee Report on Senate Bill No. 2052, as printed on page 288 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2052, the roll was called and there were 30, ayes; 19, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON	●		● NASSET			● SANYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
CHRISTENSEN, L. #3			● KALTZMANN			● PYLE			● STRAND		
CONLIN			● LARSON	●		● RAIT		●	● STRINDEN		
ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		●
FREED			● LEE			● REITEN			● THANE		
FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH		●
● HOFFNER			● MELLANBY			● SCHULTZ, C. #14			● WENSTROM		●
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER		●	MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2052 was indefinitely postponed.

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

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

LEO LEIDHOLM, Secretary

TWENTIETH DAY

Bismarck, February 3, 1975

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

Prayer by Rev. Carl Perry, Assembly of God Church, Bismarck.

"Almighty God, Creator of the Universe, Maker of men, and Giver of Eternal Life, we gratefully acknowledge our need of Your divine help this day. We thank You for sending Your Son, Christ Jesus, to die for our sins. Your promise is that 'if we confess our sins, you are faithful and just to forgive us our sins and to cleanse us from all unrighteousness.' For this we humbly pray today.

"Then we are reminded of the words of the Apostle James, that 'the effectual, fervent prayer of a righteous man availeth much.' Help us to see that PRAYER is not a meaningless function of duty to be crowded into a busy schedule, — but efficacious, and reaches a divine level far above the din of this world. In the study of principles, activities and enterprises, first and foremost should, of necessity, be the acknowledgement of Divine order. For we recall our Lord's words as recorded in St. Matthew 6:33, 'But seek ye first the kingdom of God, and His righteousness, and all these things shall be added unto you.' Therefore, in the ultimate issues of life, PRAYER is simply faith, claiming its natural yet marvelous prerogatives — faith taking possession of its illimitable inheritance.

"Knowing the great need that exists in these chambers these days, O Lord, we ask for specific help and guidance upon the Senate, as well as



The motion prevailed, and Senate Bill No. 2053 was indefinitely postponed.

Senator Sands moved that the Committee Report on Senate Bill No. 2054, as printed on page 288 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2054, the roll was called and there were 32, ayes; 17, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON	●		● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM	●	
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2054 was indefinitely postponed.

#### MOTIONS

Senator Sands moved that Senate Bill No. 2117 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

Senator Barth moved that Senate Concurrent Resolution No. 4010 be placed ahead of Senate Bill No. 2178 on the calendar, which motion prevailed.

Senator Morgan moved that the Committee report on Senate Concurrent Resolution No. 4010, as printed on page 291 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4010, the roll was called and there were 38, ayes; 8, nays; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS		●	● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGMIRE		●	● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND		●	● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4010 was indefinitely postponed.

Senator Morgan moved that the Committee Report on Senate Bill No. 2178, as printed on page 289 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2178, the roll was called and there were 42, ayes; 6, nays; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SHYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL	•		• LIPS	•		• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE	•		• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #32	•	• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2178 was indefinitely postponed.

Senator Mutch moved that the Committee Report on Senate Bill No. 2242, as printed on page 289 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2242, the roll was called and there were 45, ayes; 3, nays; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SHYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #32	•	• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2242 was indefinitely postponed.

Senator Sands moved that the Committee Report on Senate Bill No. 2295, as printed on page 290 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2295, the roll was called and there were 41, ayes; 7, nays; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SHYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ	•		• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK	•	• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #32		• WRIGHT
• HOMUTH	•		• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2295 was indefinitely postponed.

Senator Lips moved that the Committee Report on Senate Bill No. 2327, as printed on page 290 of the Senate Journal be adopted.

## ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2327, the roll was called and there were 43, ayes; 6, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L. #3	●	●	KAUTZMANN		●	PYLE		●	STRAND	
●	CONLIN		●	LARSON	●	●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ	●	●	REDLIN		●	STROUP	
●	FREED		●	LEE		●	REITEN		●	THANE	
●	FRITZELL		●	LIPS		●	RINGSAK		●	TWETEN	
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAN	●	●	SCHULTZ, C. #14		●	WENSTROM	
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #32	●	●	WRIGHT	
●	HOMUTH		●	MUTCH		●	SCHUSTER	●	●	MR. PRESIDENT	

The motion prevailed, and Senate Bill No. 2327 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on House Bill No. 1175, as printed on page 292 of the Senate Journal be adopted.

## ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1175, the roll was called and there were 46, ayes; 2, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND	
●	CONLIN		●	LARSON	●	●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ	●	●	REDLIN		●	STROUP	
●	FREED		●	LEE		●	REITEN		●	THANE	
●	FRITZELL		●	LIPS	●	●	RINGSAK		●	TWETEN	
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAN	●	●	SCHULTZ, C. #14		●	WENSTROM	
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #32	●	●	WRIGHT	
●	HOMUTH		●	MUTCH		●	SCHUSTER	●	●	MR. PRESIDENT	

The motion prevailed, and House Bill No. 1175 was indefinitely postponed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2041. A Bill for an Act to create and enact a new subsection to section 11-15-03, a new subsection to section 39-06.1-01, a new subsection to section 39-06.1-05, section 39-08-03.1, and a new subsection to section 40-05-02, all of the North Dakota Century Code, and to amend and reenact section 39-06-01, subsection 9 of section 39-06-03, subdivision d of subsection 3 of section 39-06-17, sections 39-06-19.1, 39-06-27, 39-06.1-02, subsections 2, 3, and 4 of section 39-06.1-03, section 39-06.1-04, subsection 1, 2, 4, and 6 of section 39-06.1-05, section 39-06.1-07, subsections 2 and 3 of section 39-06.1-10, subsection 2 of section 39-06.1-13, sections 39-07-07, 39-07-08, 39-08-07, and subsection 15 of section 40-05-02 of the North Dakota Century Code, relating to sheriffs' powers and duties, to the powers of cities to pass certain ordinances, to administrative disposition of certain traffic offenses, to a system of demerits entered against traffic offenders' driving records, to the definition of certain traffic offenses, to traffic arrest procedures, to procedures relating to the issuance, suspension, and revocation of drivers' licenses, and to provide penalties.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ Page 276), the roll was called and there were ayes, 44; nays, 3; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON	●		● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN	●		● SCHULTZ, C. #14		●	● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2151. A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance.

Which has been read.

MOTION

Senator Jones moved that Senate Bill No. 2151 be amended as follows:

On page 3 of the engrossed bill, line 10, following the comma, insert the following: "ten dollars;"

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

Senator Jones moved that the rules be suspended, that Senate Bill No. 2151 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILL

Senate Bill No. 2151. A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance.

Which has been 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, 2; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON	●		● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN	●		● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

MOTION

Senator Nething moved that Senate Bill No. 2151 be re-printed, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2182. A Bill for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to the sheriff's mileage; and declaring an emergency.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 278), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SHYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAM			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

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

**Senate Bill No. 2184.** A Bill for an Act to create and enact section 39-06.1-14 of the North Dakota Century Code, relating to the failure to surrender licenses; to amend and reenact subsection 5 of section 39-06.1-10, sections 39-06-35, 39-06.1-11, and 39-06-37 of the North Dakota Century Code, relating to the suspension, revocation, and cancellation of driver's licenses and permits, temporary restricted licenses, the period of suspension, and the surrender and return of license or permit; and declaring an emergency.

Which has been read. **ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ Page 268), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SHYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAM			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

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

**Senate Bill No. 2201.** A Bill for an Act to amend and reenact subsection 4 of section 20.1-03-04 of the North Dakota Century Code, relating to exemptions from fishing license requirements.

Which has been read.

## MOTION

Senator Sands moved that Senate Bill No. 2201 be amended as follows:

On page 1, line 1 of the engrossed bill, delete the word "subsection" and insert in lieu thereof the words "subsections 2 and"

On page 1, line 8 of the engrossed bill, delete the word "Subsection" and insert in lieu thereof the words "Subsections 2 and"

On page 1, line 10 of the engrossed bill, delete the word "is" and insert in lieu thereof the word "are"

On page 1, line 11 of the engrossed bill, after the colon insert the following subsection:

"2. Residents under the age of sixteen years, or sixty-five years of age or older, may fish without a resident fishing license."

And renumber the lines accordingly.



**MOTIONS**

Senator Shablow moved that Senate Bill No. 2201 be re-referred to the Committee on Natural Resources, which motion failed.

Senator Sands moved that the amendments be adopted, which motion failed.

Senator Nething moved that Senate Bill No. 2201 be amended as follows:

On page 1, line 19, delete the word "Inmates" and insert in lieu thereof the word "Patients".

Senator Nething moved that the amendment be adopted, which motion prevailed.

Senator Nething moved that the rules be suspended, that Senate Bill No. 2201 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2201. A Bill for an Act to amend and reenact subsection 4 of section 20.1-03-04 of the North Dakota Century Code, relating to exemptions from fishing license requirements.

Which has been 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, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	YEAS	N-V	NAYS	YEAS
● BARTH			● ISZLER			● NAADEN		● SHABLOW			
● BERUBE			● JACOBSON			● NASSET		● SHYKOWSKI			
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG			
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND			
● CONLIN			● LARSON			● RAIT		● STRINDEN			
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP			
● FREED			● LEE			● REITEN		● THANE			
● FRITZELL			● LIPS			● RINGSAK		● TWETEN			
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER			
● GRONHOVD			● MAHER			● SANDNESS		● WALSH			
● HOFFNER			● MELLAN			● SCHULTZ, C. #14		● WENSTROM			
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT			
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT			

So the bill passed and the title was agreed to.

Senate Bill No. 2245. A Bill for an Act relating to the identification of parents and constituting the Uniform Parentage Act; to provide substantive legal equality for all children; and to repeal chapter 32-36 of the North Dakota Century Code.

Which has been read.

**MOTIONS**

Senator Freed moved that Senate Bill No. 2245 be amended as follows: On page 4 of the engrossed bill, delete lines 5 through 26.

And renumber the lines and sections accordingly.

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

Senator Freed moved that the rules be suspended, that Senate Bill No. 2245 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2245. A Bill for an Act relating to the identification of parents and constituting the Uniform Parentage Act; to provide substantive legal equality for all children; and to repeal chapter 32-36 of the North Dakota Century Code.

Which has been read the second time.



So the bill passed and the title was agreed to.

Senate Bill No. 2318. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 3.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	ISZLER			•	NAADEN	•		•	SHABLOW
•			•	JACOBSON			•	NASSET			•	SMYKOWSKI
•			•	JONES			•	NETHING			•	SOLBERG
•			•	KAUTZMANN			•	PYLE			•	STRAND
•			•	LARSON			•	RAIT			•	STRINDEN
•			•	LASHKOWITZ	•		•	REDLIN			•	STROUP
•			•	LEE			•	REITEN			•	THANE
•			•	LIPS			•	RINGSAK			•	TWETEN
•			•	LONGMIRE			•	SANDS	•		•	VOSPER
•			•	MAHER	•		•	SANDNESS			•	WALSH
•			•	MELLAN			•	SCHULTZ, C. #14	•		•	WENSTROM
•			•	MORGAN			•	SCHULTZ, J. #32			•	WRIGHT
•			•	MUTCH			•	SCHUSTER			•	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2320. A Bill for an Act to amend and reenact section 54-17.1-12 of the North Dakota Century Code, relating to taxes, appropriations, and transfers for purposes of repaying the Vietnam veterans adjusted compensation bonds; to repeal section 57-38-30.2 of the North Dakota Century Code, relating to the Vietnam veteran surtax; to provide an appropriation; stating legislative intent concerning the authority of the industrial commission; 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, as amended, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
•			•	ISZLER			•	NAADEN	•		•	SHABLOW
•			•	JACOBSON			•	NASSET			•	SMYKOWSKI
•			•	JONES			•	NETHING			•	SOLBERG
•			•	KAUTZMANN			•	PYLE			•	STRAND
•			•	LARSON			•	RAIT			•	STRINDEN
•			•	LASHKOWITZ	•		•	REDLIN			•	STROUP
•			•	LEE			•	REITEN			•	THANE
•			•	LIPS			•	RINGSAK	•		•	TWETEN
•			•	LONGMIRE	•		•	SANDS			•	VOSPER
•			•	MAHER			•	SANDNESS			•	WALSH
•			•	MELLAN			•	SCHULTZ, C. #14	•		•	WENSTROM
•			•	MORGAN			•	SCHULTZ, J. #32			•	WRIGHT
•			•	MUTCH			•	SCHUSTER			•	MR. PRESIDENT

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

Senate Bill No. 2394. A Bill for an Act requiring the state tax commissioner to submit budget estimates on the 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, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Concurrent Resolution No. 4020.** A concurrent resolution urging AMTRAK to improve the service and facilities of the national rail passenger service.

Which has been read.

The question being on the final adoption of the resolution.

Senator Solberg moved that Senate Concurrent Resolution No. 4020 be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4020 was adopted.

**Senate Resolution No. 3.** A resolution creating a select Senate committee to study and review the administration, operation, and investment policies of the Bank of North Dakota, and to report its findings and recommendations to the Senate within thirty legislative days of the passage of this resolution.

Which has been read.

The question being on the final adoption of the resolution.

Senator Nething moved that Senate Resolution No. 3 be adopted, which motion prevailed, and Senate Resolution No. 3 was adopted.

#### PERSONAL PRIVILEGE

Senator Hoffner: Mr. President, I rise on a point of personal privilege. I support Senate Resolution No. 3 to study and review the operation and investment policies of the Bank of North Dakota.

I have named Sen. Christensen and Sen. Redlin to serve on this Committee.

Any time we have a committee direct **special attention** to important areas of State Government, I welcome that attention.

Historically, the Legislature has had conflicting attitudes toward the Bank of N.D. — to eliminate it, to cripple it, or to improve it. Toward this last end, I believe this committee will help the Legislature.

I was very pleased to read the comments by Chairman of the Committee that **this is not going to be a witch hunt.**

I could go into all the positive achievements and questionable procedures the Bank has experienced over the years of its existence, but I will not, because no matter how well an institution has performed, there is always the possibility for improvement. There are a number of Bills in this Session that are directed to the Bank and at least one has been killed. I hope the Committee will review even those that have been killed.

I realize how busy everyone is and I don't envy the members of this committee because it will mean many hours of extra work, and meeting at a time when it doesn't interfere with a very busy session.

Senator Barth moved that Senator Hoffner's remarks be printed in the Journal, which motion prevailed.

#### APPOINTMENT OF SELECT COMMITTEE

The President appointed a select committee to study the policies of the

Bank of North Dakota pursuant to Senate Resolution No. 3, Senators Strinden, Chairman, J. Schultz, Pyle, Kautzmann, Thane, L. Christensen, Redlin.

MESSAGES TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2148  
Senate Bill No. 2247  
Senate Bill No. 2248  
Senate Bill No. 2252  
Senate Bill No. 2264  
Senate Bill No. 2267  
Senate Bill No. 2312  
Senate Bill No. 2336

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

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1019  
House Bill No. 1051  
House Bill No. 1053  
House Bill No. 1054  
House Bill No. 1055  
House Bill No. 1123  
House Bill No. 1137  
House Bill No. 1174  
House Concurrent Resolution No. 3031  
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

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

House Bill No. 1063  
House Bill No. 1161  
House Bill No. 1201  
House Bill No. 1229  
House Bill No. 1234  
House Bill No. 1235  
House Bill No. 1290  
House Bill No. 1295  
House Bill No. 1299  
House Bill No. 1300  
House Bill No. 1306  
House Bill No. 1307  
House Bill No. 1313  
House Bill No. 1319  
House Bill No. 1339  
House Bill No. 1344  
House Concurrent Resolution No. 3018  
House Concurrent Resolution No. 3022  
House Concurrent Resolution No. 3037

ROY GILBREATH, Chief Clerk

House Chamber

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

the House has passed unchanged.  
Senate Bill No. 2021

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2009, 2058, 2113, 2129, 2147, 2154, 2160, 2197, 2240, 2246, 2253, 2260, 2265, 2273, 2287, 2290, SCR 4009 and House Bill No. 1162, that the Senate recess until 1:00 P.M., February 4, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTIETH DAY AFTER RECESS  
AND TWENTY-FIRST DAY

Bismarck, February 4, 1975

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. 2009

Senate Bill No. 2147

Senate Bill No. 2154

Senate Bill No. 2246

Senate Bill No. 2253

Senate Bill No. 2265

Senate Concurrent Resolution No. 4009

And find the same correctly engrossed.

SENATOR STRAND, Chairman

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

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4017

And find the same correctly enrolled.

SENATOR STRAND, Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

FIRST READING OF  
SENATE CONCURRENT RESOLUTIONS

Senators Rait, L. Christensen introduced:

**Senate Concurrent Resolution No. 4042.** A concurrent resolution directing a study by the Legislative Council of alternative energy sources.

Was read the first time and referred to the Committee on Natural Resources.

Senators Rait, L. Christensen introduced:

**Senate Concurrent Resolution No. 4043.** A concurrent resolution for the amendment of section 150 of the Constitution of the state of North Dakota, relating to the county superintendent of schools.

Was read the first time and referred to the Committee on Education.

Senators Thane, Strinden introduced:

**Senate Concurrent Resolution No. 4044.** A concurrent resolution directing the Legislative Council to conduct a study to determine the feasibility of developing a uniform classification system and pay plan for the faculty at the institutions under the control of the Board of Higher Education.

Was read the first time and referred to the Committee on Education.

## FIRST READING OF HOUSE BILLS

**House Bill No. 1063.** A Bill for an Act to provide for a municipal bond bank to be administered by the Bank of North Dakota.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1161.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide for the exemption of military retirement pay from the state income tax, and to provide limitations.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1201.** A Bill for an Act to amend and reenact sections 15-39.1-09, 15-39.1-10, 15-39.1-15, 15-39.1-17, 15-39.1-19, 15-39.1-20, and subsections 1 and 3 of section 15-39.1-24, and to repeal subdivision c of subsection 1 of section 15-39.1-04 of the North Dakota Century Code, relating to the teachers' fund for retirement.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1229.** A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the 1973 Supplement to the North Dakota Century Code, relating to the definition of "purchase price".

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1234.** A Bill for an Act to amend and reenact section 57-15-16 of the North Dakota Century Code relating to tax levies for building funds in school districts.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1235.** A Bill for an Act to amend and reenact section 15-39.1-28 of the North Dakota Century Code, relating to a mill levy for teachers' retirement.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1290.** A Bill for an Act to amend and reenact subsection 1 of section 57-02-08 of the North Dakota Century Code, relating to exemption from taxation of property of the United States.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1295.** A Bill for an Act to create and enact chapter 14-02.1 of the North Dakota Century Code, relating to the control of abortions and related matters, and providing penalties; and to repeal chapter 12.1-19 of the North Dakota Century Code, as contained in section 19 of chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to the control of abortions and related matters and providing penalties; and declaring an emergency.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1299.** A Bill for an Act to amend and reenact sections 11-11-35, 11-25-01, 21-05-07, 40-01-13, 40-09-13, subsection 15 of section 40-16-03, section 40-49-14, subsection 3 of section 40-58-16, and sections 40-61-07, 58-08-02, and 58-11-06 of the North Dakota Century Code, relating to the method of approval of vouchers for claims and accounts submitted to the governing bodies of cities, counties, and townships, city park districts, urban renewal agencies, and municipal parking authorities.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1300.** A Bill for an Act to amend and reenact section 15-



40.1-05 of the North Dakota Century Code, relating to the distribution of payments to county equalization funds.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1306.** A Bill for an Act to amend and reenact section 40-19-03 of the North Dakota Century Code, relating to return of the assessment roll by the city assessor.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1307.** A Bill for an Act to amend and reenact subsection 10 of section 37-01-40 and section 37-14-03.3 of the North Dakota Century Code, relating to the Vietnam era service dates for veterans.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1313.** A Bill for an Act to amend and reenact section 4-28.1-01 of the North Dakota Century Code, relating to a tax levy on flax.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1319.** A Bill for an Act to provide for a permanent Bird Day in North Dakota on April 26 of each year.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1339.** A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school age.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1344.** A Bill for an Act to amend and reenact section 57-55-04 of the North Dakota Century Code, relating to the distribution of mobile home tax revenues.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution No. 3018.** A concurrent resolution for the amendment of section 155 of the Constitution of the State of North Dakota, relating to the sale of school lands and reservation of minerals to the State.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution No. 3022.** A concurrent resolution urging the Congress not to pass legislation which would regulate abandoned unclaimed lands nor to pass legislation which would put a per-ton charge on surface mined coal.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution No. 3037.** A concurrent resolution authorizing payment of members of the employment committees of the House and Senate for services rendered after the Legislative Organizational Session, and prior to the convening of the Regular Session on January 7, 1975.

Which was read the first time.

#### MOTION

Senator Nething moved that the rules be suspended, that House Concurrent Resolution No. 3037 as printed on page 379 of the House Journal not be referred to a committee, but placed on the calendar for second reading and final passage, which motion prevailed.

**House Concurrent Resolution No. 3037.** A concurrent resolution authorizing payment of members of the employment committees of the

House and Senate for services rendered after the Legislative Organizational Session, and prior to the convening of the Regular Session on January 7, 1975.

**SECOND READING OF  
A HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3037.** A concurrent resolution authorizing payment of members of the employment committees of the House and Senate for services rendered after the Legislative Organizational Session, and prior to the convening of the Regular Session on January 7, 1975.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

<b>NORTH DAKOTA SENATE</b>											
<b>REGULAR SESSION</b>			<b>ROLL CALL</b>						<b>1975 LEGISLATURE</b>		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED	●		● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So House Concurrent Resolution No. 3037 was declared adopted.

**REPORTS OF STANDING COMMITTEES**

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 do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2022 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2046 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, after the semicolon, delete the rest of the line

On page 1, line 12, delete the words "Act on a date certain;"

On page 2, line 13, after the word "person", insert the following language: " , other than an official or employee of the state industrial school,"

On page 2, line 15, insert the following new language after the period: "Any official or employee of the state industrial school who violates subsection 1 of this section by delivering or administering a controlled substance is guilty of a class A felony."

On page 2, line 22, after the word "court" delete the word "shall" and insert in lieu thereof the word "may"

On page 2, line 23, after the word "above" delete the word "fifteen" and insert in lieu thereof the word "sixteen"

On page 2, line 24, after the word "section" insert a "period" and delete the rest of the line

On page 2, line 25, delete the following: "controlled substance."

On page 3, line 11, after the word "person", insert the following language: " , other than an official or employee of the penitentiary, whether or not he is employed at the state farm,"

On page 3, line 13, insert the following new language after the period: "Any official or employee of the penitentiary who violates subsection 1 of this section by delivering or administering a controlled substance is guilty of a class A felony."

On page 4, line 2, after the word "person", insert the following language: ", other than a sheriff, his deputies, or jailers."

On page 4, line 4, insert the following new language after the period: "Any sheriff, deputy, or jailer who violates subsection 1 by selling or delivering a controlled substance shall be guilty of a class A felony."

On page 5, line 19, after the word "person", insert the following language: ", other than an official or employee of the penitentiary or state hospital."

On page 5, line 21, insert the following new language after the period: "Any official or employee of the penitentiary or state hospital who violates subsection 1 by bringing in or delivering a controlled substance is guilty of a class A felony."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2046 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2176 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2176 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2179 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2179 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2259 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4 delete the first "1" and insert in lieu thereof "10"

On page 1, line 10 after the word "officers" delete the words "and to"

On page 1, line 11 delete the words "permit officers to guarantee loans"

On page 2, line 22 after the word "exceed" delete the word "ten" and insert in lieu thereof the word "five"

On page 3, line 16 after the word "deposits" delete the word "therein" and after the word "balance" delete the word "upon"

On page 3, line 17 delete the words "which said officer has guaranteed or endorsed"

On page 3, line 19 delete beginning parentheses before the word "not" and delete the ending triple parentheses after the word "not"

On page 3, line 20 after the word "borrowers" delete the following " , but if the"

On page 3, delete all of lines 21, 22, 23 and 24

On page 3, line 25 delete the words "members of the board of directors"

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2259 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2306 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 after the word "city" insert the following language:  
 "with a population in excess of two thousand"

On page 1, line 23, after the word "city" insert the following language:  
 "with a population in excess of two thousand"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2306 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2338 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12, delete the word "shall" and insert in lieu thereof the word "may"

And be re-referred to the Committee on Appropriations.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2338 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2354 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR JONES, Chairman

Senate Bill No. 2354 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2362 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Bill No. 2362 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2381 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR JONES, Chairman

Senate Bill No. 2381 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1033 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1033 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1034 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1034 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1035 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1035 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to

whom was referred House Bill No. 1036 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1036 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1037 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1037 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1038 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1038 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### MOTION

Senator Morgan moved that Senate Bill No. 2398 be returned to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Morgan moved that Senate Bill No. 2398 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Nething moved that the reading of the amendments to Senate Bills Nos. 2011, 2193, 2213, 2303, Senate Concurrent Resolution No. 4019 and Senate Concurrent Resolution No. 4027 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2011 as recommended by the Committee on Appropriations as printed on pages 309 and 310 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2193 as recommended by the Committee on Judiciary as printed on pages 310 and 311 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2213 as recommended by the Committee on Agriculture as printed on page 311 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2303 as recommended by the Committee on Political Subdivisions as printed on page 312 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Concurrent Resolution No. 4019 as recommended by the Committee on Natural Resources as printed on page 312 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to Senate Concurrent Resolution No. 4027 as recommended by the Committee on Education as printed on page 313 of the Senate Journal be adopted, and Senate Concurrent Resolution No. 4027 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Sands moved that the Committee Report on Senate Bill No. 2055, as printed on page 310 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2055, the roll was called and there were 29, ayes; 19, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3	●		● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN		●	● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD		●	● MAHER		●	● SANDNESS			● WALSH		
● HOFFNER		●	● MELLAN		●	● SCHULTZ, C. #14			● WENSTROM		
● HOLAND		●	● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH		●	● MUTCH		●	● SCHUSTER		●	MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2055 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2221, as printed on page 311 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2221, the roll was called and there were 38, ayes; 4, nays; absent and not voting, 9.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON		●	● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN		●	● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2221 was indefinitely postponed.

Senator Nasset moved that the Committee Report on Senate Concurrent Resolution No. 4003, as printed on page 312 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4003, the roll was called and there were 44, ayes; 3, nays; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON		●	● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN		●	● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4003 was indefinitely postponed.

#### RECOGNITION

The President requested the Sergeant-at-Arms to escort to the rostrum, the representative scouts who were present today at the Capitol to

present their annual report to the Governor. He then introduced the following:

Cub Scout Mark Heisler, Pack 215, Fargo  
 Cub Scout Brandy Campbell, Minot.  
 Cub Scout Dennis Gillette, Pack 35, Dickinson.  
 Scout Gene Parisien, Troop 68, Dunseith.  
 Explorer Eleanor Kempel, Post 523, Lisbon.  
 Explorer Mark Ereth, Post 362, Williston.  
 Explorer Tom Tkach, Post 507, Bismarck.  
 Eagle Scout David McLaughlin, Troop 203, Fargo.  
 Eagle Scout Dan Jordan, Troop 123, Bismarck.  
 Eagle Scout Brian Malard, Troop 100, Jamestown.

#### MOTIONS

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### TWENTY-FIRST DAY

Bismarck, February 4, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Ronald L. Norman, Bismarck Baptist Church, Bismarck.

"Shall we pray — Our heavenly Father, we thank You for even this kind of opportunity to pause and reflect not only upon our own past and the decisions and the ventures that You have permitted us to participate in, but we also take this moment to look into the future and to recommit ourselves even to the divine task of being faithful to You in all we do and say. We thank You even for the representation of young people who we have just witnessed and the kind of dedication that they have exemplified and we pray that truly you might help each one of us to permit Your Spirit to guide and direct us in such a way that we, too, may be found faithful and deserving of Your commendation throughout these days. We pray that You might especially bless the Senate as they go about their deliberations even in this hour, but we ask it in the name of Your son, Jesus Christ. Amen."

Roll Call: All Senators present except Berube, Larson, Melland, and Mutch.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the nineteenth day after recess and twentieth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2009. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 287, 288), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE.											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2058. A Bill for an Act to create and enact section 47-10-25 of the North Dakota Century Code, relating to the meaning of the terms "minerals" or "all other minerals" in a deed, grant, or conveyance of the title to real 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, 1; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

## MOTIONS

Senator Nasset moved that Senate Bills Nos. 2113, 2129 and 2197 be laid over one legislative day, which motion prevailed.

Senator Solberg moved that Senate Bill No. 2302 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Solberg requested the unanimous consent of the Senate to withdraw Senate Bill No. 2302, which request was granted.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2147. A Bill for an Act to create and enact chapter 38-12.1 of the North Dakota Century Code, relating to filing basic exploration data with the state geologist; providing for injunctive relief; and providing a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 288, 289), the roll was called and there were ayes, 38; nays, 8; absent and not voting, 5.



NORTH DAKOTA SENATE														
REGULAR SESSION					ROLL-CALL					1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW			●		
● BERUBE	●		● JACOBSON		●	● NASSET		●	● SHYKOWSKI		●	●		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●	●		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●	●		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●	●		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●	●		●
● FREED		●	● LEE		●	● REITEN		●	● THANE		●	●		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●	●		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●	●		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●	●		●
● HOFFNER			● MELLAN		●	● SCHULTZ, C. #14		●	● WENSTROM		●	●		●
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●	●		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		●	●		●

So the bill passed and the title was agreed to.

Senate Bill No. 2154. A Bill for an Act to create and enact two new subsections to section 20.1-01-02 of the North Dakota Century Code, relating to definitions of agricultural operator and farmstead unit; and to amend and reenact section 20.1-03-11 and section 20.1-08-04 of the North Dakota Century Code, relating to issuance of special deer hunting permits and lottery issuance of big game licenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 289), the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

NORTH DAKOTA SENATE														
REGULAR SESSION					ROLL-CALL					1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW			●		
● BERUBE	●		● JACOBSON		●	● NASSET		●	● SHYKOWSKI		●	●		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●	●		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●	●		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●	●		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●	●		●
● FREED			● LEE		●	● REITEN		●	● THANE		●	●		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●	●		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●	●		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●	●		●
● HOFFNER			● MELLAN		●	● SCHULTZ, C. #14		●	● WENSTROM		●	●		●
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●	●		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		●	●		●

So the bill passed and the title was agreed to.

Senate Bill No. 2160. A Bill for an Act to amend and reenact section 15-10.1-04 of the North Dakota Century Code, relating to limitations on reciprocal agreements entered into 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, 41; nays, 6; absent and not voting, 4.

NORTH DAKOTA SENATE														
REGULAR SESSION					ROLL-CALL					1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW			●		
● BERUBE	●		● JACOBSON		●	● NASSET		●	● SHYKOWSKI		●	●		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●	●		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●	●		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●	●		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●	●		●
● FREED			● LEE		●	● REITEN		●	● THANE		●	●		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●	●		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●	●		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●	●		●
● HOFFNER			● MELLAN		●	● SCHULTZ, C. #14		●	● WENSTROM		●	●		●
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●	●		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		●	●		●

So the bill passed and the title was agreed to.

Senate Bill No. 2240. A Bill for an Act to amend and reenact sections 18-04-04 and 18-04-05 of the North Dakota Century Code, relating to reporting fire insurance policy premium collections and the allocation of payment to fire protection districts, fire departments, or rural fire departments or 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, 44; nays, 2; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAN			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2246. A Bill for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code, relating to the registration and titling of motor vehicles.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 289, 290), the roll was called and there were ayes, 44; nays, 1; absent and not voting, 6.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAN			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

#### MOTION

Senator Nething moved that Senate Bill No. 2253 be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2260. A Bill for an Act to amend and reenact section 6-06-18 of the North Dakota Century Code, relating to an increase in interest rates.

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, 11; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		●
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON	●		● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE		●	● REITEN			● THANE		
● FRITZELL	●		● LIPS			● RINGSAK		●	● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN	●		● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH	●		● MUTCH	●		● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following,  
House Concurrent Resolution No. 3013  
House Concurrent Resolution No. 3020

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit herewith the following,  
which the House has passed and your favorable consideration is requested on:

- House Bill No. 1190
- House Bill No. 1210
- House Bill No. 1253
- House Bill No. 1273
- House Bill No. 1320
- House Bill No. 1330
- House Bill No. 1332
- House Bill No. 1333
- House Bill No. 1334
- House Bill No. 1382

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

- Senate Bill No. 2023
- Senate Bill No. 2044
- Senate Bill No. 2048
- Senate Bill No. 2076
- Senate Bill No. 2082
- Senate Bill No. 2083
- Senate Bill No. 2105
- Senate Bill No. 2137
- Senate Bill No. 2169
- Senate Bill No. 2188
- Senate Bill No. 2191

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

- Senate Bill No. 2056

House amendments to Senate Bill No. 2056.

On page 1, line 1, delete the numerals "36-07-04,"

On page 1, line 8, delete the numerals "36-07-04,"  
And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2041  
Senate Bill No. 2151  
Senate Bill No. 2182  
Senate Bill No. 2184  
Senate Bill No. 2201  
Senate Bill No. 2245  
Senate Bill No. 2251  
Senate Bill No. 2311  
Senate Bill No. 2318  
Senate Bill No. 2320  
Senate Bill No. 2394

Senate Concurrent Resolution No. 4020

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1175

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 3013

House Concurrent Resolution No. 3020

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3013

House Concurrent Resolution No. 3020

Which the President has signed.

LEO LEIDHOLM, Secretary

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Concurrent Resolution No. 4017.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4017

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senator Nething moved that after the reading of Senate Bills Nos. 2011, 2022, 2176, 2179, 2193, 2213, 2303, Senate Concurrent Resolution No. 4019 and House Bills Nos. 1033, 1034, 1035, 1036, 1037 and 1038, that the Senate recess until 1:00 P.M., February 5, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIRST DAY AFTER RECESS  
AND TWENTY-SECOND DAY

Bismarck, February 5, 1975

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. 2011

Senate Bill No. 2213

Senate Bill No. 2303

Senate Concurrent Resolution No. 4019

Senate Concurrent Resolution No. 4027

And find the same correctly engrossed.

SENATOR STRAND, Chairman

Senator Walsh moved that the report be adopted, which motion prevailed, and the report was adopted.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Resolution No. 3

And find the same correctly enrolled.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2101 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2101 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2111 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10, delete the figure "17,920,000.00" and insert in lieu thereof the figure "21,900,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent is to comply with the state law of the seven to one pay-back formula for personal property tax.

SENATOR LIPS, Chairman

Senate Bill No. 2111 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2166 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2166 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2198 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

Senate Bill No. 2198 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2220 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2220 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR FREED, Chairman

Senate Bill No. 2274 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2296 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2296 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2297 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2297 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2323 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2323 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2329 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2329 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2337 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2337 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2346 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2346 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2357 has had the same under consideration and recom-

mends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2357 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2367 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2367 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred Senate Bill No. 2433 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2433 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2440 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2440 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State Federal Government to whom was referred Senate Bill No. 2472 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10, delete the word "section" and insert in lieu thereof the word "Act"

On page 1, line 12, after the period insert the following new sentence: "It is not the purpose of this Act to affect existing surveys, but this Act shall not preclude the use of the plane coordinate system in updating existing surveys."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2472 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2489 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR JONES, Chairman

Senate Bill No. 2489 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4015 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Concurrent Resolution No. 4015 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1027 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1027 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1160 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1160 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1190.** A Bill for an Act to provide for a real estate education, research, and recovery fund, and the administration thereof, for hearings, payments, and purposes; and to amend and reenact section 43-23-09 of the North Dakota Century Code, relating to license applications and bonds.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1210.** A Bill for an Act to amend and reenact subsection 2 of section 57-14-08 of the North Dakota Century Code, relating to appointment and compensation of special assessors.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1253.** A Bill for an Act to amend and reenact sections 39-04-09 and 39-04-12 of the North Dakota Century Code, relating to the registration plates of motor vehicles.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1273.** A Bill for an Act to create and enact a new subsection to section 4-22-06 and a new subsection to section 4-22-26 of the North Dakota Century Code, relating to the powers and duties of the state soil conservation committee and the powers and duties of soil conservation districts and supervisors, respectively.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1320.** A Bill for an Act to amend and reenact section 4-28-05 of the North Dakota Century Code, relating to meetings and expenses of the wheat commission.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1330.** A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of section 40-51.2-07, and section 40-51.2-16 of the North Dakota Century Code, relating to the annexation of land by a municipal corporation.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1332.** A Bill for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to notification of increase in assessed valuation.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1333.** A Bill for an Act to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation belonging to disabled veterans or their unremarried widows.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1334.** A Bill for an Act to amend and reenact section 40-45-08 and 40-45-09 of the North Dakota Century Code, relating to police pensions in cities, membership fees and assessments, and who may be retired on pension.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1382.** A Bill for an Act to amend and reenact section 57-



15-42 of the North Dakota Century Code, relating to city fire department reserve fund levy.

Which was read the first time and referred to the Committee on Political Subdivisions.

**CONSIDERATION OF AMENDMENTS**

Senator Nothing moved that the reading of the amendments to Senate Bills Nos. 2046, 2259, 2306 and 2338 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2046 as recommended by the Committee on Judiciary as printed on pages 332 and 333 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2259 as recommended by the Committee on Industry, Business and Labor as printed on page 333 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2306 as recommended by the Committee on Judiciary as printed on pages 333 and 334 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2338 as recommended by the Committee on State and Federal Government as printed on page 334 of the Senate Journal be adopted, and be re-referred to the Committee on Appropriations, which motion prevailed.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Jones moved that the Committee Report on Senate Bill No. 2362, as printed on page 334 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2362, the roll was called and there were 47, ayes; 2, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAOEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER		●	● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2362 was indefinitely postponed.

**MOTIONS**

Senator Jones moved that Senate Bill No. 2435 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Jones moved that Senate Bill No. 2435 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Schuster moved that Senate Bill No. 2265 be re-referred to the Committee on Natural Resources, which motion prevailed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jacobson moved that the Senate do not concur in the House

amendments to Senate Bill No. 2056 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. 2056, Senators Lee, Fritzell, L. Christensen.

**MOTIONS**

Senator Larson moved that the Senate reconsider the action by which Senate Bill No. 2260 was passed, which motion prevailed.

Senator Shablow moved that Senate Bill No. 2260 be laid over for one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 309 and 310), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2022. 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 and educational centers and to change the formula for computing such aid.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLANBY			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2193. A Bill for an Act to amend and reenact section 46-05-08 of the North Dakota Century Code, relating to property notices. Which has been read.

#### MOTION

Senator Freed moved that the Senate reconsider the action by which the amendments to Senate Bill No. 2193 were adopted, which motion prevailed.

Senator Freed moved that Senate Bill No. 2193 be amended as follows:

On page 1, line 16, delete the word "exits" and insert in lieu thereof the word "exists"

On page 1, line 17 after the first word "the" insert the word "street"

On page 1, line 18, before the word "address" insert the word "street"

On page 1, line 18, insert triple parentheses around the word "or"

On page 1, line 19, following the word "involved" insert the following:  
"; or

4. Location of rural real estate by miles and direction from nearest city"

On page 1, delete lines 20 and 21

And renumber the lines accordingly.

Senator Freed moved that the amendments be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2193 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2193. A Bill for an Act to amend and reenact section 46-05-08 of the North Dakota Century Code, relating to property notices.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLANBY			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2213. A Bill for an Act to amend and reenact sections 4-09-03, 4-09-05, and 4-09-07 of the North Dakota Century Code, relating to the state seed commission and the appointment of state seed commissioner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 311), the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KALTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

MOTION

Senator Lips moved that Senate Bill No. 2253 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2273. A Bill for an Act to amend and reenact sections 13-03-22 and 57-50-08 of the North Dakota Century Code, providing criminal penalties for violation of certain statutory provisions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KALTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2287. A Bill for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code relating to compensation of school board members.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		

● BERUBE	● JACOBSON	● NASSET	● SMYKOWSKI
● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAN	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2290. A Bill for an Act to amend and reenact subsection 1 of section 15-03-04 of the North Dakota Century Code, relating to the investment of permanent school lands 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, 36; nays, 13; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAAOEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAN			● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2303. A Bill for an Act to create and enact section 31-01-16.2 of the North Dakota Century Code, relating to compensation of municipal court witnesses; and to amend and reenact sections 31-01-16 and 31-01-16.1 of the North Dakota Century Code, relating to compensation and mileage of witnesses and witness fees and mileage of municipal police officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 312), the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAOEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAN			● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS

Senate Concurrent Resolution No. 4009. A concurrent resolution urging Congress to direct the United States Army Corps of Engineers to con-

struct and maintain at federal expense additional bank stabilization works on the Missouri River in North Dakota.

Which has been read.

The question being on the final adoption of the resolution as amended (SJ page 291).

Senator Lee moved that Senate Concurrent Resolution No. 4009 be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4009 was declared adopted.

**Senate Concurrent Resolution No. 4019.** A concurrent resolution opposing a Corps of Engineers land acquisition plan along the Missouri River for the stated purposes of flood control and state game propagation.

Which has been read.

The question being on the final adoption of the resolution as amended, (SJ page 312).

Senator Lee moved that Senate Concurrent Resolution No. 4019 be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4019 was declared adopted.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2278 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 21, following the word "FIRST" delete the numerals "25,000" and insert in lieu thereof the numerals "30,000"

On page 3, line 23, delete the numerals "25,000" at the beginning of the line and insert in lieu thereof the numerals "30,000", and on line 23 of the same page delete the numerals "50,000" and insert in lieu thereof the numerals "60,000", and on line 23 of the same page delete the numerals "500" and insert in lieu thereof the numerals "600", and on line 23 of the same page delete the numerals "25,000" at the end of the line and insert in lieu thereof the numerals "30,000"

On page 3, line 24, delete the numerals "50,000" at the beginning of the line and insert in lieu thereof the numerals "60,000", and on line 24 of the same page delete the numerals "1,500" and insert in lieu thereof the numerals "1,800", and on line 24 of the same page delete the numeral "6" and insert in lieu thereof the numeral "5", and on line 24 of the same page delete the numerals "50,000" at the end of the line and insert in lieu thereof the numerals "60,000"

On page 3, line 25, delete the numerals "4,500" and insert in lieu thereof the numerals "3,800", and on line 25 of the same page delete the numeral "8" and insert in lieu thereof the numeral "7"

On page 3, line 26, delete the numerals "12,500" and insert in lieu thereof the numerals "10,800", and on line 26 of the same page delete the numeral "10" and insert in lieu thereof the numeral "9"

On page 3, line 27, delete the numerals "32,500" and insert in lieu thereof the numerals "28,800", and on line 27 of the same page delete the numeral "12" and insert in lieu thereof the numeral "11"

On page 3, line 28, delete the numerals "56,500" and insert in lieu thereof the numerals "50,800", and on line 28 of the same page delete the numeral "14" and insert the numeral "13"

On page 3, line 29, delete the numerals "84,500" and insert in lieu thereof the numerals "76,800", and on line 29 of the same page delete the numeral "17" and insert in lieu thereof the numeral "15"

On page 3, line 30, delete the numerals "118,500" and insert in lieu thereof the numerals "106,800", and on line 30 of the same page delete the numeral "20" and insert in lieu thereof the numeral "17"

On page 3, line 31, delete the numerals "218,500" and insert in lieu

thereof the numerals "191,800", and on line 30 of the same page delete the numeral "23" and insert in lieu thereof the numeral "20"

On page 12, following line 30, insert the following new section:

"57-37.1-21. WHEN RETURN REQUIRED — TAX COMMISSIONER'S RELEASE.) 1. The personal representative shall file an estate tax return pursuant to this chapter for the estate of any decedent for which a federal estate tax return is required to be filed if the federal gross estate includes any property or interest in property that has a situs in North Dakota.

2. If it shall appear to the personal representative of an estate that no filing requirement for an estate tax return exists, he may file a verified petition, in duplicate, with the tax commissioner showing the value and form of ownership of all the real and personal property includable in the gross estate of the decedent. In addition to including said real and personal property in the petition, the petition shall also contain the name, the age at time of death, the date of death, and the residence of the decedent, and the name of the heirs and beneficiaries of the decedent.

If the tax commissioner finds that in no event could there be an estate tax filing requirement for the estate of the decedent, the tax commissioner shall issue to the personal representative a certificate of the tax commissioner that no estate tax return is required to be filed. Said certificate shall contain a list of the real property includable in the gross estate of the decedent. This certificate may be recorded in the office of the register of deeds of the county in which lands of the decedent are situated, and such record will release as against any property described within said certificate any estate tax lien upon the estate of the named decedent.

If the tax commissioner finds that an estate tax return is required to be filed, he shall so notify the personal representative of his finding and the fact determination upon which such finding is made."

And renumber the lines and pages and sections accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2278 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2361 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2361 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2351 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2351 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2374 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2374 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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:

On page 5, line 6 after the word "age" delete the "comma" and insert in lieu thereof a "period"

On page 5, delete all of line 7



And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2412 was placed on the 6th order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILLS

House Bill No. 1033. A Bill for an Act to repeal section 34-06-16 of the North Dakota Century Code, relating to a civil action by an employee to recover the difference between a minimum wage established by the commissioner of labor and the wage actually paid to the employee by the employer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH	●		● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1034. A Bill for an Act to amend and reenact section 34-07-19 of the North Dakota Century Code, relating to enforcement of child labor provisions by the commissioner of labor; and to repeal section 34-07-09 and subsection 11 of section 34-07-16 of the North Dakota Century Code, relating to the number of years of required school attendance by a minor for issuance of an employment certificate, and to the prohibition of the employment of a minor as a pin boy in a bowling alley.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1035. A Bill for an Act to repeal section 34-01-10 of the North Dakota Century Code, relating to an employee fraudulently securing transportation or benefits from an employer.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1036. A Bill for an Act to amend and reenact section 34-12-08 of the North Dakota Century Code, relating to the authority of the commissioner of labor to order any person to cease and desist from engaging in any unfair labor practice.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 7; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1037. A Bill for an Act to amend and reenact section 34-14-09.1 of the North Dakota Century Code, relating to amounts an employee may recover on unpaid wages.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 9; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1038.** A Bill for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code, relating to the workmen's compensation bureau's furnishing lists of employers' names and addresses to certain state agencies.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN ●		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAN			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH ●			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1092.** A Bill for an Act to amend and reenact section 39-06-05 of the North Dakota Century Code, relating to restricted instruction 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAN			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH ●			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1098.** A Bill for an Act to create and enact subsections 6, 7, 8, and 9 of section 4-10.1-03; to amend and reenact sections 4-10.1-09, 4-10.1-12, 4-10.1-14, and 4-10.1-16; and to repeal section 4-10.1-11, all of the North Dakota Century Code, relating to the Potato Industry Promotion Act.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1105.** A Bill for an Act to amend and reenact section 24-02-05 of the North Dakota Century Code, relating to the office hours, sessions and hearings of the commissioner.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1106.** A Bill for an Act to repeal section 39-06-51 of the North Dakota Century Code, relating to the carrying of warnings and convictions on 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1107.** A Bill for an Act to provide for the responsibilities of the state department of health relative to health statistics and the registration of vital events, and providing for a penalty; and to repeal Chapter 23-02 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		

● BERUBE	● JACOBSON	● NASSET	● SMYKOWSKI
● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1143.** A Bill for an Act to amend and reenact section 39-21-27.1 of the North Dakota Century Code, relating to the resale of a school bus.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1162.** A Bill for an Act to amend and reenact section 37-01-12 of the North Dakota Century Code, relating to the exemption of members of the national guard from civil or criminal personal liability and to provide for furnishing lawyers at state expense for guardsmen in tort actions arising from acts committed while on state active duty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 292), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Naaden moved that Senate Bill No. 2494 be returned to the Senate from the Committee on Agriculture, which motion prevailed.

Senator Naaden requested the unanimous consent of the Senate to withdraw Senate Bill No. 2494, which request was granted.

## MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2009

Senate Bill No. 2058

Senate Bill No. 2147

Senate Bill No. 2154

Senate Bill No. 2160

Senate Bill No. 2240

Senate Bill No. 2246

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3037

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House Amendment to Senate Bill No. 2056 and the President has appointed as a conference committee to act with a like committee from the House, Senators Lee, Fritzell, L. Christensen.

Very respectfully,

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Resolution No. 3

And the President signed the same in the presence of the Senate.

## REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Resolution No. 3

Was delivered to the Secretary of State Feb. 5, 1975.

SENATOR STRAND, Chairman

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following:

Senate Concurrent Resolution No. 4017

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Concurrent Resolution No. 3031

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1058

House Bill No. 1110

House Bill No. 1180

House Bill No. 1204

House Bill No. 1271

House Bill No. 1279  
House Bill No. 1359  
House Bill No. 1391

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2057  
Senate Bill No. 2067  
Senate Bill No. 2068  
Senate Concurrent Resolution No. 4007

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2046, 2101, 2166, 2220, 2259, 2274, 2296, 2297, 2306, 2329, 2337, 2346, 2351, 2367, 2374, 2433, 2440, and House Bills Nos. 1027 and 1160, that the Senate recess until 1:30 P.M., February 6, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





TWENTY-SECOND DAY AFTER RECESS  
AND TWENTY-THIRD DAY

Bismarck, February 6, 1975

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. 2046

Senate Bill No. 2259

Senate Bill No. 2306

Senate Bill No. 2338

And find the same correctly engrossed.

SENATOR STRAND, Chairman

Senator Vosper moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4017

Was delivered to the Secretary of State, Feb. 6, 1975.

SENATOR STRAND, Chairman

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3031

Which the President has signed.

LEO LEIDHOLM, Secretary

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 be amended as follows:

On page 1, line 20, delete the numerals "728,596" and insert in lieu thereof the numerals "722,431"

On page 2, line 4, delete the numerals "1,250,791" and insert in lieu thereof the numerals "1,244,626"

On page 2, line 5, delete the numerals "304,277" and insert in lieu thereof the numerals "269,244"

On page 2, line 6, delete the numerals "946,514" and insert in lieu thereof the numerals "975,382"

On page 2, line 13, delete the numerals "44,390" and insert in lieu thereof the numerals "47,201"

On page 2, line 17, delete the numerals "939,890" and insert in lieu thereof the numerals "942,701"

On page 2, line 19, delete the numerals "79,890" and insert in lieu thereof the numerals "82,701"

- On page 2, delete line 22
- On page 2, line 23, delete the numerals "58,500" and insert in lieu thereof the numerals "10,000"
- On page 2, delete line 24
- On page 2, line 25, delete the numerals "114,023" and insert in lieu thereof the numerals "10,000"
- On page 2, line 28, delete the numerals "129,354" and insert in lieu thereof the numerals "166,000"
- On page 2, line 29, delete the numerals "58,500" and insert in lieu thereof the numerals "100,000"
- On page 2, line 30, delete the numerals "16,000" and insert in lieu thereof the numerals "23,600"
- On page 2, line 33, delete the numerals "484,254" and insert in lieu thereof the numerals "570,000"
- On page 2, line 35, delete the numerals "154,254" and insert in lieu thereof the numerals "240,000"
- On page 2, after line 35, insert the phrase "(a portion of the general fund moneys appropriated to the bicentennial commission are for salaries and wages and other costs of raising funds for the construction of a heritage center. No disbursements for fund-raising purposes for construction of a heritage center shall be made after July 1, 1976.)"
- On page 3, line 1, delete the numerals "1,462,081" and insert in lieu thereof the numerals "1,475,483"
- On page 3, line 2, delete the numerals "1,494,277" and insert in lieu thereof the numerals "1,459,244"
- On page 3, line 3, delete the numerals "2,956,358" and insert in lieu thereof the numerals "2,934,727"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of the amendment is to adjust salaries and wages to reflect the salary levels provided in House Bill No. 1016 and five percent salary increases for each year of the biennium and to transfer the fund-raising function for a heritage center to the bicentennial commission with the provision that fund-raising efforts for a heritage center are to cease on July 1, 1976.

SENATOR LIPS, Chairman

Senate Bill No. 2010 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2064 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the first word "to" delete the rest of the line

On page 1, line 2, delete the following: "section 39-08-01 of the North Dakota Century Code, and to"

On page 1, line 15, after the word "vehicle" delete the beginning triple parentheses

On page 1, line 15, after the word "highway" delete the ending triple parentheses and insert the following new language: "or upon public or private areas to which the public has a right of access for vehicular use"

On page 1, line 16, after the letter "a." delete the beginning triple parentheses

On page 1, line 17, after the word "drug" insert beginning triple parentheses before the "comma"

On page 1, line 17, delete the word "There"

On page 1, delete all of line 18

On page 1, line 19, delete the words "of alcohol in his blood"

On page 1, line 20, after the "semicolon" insert the word "or"

On page 1, line 23, after the word "driving" delete the "semicolon" and the word "or" and insert in lieu thereof a "period"

On page 1, delete all of line 24

On page 2, delete all of lines 1 through 9

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2064 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2202 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

Senate Bill No. 2202 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2270 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2270 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

Senate Bill No. 2271 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

Senate Bill No. 2272 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2292 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2292 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2300 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, delete the words "program of a particular building" and insert in lieu thereof the words "programs of one or more buildings"

On page 1, line 17, delete the word "unit" and insert in lieu thereof the word "units"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2300 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2317 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

Senate Bill No. 2317 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2379 has had the same under consideration and

recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2379 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2436 has had the same under consideration and recommends that the same be amended as follows:

On page 1, delete lines 3 and 4 and insert in lieu thereof "maintenance building."

On page 1, line 12, delete the figure "200,000.00" and insert in lieu thereof the figure "250,000.00"

On page 1, line 15, after the word "a" insert the word "maintenance"

On page 1, line 15, after the word "building" add a period and delete the words "addition to the maintenance"

Delete all of lines 16, 17 and 18 and insert in lieu thereof the following: "SECTION 2. LEGISLATIVE INTENT.) It is the intent of Legislature that the appropriation herein be spent to construct a new maintenance building so as to provide space for microfilming and the storage of records to be used by the secretary of state, in the present maintenance building. Location to be decided by the capital grounds planning commission."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2436 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4018 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Concurrent Resolution No. 4018 was placed on the 11th order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF

#### A SENATE CONCURRENT RESOLUTION

Senator Nething introduced:

Senate Concurrent Resolution No. 4045. A concurrent resolution directing the Legislative Council to conduct a study to determine the need and the best method of financing additional college buildings and other capital improvements on a priority basis.

Was read the first time and referred to the committee on State and Federal Government.

#### FIRST READING OF HOUSE BILLS

House Bill No. 1058. A Bill for an Act to create an Environmental Policy Act for North Dakota setting forth citizens' rights and responsibilities, giving general directions to state agencies, providing for environmental impact statements and procedures for preparing and distributing these statements, and providing for citizen action to compel compliance with this Act.

Which was read the first time and referred to the Committee on Judiciary.

House Bill No. 1110. A Bill for an Act to amend and reenact sections 11-14-10, 11-14-16, and 40-40-13 of the North Dakota Century Code, relating to the collection and distribution of funds by the county treasurer.

Which was read the first time and referred to the Committee on Political Subdivisions.

House Bill No. 1180. A Bill for an Act to provide for the creation of a

commission on uniform state laws, the appointment of commissioners thereto, and prescribing the duties of commissioners.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1204.** A Bill for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of the county welfare boards.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1271.** A Bill for an Act to create and enact a new chapter to title 20.1 of the North Dakota Century Code, providing for the use of falcons in hunting, and providing a penalty.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1279.** A Bill for an Act to amend and reenact section 18-10-08 of the North Dakota Century Code, relating to indebtedness of rural fire protection districts.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1359.** A Bill for an Act to amend and reenact section 20.1-01-07 and subsection 11 of section 20.1-02-05 of the North Dakota Century Code, relating to the use of motor vehicles in hunting.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1391.** A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the organization of annual or special township meetings.

Which was read the first time and referred to the Committee on Political Subdivisions.

**CONSIDERATION OF AMENDMENTS**

Senator Nething moved that the reading of the amendments to Senate Bills Nos. 2111 and 2472 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2111 as recommended by the Committee on Appropriations as printed on page 343 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to Senate Bill No. 2472 as recommended by the Committee on State and Federal Government as printed on page 345 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Jacobson moved that the Committee Report on Senate Bill No. 2198, as printed on page 344 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2198, the roll was called and there were 46 ayes, 0 nays, absent and not voting 5.

NORTH DAKOTA SENATE											
ROLL-CALL											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FRED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		

● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLANB	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2198 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2323, as printed on page 344 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2323, the roll was called and there were 47 ayes, 0 nays, absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLANB			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2323 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2357, as printed on pages 344 & 345 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2357, the roll was called and there were 45 ayes, 0 nays, absent and not voting 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLANB			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2357 was indefinitely postponed.

**MOTION**

Senator Wenstrom moved that the Senate defer action on the Committee Report for Indefinite Postponement on Senate Concurrent Resolution No. 4015 until Senator Jones returns to the Senate floor, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2046. A Bill for an Act to create and enact sections 12-46-24 and 12-51-11 of the North Dakota Century Code, relating to the delivery to, or possession of, alcoholic beverages or controlled substances by

inmates of the state farm or the state industrial school; to amend and reenact sections 12-44-25, 12-44-27, 12-44-28, 12-47-21, 12-48-05, 12-48.1-04, the first paragraphs of subsections 1 and 2 of section 19-03.1-23, subsection 3 of section 19-03.1-23, and sections 19-03.1-29 and 48-05-06 of the North Dakota Century Code, relating to the delivery or possession of alcoholic beverages or controlled substances, and to the delivery or possession of such substances to, or by, inmates of the penitentiary or a county jail, or to certain state institutions; and providing penalties.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 332 and 333), the roll was called and there were ayes, 49; nays, 0; absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES	●	●	NETHING	●	●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT		●	STRINDEN	
●			●	LASKOWITZ		●	REDLIN		●	STROUP	
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSACK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Freed moved that the Committee Report on Senate Concurrent Resolution 4015, as printed on page 345 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on SCR No. 4015, the roll was called and there were 27 ayes, 22 nays, absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	●
●			●	JONES	●	●	NETHING	●	●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON	●	●	RAIT	●	●	STRINDEN	
●			●	LASKOWITZ		●	REDLIN		●	STROUP	
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS	●	●	RINGSACK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C. #14	●	●	WENSTROM	●
●			●	MORGAN	●	●	SCHULTZ, J. #32	●	●	WRIGHT	
●			●	MUTCH	●	●	SCHUSTER		●	MR. PRESIDENT	

The motion prevailed, and SCR No. 4015 was indefinitely postponed.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

**TWENTY-THIRD DAY**

Bismarck, February 6, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by David J. Nelson, Pastor, Lutheran Church of the Cross, Bismarck.

"Let us Pray:

Gracious God and Father of us all, we come before Thee with adoration and praise for Your creative nature. We thank You for the work of Your hands, this world in which we live, for the family of mankind with whom we live and work.

Forgive us when we foul things up with greedy or selfish ambitions. Enlighten us through Your word and experiences on how to PLEASE you and also on how to best serve our fellow men with all Your God given resources at our fingertips.

We ask for guidance on decisions made in these halls, that they will be beneficial to our citizens and not made for individual gain. Grant us all a sense of responsibility, so that our time, talent and treasure will reflect an honest accounting to You.

Bless our ears to hear what needs to be heard; our eyes to see what needs to be said; our heart to be compassionate so that when differences do arise they come from honest convictions. So again, we look to your guidance for this day, in Jesus name. Amen".

**ROLL CALL**

All Senators present except Melland and Mutch. A quorum was declared by the President.

**CORRECTION AND REVISION**

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-first day after recess and twenty-second day and recommends that the same be corrected as follows:

On page 347, line 23, insert ", which motion prevailed". after "Appropriations".

And when so corrected recommends that the same be approved.

**SENATOR SANDNESS, Chairman**

Senator Sandness moved that the report be adopted, which motion prevailed.

**MOTIONS**

Senator Nething moved that House Bill No. 1160 be placed at the head of the calendar, which motion prevailed.

Senator Nething moved that the Senate stand at ease for a few minutes and that the Senators move to the hallway for the purpose of hearing the Jamestown High School band present their rendition of the State March, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1160. A Bill for an Act to designate a march as the North Dakota state march which may be played at official state functions.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting 2.

NORTH DAKOTA SENATE									
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE	
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	YEAS	NAYS
●	BARTH		●	ISZLER		●	NAADEN	●	SHABLOW
●	BERUBE		●	JACOBSON		●	NASSET	●	SHAYKOWSKI
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING	●	SOLBERG
●	CHRISTENSEN, L. #3		●	KALITZMANN		●	PYLE	●	STRAND
●	CONLIN		●	LARSON		●	RAIT	●	STRINDEN



● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLANB	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.  
 Senator Nething moved that the vote by which House Bill No. 1160 was passed, be reconsidered and the motion to reconsider be laid on the table.  
 Which motion prevailed.

**MOTIONS**

Senator Stroup moved that Senate Bill No. 2340 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.  
 Senator Stroup moved that Senate Bill No. 2340 be re-referred to the Committee on Judiciary, which motion prevailed.

**CONSIDERATION OF AMENDMENTS**

Senator Nething moved that the reading of the amendments to Senate Bills Nos. 2278 and 2412 be dispensed with, which motion prevailed.  
 Senator Stroup moved that the amendments to Senate Bill No. 2278 as recommended by the Committee on Finance and Taxation as printed on pages 353 and 354 of the Senate Journal be adopted, which motion prevailed.  
 Senator Kautzmann moved that the amendments to Senate Bill No. 2412 as recommended by the Committee on Industry, Business and Labor as printed on pages 354 and 355 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2361, as printed on page 354 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2361, the roll was called and there were 40, ayes; 9, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS		●	● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLANB			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH		●	● MUTCH			● SCHUSTER		●	● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2361 was indefinitely postponed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2101. A Bill for an Act to amend and reenact section 27-05-03.2 of the North Dakota Century Code, relating to retirement pay for disabled 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2113. A Bill for an Act to create and enact section 15-39.2-04 of the North Dakota Century Code, to provide that beneficiaries of certain deceased teachers may elect certain retirement options.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2129. A Bill for an Act to amend and reenact section 15-39.2-01 of the North Dakota Century Code, relating to teacher retirement options, to require the adjustment of certain annuities calculated pursuant to chapter 15-39.2, and declaring an emergency.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

Senate Bill No. 2166. A Bill for an Act to create and enact six new subsections to section 20.1-01-02 of the North Dakota Century Code, relating to definitions; to amend and reenact subsection 9 of section 20.1-01-02 and subsection 16 of section 20.1-02-05 of the North Dakota Century Code, relating to a definition, the power of the state game and fish commissioner to protect endangered species, and the creation of a penalty; and to repeal subsection 29 of section 20.1-01-02 of the North Dakota Century Code, relating to a definition.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLANBY			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2197. A Bill for an Act to create and enact a new section to chapter 15-39.2, and to amend and reenact section 15-39.2-01 of the North Dakota Century Code, relating to the membership of college teachers in the teachers' fund for retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLANBY			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2220. A Bill for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota, requiring mandatory sentences for persons convicted of criminal mischief.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.



ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2260. A Bill for an Act to amend and reenact section 6-06-18 of the North Dakota Century Code, relating to an increase in interest rates.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 22; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2274. A Bill for an Act to create and enact a new subsection to section 14-08-07 of the 1973 Supplement to the North Dakota Century Code, relating to the custody and disbursement of non-support payments made to the clerk of district 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2296.** A Bill for an Act making an appropriation to the North Dakota state water commission for the purpose of conducting a study of the feasibility of providing supplementary water supplies to the Apple Creek unit of the Pick-Sloan Missouri River Basin plan and its tributaries in North Dakota.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SAYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAN			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

### MOTION

Senator Freed moved that Senate Bill No. 2297 be re-referred to the Committee on Judiciary, which motion prevailed.

### MESSAGES TO THE HOUSE

#### Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1033

House Bill No. 1034

House Bill No. 1035

House Bill No. 1036

House Bill No. 1037

House Bill No. 1038

House Bill No. 1092

House Bill No. 1098

House Bill No. 1105

House Bill No. 1106

House Bill No. 1143

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1162

Which the Senate has amended.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: The Senate requests the return of Senate Bill No. 2159:

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2011

Senate Bill No. 2022  
Senate Bill No. 2176  
Senate Bill No. 2179  
Senate Bill No. 2193  
Senate Bill No. 2213  
Senate Bill No. 2273  
Senate Bill No. 2287  
Senate Bill No. 2290  
Senate Bill No. 2303  
Senate Concurrent Resolution 4009  
Senate Concurrent Resolution 4019

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on.

House Bill No. 1014  
House Bill No. 1479  
House Concurrent Resolution No. 3016

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2114  
Senate Bill No. 2132  
House amendments to Senate Bill No. 2114:

On page 1, line 13, delete the word "of" and insert in lieu thereof the word "or"

House amendments to Senate Bill No. 2132:

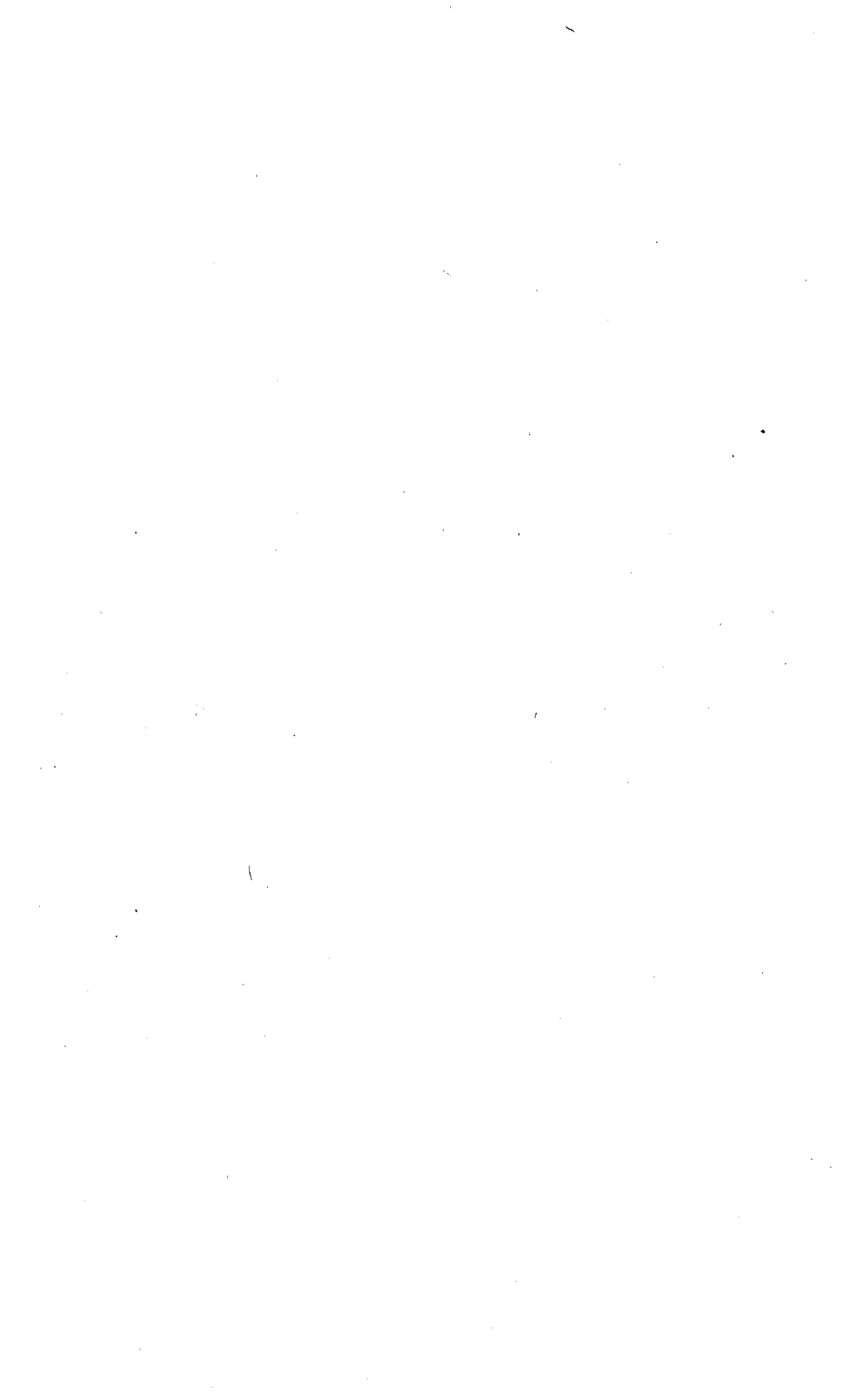
On page 2, line 2 of the engrossed bill after the comma insert the words and comma "the parents,"

And renumber the lines accordingly.

ROY GILBREATH, Chief Clerk

Senator Nothing moved that after the reading of Senate Bills Nos. 2111, 2270, 2271, 2272, 2278, 2379, 2412, 2472 and Senate Concurrent Resolution No. 4018, that the Senate recess until 1:30 p.m., February 7, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





TWENTY-THIRD DAY AFTER RECESS  
AND TWENTY-FOURTH DAY

Bismarck, February 7, 1975

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. 2111

Senate Bill No. 2278

Senate Bill No. 2412

Senate Bill No. 2472

And find the same correctly engrossed.

SENATOR STRAND, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Nething moved that the reading of the amendments on Senate Bills Nos. 2010, 2064, 2300 and 2436 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2010 as recommended by the Committee on Appropriations as printed on pages 363 and 364 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2064 as recommended by the Committee on Judiciary as printed on pages 364 and 365 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to Senate Bill No. 2300 as recommended by the Committee on Education as printed on page 365 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2436 as recommended by the Committee on Appropriations as printed on page 366 of the Senate Journal be adopted, which motion prevailed.

## MOTION

Senator Lashkowitz requested the unanimous consent of the Senate to withdraw Senate Bill No. 2202 from the 6th Order, which request was granted.

COMMITTEE REPORTS FOR  
INDEFINITE POSTPONEMENT

Senator Sands moved that the Committee Report on Senate Bill No. 2292, as printed on page 365 of the Senate Journal be adopted.

## ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2292, the roll was called and there were 41, ayes; 6, nays; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2292 was indefinitely postponed.

Senator Jacobson moved that the Committee Report on Senate Bill No. 2317, as printed on page 365 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2317, the roll was called and there were 46, ayes; 4, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2317 was indefinitely postponed.

#### REPORTS OF STANDING COMMITTEES

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 20, delete the numerals "405,942" and insert in lieu thereof the numerals "434,100"

On page 1, line 21, delete the numerals "506,510" and insert in lieu thereof the numerals "520,960"

On page 1, line 22, delete the numerals "93,700" and insert in lieu thereof the numerals "96,700"

On page 1, line 23, delete the numerals "20,600" and insert in lieu thereof the numerals "10,300"

On page 2, line 3, delete the numerals "1,077,752" and insert in lieu thereof the numerals "1,113,060"

On page 2, line 5, delete the numerals "902,352" and insert in lieu thereof the numerals "937,660"

On page 2, line 8, delete the numerals "465,809" and insert in lieu thereof the numerals "495,063"

On page 2, line 12, delete the numerals "614,124" and insert in lieu thereof the numerals "643,378"

On page 2, line 13, delete the numerals "444,290" and insert in lieu thereof the numerals "465,060"

On page 2, line 14, delete the numerals "169,834" and insert in lieu thereof the numerals "178,318"

On page 2, line 17, delete the numerals "41,593" and insert in lieu thereof the numerals "44,260"

On page 2, line 21, delete the numerals "47,418" and insert in lieu thereof the numerals "50,085"

On page 2, line 22, delete the numerals "1,072,186" and insert in lieu thereof the numerals "1,115,978"

On page 2, line 23, delete the numerals "721,123" and insert in lieu thereof the numerals "690,545"

On page 2, delete line 24, and insert in lieu thereof the following line:  
"Grand total ..... \$1,806,523"

On page 3, line 6, following the word "Dakota" insert the following words: ", except that the sum of \$34,015.00, or so much thereof as may be necessary, may be expended with that appropriation provided in chapter 40 of the 1973 Session Laws for constructing, furnishing, and equipping the North Dakota national guard air ambulance facilities at Bismarck"

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 adjust salaries and wages for the levels provided in House Bill No. 1016 and to allow salary increases of five percent for each year of the biennium. Fees and services and supplies and materials were increased in the adjutant general's appropriation to provide additional funds for additional security at the air national guard facilities at Fargo, North Dakota, and to take care of a reduction in federal maintenance allowances for buildings at camp grafton.

SENATOR LIPS, Chairman

Senate Bill No. 2013 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President, Your Committee on Appropriations to whom was referred Senate Bill No. 2015 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2015 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2066 has had the same under consideration and recommends that the same do pass.

SENATOR SOLBERG, Vice-Chairman

Senate Bill No. 2066 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2079 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 5, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 3, line 21, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 4, line 2, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 4, line 6, delete the word "fifteen" and insert in lieu thereof the word "twenty"

On page 4, line 20, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 5, line 8, delete the word "fifteen" and insert in lieu thereof the word "twenty"

On page 5, line 20, delete the word "fifteen" and insert in lieu thereof the word "twenty"

On page 6, line 12, delete the word "fifteen" and insert in lieu thereof the word "twenty"

On page 6, line 28, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 7, line 6, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 7, line 15, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 7, line 32, delete the word "two" and insert in lieu thereof the word "ten"

On page 8, line 2, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 8, line 27, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 8, line 33, delete the word "ten" and insert in lieu thereof the word "twenty"

On page 14, line 32 delete "general fund," and insert in lieu thereof "common schools trust fund."

On page 14, line 32 delete "except that the state treasurer"

On page 14, delete lines 33 and 34

On page 14, line 35, delete "the" and insert in lieu thereof "The"

On page 15, line 14, delete "general"

On page 15, line 15, delete the word "fund" and insert in lieu thereof "common schools trust fund"

On page 16, line 3, delete "state treasurer" and insert in lieu thereof "account of the common schools trust fund"

On page 17, line 1, delete "attorney general's" and insert in lieu thereof "state land commissioner's"

On page 17, line 3, delete "attorney"

On page 17, line 4, delete "general" and insert in lieu thereof "state land commissioner"

On page 17, line 10, delete "attorney general's" and insert in lieu thereof "state land commissioner's"

Renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2079 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2090 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, delete the numerals "1,082,888" and insert in lieu thereof the numerals "1,101,792"

On page 1, line 19, delete the numerals "265,550" and insert in lieu thereof the numerals "108,805"

On page 1, line 21, delete the numerals "2,189,215" and insert in lieu thereof the numerals "2,051,374"

On page 1, line 23, delete the numerals "1,961,715" and insert in lieu thereof the numerals "1,823,874"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of this amendment is to adjust salaries to reflect five percent salary increases for each year of the biennium, to delete new positions for a naturalist and assistant director for planning and research and to restore the requested funding for temporary employment. The appropriation for equipment was reduced by the amount of the emergency appropriation for the park service contained in Senate Bill No. 2110.

SENATOR LIPS, Chairman

Senate Bill No. 2090 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2157 has had the same under consideration and recommends that the same be amended as follows:

On page 2, following line 10, insert the following words: "Provided, however, an operator with a class 3 license may operate a farm tractor towing another vehicle having a gross weight in excess of six thousand pounds.

Class 4. Any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding tractors and vehicles on which the operator and/or passengers ride within an enclosed cab."

On page 2, line 20, following the words "An applicant" delete the numerals "16" and insert in lieu thereof the numerals "14"

And renumber the lines and pages accordingly.

SENATOR SOLBERG, Vice-Chairman

Senate Bill No. 2157 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2177 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 9, following the closing parentheses delete the rest of the line

On page 1, delete lines 10 through 20

Insert in lieu thereof the words "In addition to other powers set forth in this chapter, the court, upon finding of a moving motor vehicle violation which leads the court to believe the licensed operator is not qualified to be licensed, may direct the commissioner or his duly authorized agent to require the licensee to submit to re-examination pursuant to section 39-06-13. Written notice of at least five days shall be given to the licensee by the commissioner of such re-examination. Upon the conclusion of such examination the commissioner shall take action as may be appropriate and may suspend or revoke the license of such person or permit him to retain his license, or may issue a license subject to restrictions as permitted under section 39-06-17. Refusal or neglect of the licensee to submit to such examination shall be ground for suspension or revocation of his license."

And renumber lines accordingly.

SENATOR SOLBERG, Vice Chairman

Senate Bill No. 2177 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

Senate Bill No. 2288 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2366 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2366 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2372 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR RINGSACK, Chairman

Senate Bill No. 2372 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2383 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2383 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2384 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senate Bill No. 2384 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2397 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senate Bill No. 2397 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2399 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senate Bill No. 2399 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2405 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senate Bill No. 2405 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2420 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

Senate Bill No. 2420 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2431 has had the same under consideration and recommends that the same do pass.

SENATOR SOLBERG, Vice-Chairman

Senate Bill No. 2431 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1134 has had the same under consideration and recommends that the same do pass.

SENATOR SOLBERG, Vice-Chairman

House Bill No. 1134 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1259 has had the same under consideration and recommends that the same do pass.

SENATOR SOLBERG, Vice-Chairman

House Bill No. 1259 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Rait, Wright introduced:

Senate Concurrent Resolution No. 4046. A concurrent resolution for the amendment of sections 26, 29, 32, 35, 45, and 56 of the Constitution of the

State of North Dakota, relating to the composition of the legislative assembly, compensation of members of the legislative assembly, and length of sessions of the legislative assembly.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Nasset, Pyle, Sandness, Solberg introduced:

**Senate Concurrent Resolution No. 4047.** A concurrent resolution directing the Legislative Council to study the regulation of postsecondary degree-granting educational institutions to determine whether legislation is necessary to protect the citizens of this State.

Was read the first time and referred to the Committee on Education.

Senator Jones introduced:

**Senate Concurrent Resolution No. 4048.** A concurrent resolution directing the Legislative Council to study the impact of the management of wildlife refuges and waterfowl production areas by the fish and wildlife service of the Department of the Interior on the agriculture of North Dakota.

Was read the first time and referred to the Committee on Natural Resources.

Senators Melland, L. Christensen introduced:

**Senate Concurrent Resolution No. 4049.** A concurrent resolution directing the Legislative Council to conduct a comprehensive study of higher education in North Dakota, including consideration of the desirability and feasibility of merging the junior colleges into the state system and the consolidation of all institutions of higher education into the university system.

Was read the first time and referred to the Committee on Education.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1014.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the attorney general's office.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1479.** A Bill for an Act to amend and reenact section 37-25-10 of the North Dakota Century Code, relating to the time limit for filing or receiving applications for the Vietnam bonus.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Concurrent Resolution No. 3016.** A concurrent resolution for the amendment of sections 28 and 34 of the Constitution of the State of North Dakota, relating to qualifications of legislators.

Which was read the first time and referred to the Committee on Judiciary.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### TWENTY-FOURTH DAY

Bismarck, February 7, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Reverend Arnold LaRue, Wesleyan Church, Bismarck.

"Our Heavenly Father, we come to you in behalf of these people who make up the Senate. They have work before them and decisions to make which will influence the future of our State. We the people of the State of North Dakota have placed a lot of responsibility upon their shoulders. But

as this responsibility has been accepted they are standing before you just now with bowed heads and have asked for prayer that they might know and understand the proper decisions to make.

Our Heavenly Father, it is wonderful to know that while we as physical beings can see such a short way into the future, that You know what the future holds and You can help and direct in making decisions that will be best for our State and Nation. This was demonstrated years back when the founders of our Nation sought your direction in making decisions. You answered their prayers and gave them direction and leadership that has caused this nation to be the greatest in the world. Today, we again join together to pray, God lead us on in this day of world-wide turmoil that we might know what are the best decisions to make both for today and tomorrow.

This we ask in the name of our living Lord. Amen.”

Roll Call: All Senators present except Mutch.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-second day after recess and twenty-third day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return:

S.B.No. 2159

Which the Senate has requested.

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Lips moved that the Senate reconsider the action by which Senate Bill No. 2159 was passed, which motion prevailed.

Senator Lips moved that Senate Bill No. 2159 be re-referred to the Committee on Appropriations, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 1257.

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Ringsak moved that the Senate accede to the request of the House, and that we return House Bill No. 1257, which motion prevailed.

#### MESSAGE FROM THE HOUSE

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. 2056

Reps. Scofield, Martinson, Schuett

Very Respectfully,

ROY GILBREATH, Chief Clerk

#### MOTIONS

Senator Gronhovd moved that Senate Bills Nos. 2062 and 2063 be returned to the Senate from the Committee on Transportation, which motion prevailed.





● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

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. 2056 has had the same under consideration and recommends:

That the House recede from its amendments.

For the Senate:

Senator Lee

Senator Fritzell

Senator L. Christensen

For the House:

Representative Scofield

Representative Martinson

Representative Schuett

Senator Lee moved that the report be adopted, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2111. A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such moneys.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 343), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2270. A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to bond issues by 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, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		

● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2271. A Bill for an Act to amend and reenact subsection 5 of section 11-10-10 of the North Dakota Century Code, relating to the expenses 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, 50; nays, 0; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2272. A Bill for an Act to amend and reenact section 57-15-20 of the North Dakota Century Code, relating to the maximum mill levy 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, 48; nays, 1; absent and not voting, 2.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2306. A Bill for an Act to amend and reenact sections 47-10-07 and 47-19-05 of the North Dakota Century Code, relating to the content of deeds granting interests in real property.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 333 and 334), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2329. A Bill for an Act to amend and reenact section 53-01-18 of the North Dakota Century Code, relating to exemptions granted boxing, sparring, and wrestling exhibitions in educational 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2337. A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to commitment and discharge of a prisoner when there is no jail in a county.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2346. A Bill for an Act relating to the use of rental-purchase-type agreements in the acquisition of certain office 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDJIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2367.** A Bill for an Act to create and enact subsection 4 of section 55-10-02 and section 55-10-12 of the North Dakota Century Code, relating to the definition of a state historic sites registry and to the authority of the state historical society superintendent to mark state historic sites; and to amend and reenact sections 55-10-07 and 55-10-08 of the North Dakota Century Code, relating to notice to the state historical society of land acquisition and to duties of governmental subdivisions in regard to state historic sites.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDJIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2379.** A Bill for an Act to provide for nonresident waterfowl hunting licenses; to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code, relating to definition of waterfowl; and to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a fee for a nonresident waterfowl 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, 37; nays, 13; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		

• BERUBE	• JACOBSON	• NASSET	• SMYKOWSKI
• CHRISTENSEN, H. #5	• JONES	• NETHING	• SOLBERG
• CHRISTENSEN, L. #3	• KAUTZMANN	• PYLE	• STRAND
• CONLIN	• LARSON	• RAIT	• STRINDEN
• ERDMAN	• LASKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2433. A Bill for an Act to amend and reenact section 57-02-41 of the North Dakota Century Code, relating to attachment of tax lien and prorating taxes as between vendor and purchaser.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2440. A Bill for an Act to authorize the director of state parks of the North Dakota park service to sell and convey certain land owned by the state of North Dakota.

Which has been read.

**MOTION**

Senator Kautzmann moved that Senate Bill No. 2440 be amended as follows:

On page 1, line 23 delete the word "northwest" and insert in lieu thereof the word "northeast"

On page 2, line 5, delete the word "southeasterly" and insert in lieu thereof the word "southwesterly"

Senator Kautzmann moved that the amendments be adopted, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2440 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2440. A Bill for an Act to authorize the director of state parks of the North Dakota park service to sell and convey certain land owned by the state of North Dakota.

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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2472. A Bill for an Act to provide for the adoption by the state of North Dakota of the system of plane coordinates established by the United States coast and geodetic survey, and providing an effective date.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 345), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**SECOND READING OF A CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4018. A concurrent resolution of the North Dakota Legislature calling for an amendment to the U.S. Constitution proposing to the several states the requirement of a balanced U.S. cash budget for each session of Congress except in time of war or national emergency.

Which has been read.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT





NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON	●		● NASSET		● SAYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED	●		● LEE	●		● REITEN		● THANE
● FRITZELL	●		● LIPS			● RINGSAK	●	● TWETEN
● GOODMAN			● LONGMIRE	●		● SANDS	●	● VOSPER
● GRONHOVD			● MAHER	●		● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH	●		● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2374. A Bill for an Act to amend and reenact section 6-07-20 of the North Dakota Century Code, relating to compensation of a bank receiver; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SAYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS	●	● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause so carried.

Senate Bill No. 2412. A Bill for an Act to provide for standards for the regulation of model rockets and model rocket launch sites, and to provide for the reporting of model rocket accidents to the fire marshal.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 354 and 355), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SAYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS	●	● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

## MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2046  
 Senate Bill No. 2101  
 Senate Bill No. 2113  
 Senate Bill No. 2129  
 Senate Bill No. 2166  
 Senate Bill No. 2197  
 Senate Bill No. 2220  
 Senate Bill No. 2259  
 Senate Bill No. 2260  
 Senate Bill No. 2274  
 Senate Bill No. 2296

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1160

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2114 - 2132.

Very respectfully,

LEO LEIDHOLM, Secretary of Senate

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2056

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1257

Which the House requested.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1017  
 House Bill No. 1094  
 House Bill No. 1121  
 House Bill No. 1145  
 House Bill No. 1224  
 House Bill No. 1361  
 House Bill No. 1398  
 House Bill No. 1415  
 House Bill No. 1438  
 House Bill No. 1452  
 House Bill No. 1454  
 House Bill No. 1508  
 House Bill No. 1596  
 House Bill No. 1599

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Bill No. 2110

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1162

Very Respectfully,

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2010, 2015, 2064, 2066, 2288, 2300, 2366, 2372, 2397, 2431, 2436, and House Bills Nos. 1134 and 1259, that the Senate recess until 1:00 P.M., Monday, February 10, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



TWENTY-FOURTH DAY AFTER RECESS  
AND TWENTY-FIFTH DAY

Bismarck, February 10, 1975

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. 2010

Senate Bill No. 2064

Senate Bill No. 2300

Senate Bill No. 2436

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Walsh 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. 2186 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

Senate Bill No. 2186 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2224 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senate Bill No. 2224 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2283 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Bill No. 2283 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2316 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2316 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2348 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2348 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2378 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Bill No. 2378 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2388 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2388 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2416 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2416 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2423 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2423 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2424 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 2, line 22, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 2, line 29, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 3, line 2, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 3, line 2, delete the word "society" and insert in lieu thereof the words "park service"

On page 3, line 3, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 3, line 8, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 3, line 35, delete the words "HISTORICAL SOCIETY" and insert in lieu thereof the words "PARK SERVICE"

On page 4, line 1, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 4, line 4, delete the words "park service" and insert in lieu thereof the words "historical board, the state highway department"

On page 4, line 7, delete the word "society" and insert in lieu thereof the words "park service"

On page 4, line 10, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 4, line 13, delete the word "society" and insert in lieu thereof the words "park service"

On page 4, line 29, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 5, line 5, delete the word "society" and insert in lieu thereof the words "park service"

On page 5, line 16, delete the word "society" and insert in lieu thereof the words "park service"

On page 5, line 19, delete the word "society" and insert in lieu thereof the words "park service"

On page 5, line 27, delete the words "HISTORICAL SOCIETY" and insert in lieu thereof the words "STATE PARK SERVICE"

On page 5, line 30, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 6, line 4, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 6, line 19, delete the word "society" and insert in lieu thereof the words "park service"

On page 7, line 5, delete the word "four" and insert in lieu thereof the word "five"

On page 7, line 14, delete the word "society" and insert in lieu thereof the words "park service"

On page 7, line 15, delete the words "HISTORICAL SOCIETY" and insert in lieu thereof the words "PARK SERVICE"

On page 7, line 16, delete the words "park service" and insert in lieu thereof the words "historical board, the state highway department"

On page 7, line 18, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 7, line 19, delete the word "society" and insert in lieu thereof the words "park service"

On page 7, line 22, delete the word "society" and insert in lieu thereof the words "park service"

On page 7, line 34, delete the word "society" and insert in lieu thereof the words "park service"

On page 7, line 35, delete the word "society" and insert in lieu thereof the words "park service"

On page 8, line 4, delete the word "society" and insert in lieu thereof the words "park service"

On page 8, line 7, delete the word "society" and insert in lieu thereof the words "park service"

On page 8, line 8, delete the word "society" and insert in lieu thereof the words "park service"

On page 8, line 13, delete the words "historical society" and insert in lieu thereof the words "park service"

On page 8, line 32, delete the word "society" and insert in lieu thereof the words "park service"

On page 8, line 34, delete the word "society" and insert in lieu thereof the words "park service"

On page 9, line 12, delete the word "society" and insert in lieu thereof the words "park service"

And renumber lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2424 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2432 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2432 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was

referred Senate Bill No. 2439 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2439 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2463 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2463 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2468 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2468 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2471 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR FREED, Chairman

Senate Bill No. 2471 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2478 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2478 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4030 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4030 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Redlin introduced:

Senate Concurrent Resolution No. 4050. A concurrent resolution directing a study by the Legislative Council in regard to certain state-owned lands that may have high value for present or future public uses.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Nething, Freed, Longmire, Ringsak, Schuster, Lashkowitz introduced:

Senate Concurrent Resolution No. 4051. A concurrent resolution directing the Legislative Council to conduct a study of the need for additional space for the State Supreme Court.

Was read the first time and referred to the Committee on Judiciary.

#### FIRST READING OF HOUSE BILLS

House Bill No. 1017. A Bill for an Act relating to the interest earned on special funds.

Which was read the first time and referred to the Committee on Appropriations.



**House Bill No. 1094.** A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage expense of state officers and employees; and declaring an emergency.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1121.** A Bill for an Act to amend and reenact section 51-15-06.3 of the North Dakota Century Code, relating to the authority of county commissioners to amend the official county road program without an election; and declaring an emergency.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1145.** A Bill for an Act to amend and reenact section 20.1-01-11 and subsection 15 of section 20.1-02-05 of the North Dakota Century Code, relating to the prohibition of aerial hunting and the power of the commissioner to permit such under certain circumstances.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1224.** A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code, relating to the limitations on county tax levies.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1361.** A Bill for an Act to amend and reenact subsection 5 of section 28-26-06 of the North Dakota Century Code, relating to expert witness court fees.

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 section 54-02-01 of the North Dakota Century Code, relating to the great seal of the state and providing a penalty for its commercial use.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1415.** A Bill for an Act to repeal section 27-03-10 of the North Dakota Century Code, relating to the furnishing of opinions, abstracts and briefs by the clerk of the supreme court to the supreme court reporter.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1438.** A Bill for an Act to amend and reenact section 54-52-05, the last paragraph of section 54-52-10, and sections 54-52-11 and 54-52-18 of the North Dakota Century Code, relating to the public employees' retirement system, to employees' interests in their contributions, and to the fee for membership in the system.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1452.** A Bill for an Act to amend and reenact sections 11-10-15, 11-15-12, 15-22-05, and 23-03-06 of the North Dakota Century Code, relating to the mileage rate for county officials, sheriff's mileage, mileage rate for the county superintendent of schools, and mileage rate of county board of health members.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1454.** A Bill for an Act to amend and reenact sections 54-46-18 and 54-46-08.1 of the North Dakota Century Code, relating to preservation and destruction of records.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1508.** A Bill for an Act to amend and reenact subsection 1 of section 57-27-02 and section 57-28-03 of the North Dakota Century Code, relating to the contents of a notice of expiration of the period of redemption of lands sold by tax sale.

Which was read the first time and referred to the Committee on Finance & Taxation.

**House Bill No. 1596.** A Bill for an Act to provide benefits for alcoholism, drug addiction, and drug abuse costs in health insurance policies, service contracts, and medical service contracts; to provide hospitalization benefits for a minimum number of days; and to define terms.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1599.** A Bill for an Act to create and enact section 39-18-08 of the North Dakota Century Code, to permit licensed real estate brokers to deal in the sale and resale of used mobile homes.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments on Senate Bills Nos. 2013, 2079, 2090, 2157 and 2177 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2013 as recommended by the Committee on Appropriations as printed on pages 380 and 381 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

Senator Smykowski moved that the amendments to Senate Bill No. 2079 be laid on the table, which motion failed.

Senator Lips moved that the amendments to Senate Bill No. 2079 as recommended by the Committee on Appropriations as printed on pages 381 and 382 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2090 as recommended by the Committee on Appropriations as printed on page 382 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

Senator Solberg moved that Senate Bill No. 2157 be laid over one legislative day, which motion prevailed.

Senator Solberg moved that the amendments to Senate Bill No. 2177 as recommended by the Committee on Transportation as printed on page 383 of the Senate Journal be adopted, which motion prevailed.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Lips moved that the Committee Report on Senate Bill No. 2383, as printed on page 384 of the Senate Journal be adopted.

Senator Conlin moved that Senate Bill No. 2383 be amended as follows:

On page 1, line 10, delete the figure of "\$102,760.00" and insert in lieu thereof the figure "\$47,930.00"

Senator Conlin moved that the amendments be adopted, which motion failed.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2383, the roll was called and there were 36 ayes; 13 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2383 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on Senate Bill No. 2384, as printed on page 384 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2384, the roll was called and there were 50 ayes; 0 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2384 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on Senate Bill No. 2399, as printed on page 384 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2399, the roll was called and there were 44 ayes; 7 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2399 was indefinitely postponed.

Senator Morgan moved that the Committee Report on Senate Bill No. 2405, as printed on page 384 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2405, the roll was called and there were 42 ayes; 8 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE		●	● JACOBSON		●	● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN			● STROUP		
● FRED			● LEE		●	● REITEN			● THANE		
● FRITZELL			● LIPS		●	● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE		●	● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2405 was indefinitely postponed.

Senator Jacobson moved that the Committee Report on Senate Bill No. 2420, as printed on page 384 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2420, the roll was called and there were 30 ayes; 21 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FRED			● LEE		●	● REITEN			● THANE		
● FRITZELL			● LIPS		●	● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE		●	● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2420 was indefinitely postponed.

**MOTION**

Senator Nething moved that Senate Bill No. 2278 be re-printed, which motion prevailed.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

**TWENTY-FIFTH DAY**

Bismarck, February 10, 1975

The Senate convened at 2:00 P.M., the President presiding. Prayer by the Reverend Gerald Mertz, Faith Lutheran Church, Bismarck.

“Dear God — Be with these Senate members as they begin a new week of tasks. Guide them in their difficult decisions. May these members know that we remember them in our prayer, in order that they might better be prepared to guide the future of our State. Help us to be thankful for the heritage of our State of North Dakota. Keep us from selfishness,

pride in our prosperity. Help us to seek that which is noble and right, for that which is excellent and good. Make us servants of peace, justice and good will. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-third day after recess and twenty-fourth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### RECOGNITION

Mr. President, ladies and gentlemen of the Senate, we have a former Senator with us today from the 28th District and I would ask that you greet Senator and Mrs. Milton R. Young. Mr. President, I move that you appoint a committee of two to escort the honorable Senator and Mrs. Young to the rostrum.

The President appointed as such committee, Senators Sandness and Wenstrom and invited Senator Young to address the Senate.

Mr. President, members of the Senate. I don't want to take much of your time because I know how busy you are. I have been coming back here every year since 1935 and I wouldn't want to miss one. But, I really feel closer to you people here in the legislature than I do to the United States Senate. I think when you live closer together you operate, I think, more nearly as a legislature should. And unlike the United States Senate, I noticed all your members are present. I wish that would happen on our Appropriations Committee. Sometimes we have to wait a half hour or an hour just to get a quorum, and that's quite often.

I enjoyed sitting in my old seat and I did something that I hope you don't mind; I wrote my name on the bottom of the drawer. That was the practice of the Senate years ago in the United States Senate. The desk I had til last year was one first occupied by Hannibal Hamlin who was vice-president during Lincoln's first term. In recent years the staff writes the names of the members who were sitting in the seat. The one just two seats from me, Daniel Webster had, and I tried to get that one this year but I found out that the senator from New Hampshire had some kind of possession of it. I remembered sitting in my seat here with Billy Brown on one side and Mike Flatt on the other.

I particularly remember one night when I was the majority leader and I had the assignment of presenting a present to Senator Dr. Stucke the minority leader, an old non-partisan leaguer. One pulled my coat on one side and one on the other, they said, "Sit down you so-and-so, it sounds like hell." We had a lot of fun over there. It was called the renegade section. And it was kind of a renegade section. Every once in awhile Oscar Erickson, a tough old leaguer would say we ought to have a caucus and it reminds me of Senator Eugene McCarthy, one of the most delightful people I have ever known and a real far-out liberal. He would wander over and sit where I was, mostly conservative, and casually say, "I suppose we ought to have a caucus". He wrote me a note and he worded it a little bit differently. Things haven't changed much. I did notice a lot of improvements. When I left I was chairman of the Senate Appropriations Committee and for the first time in all these years, today I got to sit down and watch them operate.

You have a far better system now than we had then. We could learn a lot from you. You have a problem balancing the budget, so do we. This year, federal, state and local government expenditures will be 33 per cent

of the gross national product. Federal government is spending more than a billion dollars a day now. It presents a serious situation and the energy crisis is even a worse problem. We need energy and we have to either use less or produce more, or both. It's going to take two or three years of sacrificing before that problem is resolved.

The high price of oil and energy and the cost of production of almost everything one has to buy has been particularly hard on the farming operations where the average farmer burns ten or twenty thousand gallons a year. We have one new thing that has developed in the Senate. We have a Budget Committee now. The idea is a good one. They try to hold down appropriations. The Budget Committee, of which Senator Muskie is chairman already has a staff of about 150. We do a little bigger job of staffing than you do. They have the right and the responsibility. They hold hearings and establish a ceiling on how much we can appropriate for defense, health education and welfare, agriculture and all these categories. This may cause some conflicts between the Budget Committee and the Appropriations Committee. We have this problem of seniority. The Senate Republicans were permitted one additional member of the Budget Committee and I thought we would just select him by the Republicans I had called together. I proceeded to pass out ballots that we would use to select them and all these newer members said, "No, we're going to do this by seniority". So, I went down the line of seniority and no one wanted it until we got clear down the line to Senator Bellman, who has six years of seniority. As soon as he moved over to that Budget Committee, he got six staff members; where he is now, he doesn't have any. We do have professional staff members, lawyers, accountants and what not. The minority has about ten. I picked them out, but I work with members of the majority, too. The majority has a big staff and I use it as much as I use the minority. If you want to find out something that's happening on one bill or you want to get information from a department, it's a lot easier to go through a staff member handling that particular committee than it is going through the Cabinet officer himself. Really, with all our problems, if we don't get involved with too many expenditures, I think they will be resolved and I think the future will be bright. I'll be looking forward to coming back here again two years from now. This is the last time I will ever seek re-election. I didn't waste any votes this time, I thank you.

#### MOTION

Senator Nothing moved that the remarks of Senator Milton R. Young be printed in the Journal, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 363 and 364), the roll was called and there were ayes, 47; nays, 3; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		

● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**MOTION**

Senator Nething moved that Senate Bill No. 2015 be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2064. A Bill for an Act to amend and reenact subsection 1 of section 39-08-01 of the North Dakota Century Code, relating to operating a motor vehicle under the influence of alcohol or drugs and to the unavailability of the defense of legal entitlement to use alcohol or a drug.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 364 and 365), the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Freed moved that Senate Bill No. 2064 be re-printed, which motion prevailed.

**RECOGNITION**

Senator Nething: Mr. President, ladies and gentlemen of the Senate, we are privileged to have here today in our midst, the Honorable Congressman and Mrs. Mark Andrews and I would at this time request the President to appoint a committee of two to escort Congressman and Mrs. Andrews to the rostrum.

The President appointed as such committee Senators Lee and Melland, whereupon Congressman Andrews addressed the Senate.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2066. A Bill for an Act to create and enact a new subsection to section 39-21-40 of the North Dakota Century Code, relating to restrictions as to tire 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, 35; nays, 15; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5		●	● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE		●	● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND		●	● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

#### MOTION

Senator Ringsak: Mr. President Pro Tempore, I change my vote from nay to aye for the purpose of reconsideration on Senate Bill No. 2066, which motion prevailed.

Senate Bill No. 2288. A Bill for an Act to amend and reenact section 48-02-07 of the North Dakota Century Code, relating to investment of retainage on public building construction contract 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, 39; nays, 12; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3		●	● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE		●	● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2300. A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of school boards.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 365), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		



● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2111
- Senate Bill No. 2270
- Senate Bill No. 2271
- Senate Bill No. 2272
- Senate Bill No. 2278
- Senate Bill No. 2306
- Senate Bill No. 2329
- Senate Bill No. 2337
- Senate Bill No. 2346
- Senate Bill No. 2351
- Senate Bill No. 2367
- Senate Bill No. 2374
- Senate Bill No. 2379
- Senate Bill No. 2412
- Senate Bill No. 2433
- Senate Bill No. 2440
- Senate Bill No. 2472

Senate Concurrent Resolution No. 4018

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1027

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1177
- House Bill No. 1217
- House Bill No. 1223
- House Bill No. 1233
- House Bill No. 1311
- House Bill No. 1356
- House Bill No. 1357
- House Bill No. 1376
- House Bill No. 1412
- House Bill No. 1425
- House Bill No. 1432
- House Bill No. 1439
- House Bill No. 1445
- House Bill No. 1490
- House Bill No. 1521
- House Bill No. 1542
- House Bill No. 1569
- House Bill No. 1574
- House Bill No. 1586

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to transmit herewith the following:  
House Concurrent Resolution No. 3037  
Which the Speaker has signed and your signature is respectfully  
requested.

ROY GILBREATH, Chief Clerk

## REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment  
respectfully report that they have examined the following bills:

Senate Bill No. 2098

Senate Concurrent Resolution No. 4007

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion  
prevailed.

Senator Nething moved that after the reading of Senate Bills Nos. 2013,  
2079, 2090, 2177, 2186, 2348, 2388, 2432, 2439, 2463, 2478 and SCR 4030, that the  
Senate recess until 1:00 P.M., February 11, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-FIFTH DAY AFTER RECESS  
AND TWENTY-SIXTH DAY

Bismarck, February 11, 1975

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. 2013

Senate Bill No. 2079

Senate Bill No. 2090

Senate Bill No. 2177

And find the same correctly engrossed.

SENATOR STRAND, Chairman

Senator Strand moved that the report be adopted, which motion prevailed.

FIRST READING OF HOUSE BILLS

**House Bill No. 1177.** A Bill for an Act to amend and reenact subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to the per diem compensation of legislative council members, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1217.** A Bill for an Act to amend and reenact subsection 1 of section 57-39.2-11 of the North Dakota Century Code, relating to an extension of time to file a return and make payment and providing for interest on such delayed payment.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1223.** A Bill for an Act to amend and reenact sections 57-20-06 and 57-20-07.1 of the North Dakota Century Code, relating to the dates for delivering tax lists to county treasurers and for mailing property tax statements.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1233.** A Bill for an Act to amend and reenact subsection 1 of section 15-39.1-04 of the North Dakota Century Code, to add persons to be covered by Teacher's Fund for Retirement.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1311.** A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code relating to residency determination of nonresident school pupils.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1356.** A Bill for an Act to amend and reenact section 18-02-07 of the North Dakota Century Code, relating to aid, contracts, and cooperation between the state forester and other entities, and to provide an appropriation therefor.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1357.** A Bill for an Act to require certain elementary and secondary teachers to take college-level courses in Indian studies.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1376.** A Bill for an Act to require the state game and fish department to publish notice of its intent to purchase state land.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1412.** A Bill for an Act to amend and reenact subsection 1 of section 57-55-10 of the North Dakota Century Code, relating to exemption of mobile homes from taxation.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1425.** A Bill for an Act to amend and reenact sections 12-51-05, 12-59-05, 12-59-07, 12-59-15, and 12-59-16 of the North Dakota Century Code, to provide that inmates at the state farm are eligible for parole.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1432.** A Bill for an Act to amend and reenact section 36-13-03 of the North Dakota Century Code, relating to the sale of unclaimed estrays.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1439.** A Bill for an Act to amend and reenact section 40-18-06 of the North Dakota Century Code, relating to salaries for municipal judges.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1445.** A Bill for an Act to amend and reenact sections 40-08-07 and 40-09-06 of the North Dakota Century Code, relating to compensation of aldermen and city commissioners.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1490.** A Bill for an Act to create and enact a section of chapter 15-52 of the North Dakota Century Code relating to admission of students to the school of medicine at the university of North Dakota.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1521.** A Bill for an Act to provide for the definition of an employer, employee, and workstation in a vocational training or work evaluation program; to provide for coverage for vocational training or work evaluation programs and the determination of premium; to provide for benefits for participants in a vocational training or work evaluation program; and relating to the liability of the employer; and declaring an emergency.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1542.** A Bill for an Act to create and enact section 6-09-34 of the North Dakota Century Code, to create the authority in the Bank of North Dakota to establish electronic fund transfer services to customers of the Bank of North Dakota and of all state and federally chartered

banks and other financial institutions otherwise authorized to utilize the services of electronic fund transfer systems.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1569.** A Bill for an Act to amend and reenact sections 57-32-03, 57-33.1-05, 57-35-05, 57-35.1-05, 57-35.2-03, subsection 1 of section 57-37-16, subsection 5 of section 57-38-34, sections 57-38-36 and 57-51-10 of the North Dakota Century Code, relating to interest and penalty rates and providing for a standard rate.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1574.** A Bill for an Act to amend and reenact subsection 1 of section 51-17-05, subsection 3 of section 51-17-07, and sections 51-17-10 and 51-17-14 of the North Dakota Century Code, relating to qualifications under the Sale of Checks Act, bond required, annual license fee, and examination of books and records.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1586.** A Bill for an Act to create and enact section 6-08-29 of the North Dakota Century Code, relating to the sale or purchase of banking institutions and providing for forfeiture of charter for violation thereof; and to amend and reenact section 6-03-13 of the North Dakota Century Code, relating to the conversion, sale, or relocation of the principal place of business of banking institutions.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

#### FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senator Longmire introduced:

**Senate Memorial Resolution No. 3.** A memorial resolution extending sympathy and condolence to Senator Duane Mutch and his family upon the death of his mother-in-law.

Was read the first time.

#### MOTION

Senator Longmire moved that the rules be suspended, that Senate Memorial Resolution No. 3 not be printed as a resolution, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final adoption, which motion prevailed.

#### SENATE MEMORIAL RESOLUTION No. 3

1 A memorial resolution extending sympathy and condolence  
2 to Senator Duane Mutch and his family upon the death of  
3 his mother-in-law.

4

5 WHEREAS, God in His infinite wisdom has seen fit to  
6 summon from our midst Mrs. Martha Severtson on February 4,  
7 1975, mother of Dolores Mutch, who is the wife of our  
8 colleague, Senator Duane Mutch; and

9 WHEREAS, Senator Duane Mutch is held in the highest  
10 esteem by all members of the Legislative Assembly, who share  
11 with him and his family in their sorrow;

12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF  
THE

13 STATE OF NORTH DAKOTA:

14 That we express our deepest sorrow and extend to  
15 Senator Duane Mutch and his family our sincere sympathy

16 and condolence in their time of sorrow; and  
 17 BE IT FURTHER RESOLVED, that this resolution be  
 18 entered in the journal, and the Secretary of State is  
 19 hereby directed to present an enrolled copy to Senator  
 20 Duane Mutch and members of his family.

SECOND READING OF  
 A SENATE MEMORIAL RESOLUTION

Senate Memorial Resolution No. 3. A memorial resolution extending sympathy and condolence to Senator Duane Mutch and his family upon the death of his mother-in-law.

Was read the second time.

Senator Longmire moved that Senate Memorial Resolution No. 3 be adopted, which motion prevailed.

PERSONAL PRIVILEGE

Senator Holand: Mr. President, I rise on a point of personal privilege.

Mr. President: State your privilege, Senator Holand.

Mr. President: At this time I would like to commend and thank, on behalf of all the freshmen members of this body, the veteran Senators, the majority and minority floor leaders and their assistants, the President Pro Tem, the President of the Senate, the staff of the Legislative Council, the Legislative Interns, and the Senate employees.

As freshmen we have all learned much from watching and listening to the veteran members of this great body. All of these people that I have mentioned have shown the utmost courtesy, kindness, and thoughtfulness to the freshmen in helping us serve as effective members of the Senate for the benefit of the people of the State of North Dakota.

Therefore, at this time I would like to ask that the veteran Senators, the majority and minority floor leaders and their assistants, the President Pro Tem, the President of the Senate, the staff of the Legislative Council, the Legislative Interns, and the Senate employees stand and be appropriately recognized by the freshmen members of this body.

MOTIONS

Senator Nething moved that Senate Bill No. 2297 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Nething requested the unanimous consent of the Senate to withdraw Senate Bill No. 2297, which motion prevailed.

Senator Lips moved that Senate Bill No. 2338 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

Senator Lips moved that Senate Bill No. 2338 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Longmire moved that we reconsider the action by which Senate Bill No. 2420 was indefinitely postponed, which motion prevailed.

Senator Naaden moved that Senate Bill No. 2420 be laid over one legislative day, which motion prevailed.

Senator Schuster moved that Senate Bill No. 2469 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Schuster requested the unanimous consent of the Senate to withdraw Senate Bill No. 2469, which request was granted.

REPORTS OF STANDING COMMITTEES

Mr. President: The Majority of your Committee on Education to whom was referred Senate Bill No. 2026 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18, after the word "colleges" insert the words, "and for school district public recreation systems established pursuant to chapter 40-55"

On page 2, line 4, after the word "colleges" insert the words "and public recreation systems"



## PERSONAL PRIVILEGE

Senator Shablow: Mr. President, I rise on a point of personal privilege.

I rose here a moment ago on a point of order in relation to the debate we had here and I would like to explain why I rose here on this point of order. It was my understanding, that under the new rules everyone would have some notice that a bill or amendments would be debated so that each and everyone of us could be prepared or have time to prepare themselves for such debate. Now, I find that such amendments need not be laid over one legislative day as other amendments, and in my opinion, we need to expand this rule or amend this rule in such a manner that all of us would know that such a debate was going to come before the floor.

## PERSONAL PRIVILEGE

Senator Nothing: Mr. President, I rise on a point of personal privilege.

Mr. President, I think all of us have attempted to handle everything as open as we can, and it was but a few days ago when we had the motion that came out from Judiciary on a very important resolution, that the same thing happened too, and this will happen from time to time. It is for those reasons that it is important that the minority members, as well as the majority, inform their leadership as to these changes as to what the procedure is going to be. I think that is the only way we are going to handle it; otherwise Mr. President, we would never get it on the calendar.

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2025 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the numeral "15-45-01" insert the following: "15-45-02,"

On page 1, line 3, after the partial word "tens" insert the following: "providing a minimum term for kindergartens,"

On page 2, after line 1, insert the following new section:

"SECTION 2. AMENDMENT.) Section 15-45-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-45-02. KINDERGARTEN CURRICULUM — RULES AND REGULATIONS — LENGTH OF KINDERGARTEN TERM.) The school board shall establish a curriculum for kindergarten and such other rules and regulations governing the kindergartens as it may deem best, and shall govern them, so far as practicable, in the manner and by the officers provided by law for the government of other public schools. All kindergartens shall provide at least one hundred-eighty half-days of classroom instruction or ninety full days of classroom instruction during each school year. The school board shall determine whether kindergarten shall be provided on a half-day or a full-day basis."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2025 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2065 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 23, after the ending triple parentheses underline the word "is"

On page 1, line 24, after the word "class" delete the letter "A" and insert in lieu thereof the letter "B"

On page 1, underline all of line 24

And when so amended recommends the same do pass.

SENATOR FREED, Chairman



Senate Bill No. 2065 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2109 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2109 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2195 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, before the "period" insert a "comma" and the following words: "and declaring an emergency"

On page 1, line 17, delete the beginning triple parentheses following the word "day"

On page 1, line 22, delete the ending triple parentheses following the word "issued"

On page 2, 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 and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2195 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2199 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15, insert beginning triple parentheses before the word "remove" and ending triple parentheses after the word "shelter" and insert in lieu thereof the following words "take custody of"

On page 2, line 8, after the word "has" insert the following words "custody of"

On page 2, line 20, after the word "sold" insert the following words "at a public market"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2199 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2212 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2212 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2239 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2239 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2253 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, delete the following: "the implementation of"

On page 1, line 18, delete the following: "of implementation"

On page 2, line 3, delete the following: "an adequate amount" and insert in lieu thereof the following: "no less than \$15,000"

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 allow study, design and planning, but to delay implementation of plans until further legislative direction is given and to provide for specific funding for informing the public involved of the implications of west river diversion.

SENATOR LIPS, Chairman

Senate Bill No. 2253 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2280 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the word "citizens" add a period and delete the remainder of that line

On page 1, delete lines 4 and 5

On page 3, delete all of lines 6 through 19

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The purpose of the amendment is to delete the concept of state participation in funding senior citizen activities by partial matching of local mill levies. The amendment removes the appropriation but leaves modification of the code relating to senior citizens' activities intact.

SENATOR LIPS, Chairman

Senate Bill No. 2280 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2305 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senate Bill No. 2305 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2308 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

Senate Bill No. 2308 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2324 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2324 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2342 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2342 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2349 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2349 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2350 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2350 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2353 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2353 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2358 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, after the ending triple parentheses delete the word "sixteen" and insert in lieu thereof the word "fifteen"

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2358 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2359 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2359 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2363 has had the same under consideration and recommends that the same do pass.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2363 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2382 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2382 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2386 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2386 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2407 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 11, delete the words "and to license mental"

On page 3, delete line 12

On page 3, line 13, delete the following: "centers established pursuant to section 54-40-09"

On page 3, line 19, delete the word "nor"

On page 3, delete line 20

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senate Bill No. 2407 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2417 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senate Bill No. 2417 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 2422 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senate Bill No. 2422 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2438 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senate Bill No. 2438 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2456 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 1 after the word "office" delete the words "insert beginning triple parentheses before the word or and insert ending triple parentheses after the word station"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2456 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2460 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2460 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4033 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, Chairman

Senate Concurrent Resolution No. 4033 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1140 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1140 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1171 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1171 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1173 has had the same under con-

sideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1173 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1240 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1240 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Bills Nos. 2157 and 2424 be dispensed with, which motion prevailed.

Senator Solberg moved that the amendments to Senate Bill No. 2157 as recommended by the Committee on Transportation as printed on page 383 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2424 as recommended by the Committee on Natural Resources as printed on pages 400 and 401 of the Senate Journal be adopted, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### TWENTY-SIXTH DAY

Bismarck, February 11, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Richard Hagestuen, Pastor, First Lutheran Church, Mandan.

Let us pray:

"Dear God, May each one of us realize the tremendous responsibilities that go with the resources that we have received. Human resources of intellect, talent and common sense. The Natural Resources of North Dakota: coal, oil, wheat, clean air and water. Be with these people as they contemplate how to use these resources and how to serve each other and their constituents in respect and honor. Amen."

Roll Call: All Senators present except Sandness.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-fourth day after recess and twenty-fifth day and finds the same to be correct.

SENATOR VOSPER, Vice-Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

#### MOTION

Senator Jones moved that Senate Bill No. 2224 be re-referred to the Committee on State and Federal Government, which motion prevailed.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Jones moved that the Committee Report on Senate Bill No. 2283, as printed on page 399 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2283, the roll was called and there were 33 ayes; 16 nays; absent and not voting, 2.



**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2416, the roll was called and there were 40 ayes; 9 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN		● SHABLOW
● BERUBE		●	● JACOBSON			● NASSET	●	● SMYKOWSKI
● CHRISTENSEN, H #5		●	● JONES		●	● NOTHING		● SOLBERG
● CHRISTENSEN, L #3		●	● KAUTZMANN			● PYLE		● STRAND
● CONLIN		●	● LARSON			● RAIT		● STRINDEN
● ERDMAN		●	● LASHKOWITZ			● REDLIN		● STROUP
● FREED		●	● LEE			● REITEN		● THANE
● FRITZELL		●	● LIPS			● RINGSAK		● TWETEN
● GOODMAN		●	● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD		●	● MAHER		●	● SANDNES		● WALSH
● HOFFNER		●	● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND		●	● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH		●	● MUTCH			● SCHUSTER	●	● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2416 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2423, as printed on page 400 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2423, the roll was called and there were 46 ayes; 1 nays; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN		● SHABLOW
● BERUBE		●	● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5		●	● JONES		●	● NOTHING		● SOLBERG
● CHRISTENSEN, L #3		●	● KAUTZMANN			● PYLE		● STRAND
● CONLIN		●	● LARSON			● RAIT		● STRINDEN
● ERDMAN		●	● LASHKOWITZ			● REDLIN		● STROUP
● FREED		●	● LEE			● REITEN		● THANE
● FRITZELL		●	● LIPS			● RINGSAK		● TWETEN
● GOODMAN		●	● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD		●	● MAHER		●	● SANDNES		● WALSH
● HOFFNER		●	● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND		●	● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH		●	● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2423 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2468, as printed on page 402 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2468, the roll was called and there were 33 ayes; 16 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN		● SHABLOW
● BERUBE		●	● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5		●	● JONES		●	● NOTHING		● SOLBERG
● CHRISTENSEN, L #3		●	● KAUTZMANN			● PYLE		● STRAND
● CONLIN		●	● LARSON			● RAIT		● STRINDEN
● ERDMAN		●	● LASHKOWITZ			● REDLIN		● STROUP
● FREED		●	● LEE			● REITEN		● THANE
● FRITZELL		●	● LIPS			● RINGSAK		● TWETEN
● GOODMAN		●	● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD		●	● MAHER		●	● SANDNES		● WALSH
● HOFFNER		●	● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND		●	● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH		●	● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2468 was indefinitely postponed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2013. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 380 and 381), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Nething moved that Senate Bill No. 2015 be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2079. A Bill for an Act relating to and defining abandoned personal property, providing methods for the same to be taken into custody of the state; for its recovery by the rightful owner; for an administrator; for a penalty; and to repeal sections 6-08-24.1, 12-45-07, 25-01-15, 54-01-02.1, 54-01-02.2, and 54-01-02.3 of the North Dakota Century Code, relating to unclaimed funds.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 381 and 382), the roll was called and there were ayes, 42; nays, 7; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.



Senate Bill No. 2090. A Bill for an Act making an appropriation for defraying expenses of the state park service and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 382), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to, and the emergency clause so carried.

Senate Bill No. 2177. A Bill for an Act to create and enact section 39-06-34.1 of the North Dakota Century Code, relating to re-examination by the court.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 383), the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2186. A Bill for an Act to amend and reenact section 12-61-03 of the North Dakota Century Code, relating to the powers and duties of the North Dakota Combined Law Enforcement 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, 43; nays, 3; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		

● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNES	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2348.** 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.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 3; absent and not voting, 5.

REGULAR SESSION			NORTH DAKOTA SENATE ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNES		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2366.** A Bill for an Act to amend and reenact section 20.1-01-21 of the North Dakota Century Code, relating to hunting near an occupied building without permission.

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, 11; absent and not voting, 4.

REGULAR SESSION			NORTH DAKOTA SENATE ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNES		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2372.** A Bill for an Act to create and enact new sections of chapters 26-13 and 26-27 of the North Dakota Century Code, relating to discrimination against doctors of podiatry and to participation by doctors of podiatry in 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, 20; nays, 29; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE		●	● JACOBSON			● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		●
● CHRISTENSEN, L.#3			● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON			● RAIT		●	● STRINDEN		●
● ERDMAN		●	● LASHKOWITZ			● REDLIN		●	● STROUP		●
● FREED		●	● LEE			● REITEN		●	● THANE		●
● FRITZELL		●	● LIPS			● RINGSAK		●	● TWETEN		●
● GOODMAN		●	● LONGMIRE			● SANDS		●	● VOSPER		●
● GRONHOVD		●	● MAHER			● SANDNER		●	● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		●	● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J.#32		●	● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill was declared lost.

Senate Bill No. 2388. A Bill for an Act to amend and reenact subsection 1 of section 41-02-90, and sections 41-02-93 and 41-02-94 of the North Dakota Century Code, relating to buyer's remedies in general, buyer's damages for breach in regard to accepted goods, and buyer's incidental and consequential damages under the sales provisions of the Uniform Commercial 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, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN		●	● PYLE		●	● STRAND		
● CONLIN			● LARSON			● RAIT		●	● STRINDEN		
● ERDMAN		●	● LASHKOWITZ			● REDLIN		●	● STROUP		
● FREED		●	● LEE			● REITEN		●	● THANE		
● FRITZELL		●	● LIPS			● RINGSAK		●	● TWETEN		
● GOODMAN		●	● LONGMIRE			● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER			● SANDNER		●	● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		●	● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32		●	● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2397. A Bill for an Act to create and enact three new sections to chapter 12.1-30 as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota relating to the operation of business establishments on memorial day, 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, 19; nays, 29; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN		●	● PYLE		●	● STRAND		
● CONLIN			● LARSON			● RAIT		●	● STRINDEN		
● ERDMAN		●	● LASHKOWITZ			● REDLIN		●	● STROUP		
● FREED		●	● LEE			● REITEN		●	● THANE		
● FRITZELL		●	● LIPS			● RINGSAK		●	● TWETEN		
● GOODMAN		●	● LONGMIRE			● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER			● SANDNER		●	● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		●	● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32		●	● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill was declared lost.

Senate Bill No. 2431. A Bill for an Act to amend and reenact section 49-18-11 of the North Dakota Century Code, relating to the requirement that the rates for all classes of common carriers be uniform.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND	●	
● CONLIN			● LARSON			● RAIT	●		● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2432. A Bill for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, to provide immediate notice and written report 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, 47; nays, 1; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK		●	● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2436. A Bill for an Act making an appropriation to the director of institutions for the construction of a maintenance building.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 366), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		

• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2439. A Bill for an Act to create and enact a new subsection to section 57-02-08, a new subsection to section 57-39.2-04, and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to the exemption from property taxes and sales and use taxes of solar energy systems to heat or cool buildings and 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, 7; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET	•		• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED	•		• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS		•	• VOSPER		•
• GRONHOVD			• MAHER			• SANDNES			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2463. A Bill for an Act to amend and reenact section 16-17-15 of the North Dakota Century Code, relating to organization of state committees of political parties.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET	•		• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNES			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2478. A Bill for an Act to amend and reenact section 24-16-07 of the North Dakota Century Code, relating to compensation for the removal of junkyards.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET	•		• SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWIFEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNES	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**SECOND READING OF SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution No. 4030.** A concurrent resolution urging the President of the United States to seek an amendment to the Convention for the Protection of Migratory Birds and Mammals.

Which has been read.

The question being on the final adoption of Senate Concurrent Resolution No. 4030.

Senator Lee moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4030 was adopted.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1134.** A Bill for an Act to amend and reenact subdivision 6 of subsection a and subsection b of section 39-09-02 and to repeal subsection e of section 39-09-02 of the North Dakota Century Code, relating to the establishment of a statutory speed limit of fifty-five miles per hour as mandated by the Congress of the United States, 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, 37; nays, 10; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHAYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWIFEN		
● GOODMAN		●	● LONGMIRE			● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

**House Bill No. 1259.** A Bill for an Act to amend and reenact sections 39-05-05, 39-05-09.1, and 39-05-19 of the North Dakota Century Code, relating to fees for various motor vehicle office 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, 45; nays, 2; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHAYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		

● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

### MOTION

Senator Ringsak moved that the vote by which Senate Bill No. 2478 was passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

### PERSONAL PRIVILEGE

Senator Holand: Mr. President, I rise on a point of personal privilege. Please forgive me, Mr. President, members of the Senate, earlier today I did forget, just momentarily, about the Committee Chairmen of this body. I don't know how many committees do have freshmen in their committee. I did recognize my two Committee Chairmen whom I believe are the best chairmen in the whole legislature with a flower on their desk, but I would like to say I came down here and I heard that a woman member of the House never got on the floor to speak and I thought that's what I'll do, I will just refuse to speak because it's a little frightening as a freshman to think about it. Well, right away the Committee Chairman delegated out presenting bills on the floor and I'm very thankful for it, I'm sure all the other freshmen members are if we got our experience right away and I understand that years ago the Committee Chairmen would stand up and present all the bills for the Committee and I think it's just super how the Committee Chairmen have responded to the freshmen members. Thank you, Mr. President.

### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2098

Senate Concurrent Resolution No. 4007

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 3037

And the President signed the same in the presence of the Senate.

### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2098

Senate Concurrent Resolution No. 4007

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3037

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2010

Senate Bill No. 2064

Senate Bill No. 2066

Senate Bill No. 2288

Senate Bill No. 2300

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1003  
 House Bill No. 1007  
 House Bill No. 1170  
 House Bill No. 1402  
 House Bill No. 1416  
 House Bill No. 1423  
 House Bill No. 1429  
 House Bill No. 1436  
 House Bill No. 1442  
 House Bill No. 1466  
 House Bill No. 1473  
 House Bill No. 1516  
 House Bill No. 1579  
 House Bill No. 1588

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2098

Senate Concurrent Resolution No. 4007

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2269

House amendments to Senate Bill No. 2269:

On page 14, delete all of lines 28 through 31

On page 15, delete all of lines 1 and 2, and insert in lieu thereof

"6. Transactions between manufacturing and sales organizations and their customers where accounting services accompany the sale of products provided that such accounting services are incidental thereto and that any financial report made under this exemption be clearly titled, "Unaudited Financial Report"."

And renumber lines, pages, sections and subsections accordingly.

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2109, 2157, 2324, 2342, 2353, 2363, 2386, 2420, 2422, 2424, 2460, and House Bills Nos. 1140, 1171, 1173 and 1240, that the Senate recess until 1:00 P.M., February 12, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



TWENTY-SIXTH DAY AFTER RECESS  
AND TWENTY-SEVENTH DAY

Bismarck, February 12, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4007

Was delivered to the Secretary of State on Feb. 12, 1975

SENATOR STRAND, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2098

Was delivered to the Governor for his approval on Feb. 12, 1975.

SENATOR STRAND, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2157

Senate Bill No. 2424

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion prevailed.

FIRST READING OF  
SENATE CONCURRENT RESOLUTIONS

Senator Jones introduced:

Senate Concurrent Resolution No. 4052. A concurrent resolution directing the Legislative Council to study the problem of saline seeps.

Was read the first time and referred to the Committee on Agriculture.

Senators J. Schultz, Goodman introduced:

Senate Concurrent Resolution No. 4053. A concurrent resolution directing the Legislative Council to study the necessity for and feasibility of enacting legislation to implement the Federal Safe Drinking Water Act.

Was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4054. A concurrent resolution urging the Congress of the United States to expand the funding of the Garrison Diversion Project so that the project can achieve its objectives on a more orderly basis.

Was read the first time and referred to the Committee on State and Federal Government.

## FIRST READING OF HOUSE BILLS

**House Bill No. 1003.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1007.** A Bill for an Act making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1170.** 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 minimum tax assessable for the business and corporation privilege tax, 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. 1402.** A Bill for an Act to create and enact a new section to chapter 15-40.2 of the North Dakota Century Code, relating to the residency of a child for school purposes.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1416.** A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1423.** A Bill for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1429.** A Bill for an Act to amend and reenact sections 20.1-01-07 and 20.1-01-11 of the North Dakota Century Code, relating to the use of motor vehicles for hunting.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1436.** A Bill for an Act to amend and reenact subsections 2 and 3 of section 40-40-06 of the North Dakota Century Code, relating to notice of municipal preliminary budget statements.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1442.** A Bill for an Act to repeal section 40-14-07 of the North Dakota Century Code, relating to holding of other offices by city auditor.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1466.** A Bill for an Act to amend and reenact section 27-18-03 of the North Dakota Century Code, relating to compensation of county justices.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1473.** A Bill for an Act to amend and reenact section 43-29-11 of the North Dakota Century Code, relating to the disposition of fees collected by the North Dakota state board of veterinary medical examiners.

Which was read the first time and referred to the Committee on Appropriations.



● CONLIN	LARSON	●	RAIT	●	STRINDEN
● ERDMAN	LASHKOWITZ	●	REDLIN	●	● STROUP
● FREED	● LEE		● REITEN	●	● THANE
● FRITZELL	● LIPS	●	● RINGSAK	●	● TWETEN
● GOODMAN	● LONGMIRE		● SANDS	●	● VOSPER
● GRONHOVD	● MAHER	●	● SANDNESS	●	● WALSH
● HOFFNER	● MELLAND	●	● SCHULTZ, C. #14	●	● WENSTROM
● HOLAND	● MORGAN	●	● SCHULTZ, J. #32	●	● WRIGHT
● HOMUTH	● MUTCH		● SCHUSTER	●	MR. PRESIDENT

The amendments to Senate Bill No. 2280 were so adopted.

Senator Freed moved that the amendments to Senate Bill No. 2358 as recommended by the Committee on Judiciary as printed on page 421 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 2407 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on pages 421 and 422 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2456 as recommended by the Committee on Industry, Business and Labor as printed on page 422 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 21, delete the figure "385,282" and insert in lieu thereof the figure "368,301"

On page 2, line 4, delete the figure "589,874" and insert in lieu thereof the figure "572,893"

On page 2, delete lines 5 through 8

On page 2, line 19, delete the figure "660,819" and insert in lieu thereof the figure "1,134,819"

On page 2, line 20, delete the figure "660,819" and insert in lieu thereof the figure "1,134,819"

On page 2, line 23, delete the figure "929,730" and insert in lieu thereof the figure "891,277"

On page 2, line 27, delete the figure "1,183,355" and insert in lieu thereof the figure "1,144,902"

On page 2, line 30, delete the figure "48,762" and insert in lieu thereof the figure "46,542"

On page 3, line 1, delete the figure "555,837" and insert in lieu thereof the figure "553,617"

On page 3, line 3, delete the figure "405,837" and insert in lieu thereof the figure "403,617"

On page 3, line 4, delete the figure "5,958,035" and insert in lieu thereof the figure "6,174,381"

On page 3, line 6, delete the figure "6,108,035" and insert in lieu thereof the figure "6,324,381"

And renumber the lines, pages and subdivisions accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent is to adjust salaries and wages to provide for increases of 5 per cent in each year of the biennium and to delete all funds to provide sabbatical leave for institutions of higher education. The increase in the Reciprocal Agreements is to provide for optometric and dentistry students from North Dakota attending out of state colleges in those professions.

SENATOR LIPS, Chairman

Senate Bill No. 2005 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2018 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2018 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2039 has had the same under consideration and recommends that the same be amended as follows:

On page 5, line 6, after the chapter number "61-21-57," delete the following: "61-21-08,"

On page 77, line 18, after the second word "corporation" delete the following: ", insurance"

On page 77, delete all of line 19

On page 77, line 20, delete the following: "defined in section 34-12-01,"

On page 77, line 20, after the word "cooperative" delete the beginning triple parentheses

On page 77, line 21, after the word "state" delete the ending triple parentheses and the word "association"

On page 77, line 35, delete the beginning triple parentheses

On page 78, line 5, after the "period" delete the ending triple parentheses

On page 78, line 7, after the word "poration" delete the rest of the line

On page 78, line 8, delete the word "association"

On page 78, line 12, after the word "PENALTY" delete the beginning triple parentheses

On page 78, line 13, after the word "PURPOSES" delete the ending triple parentheses and the words "WHEN BUSINESS OR LABOR"

On page 78, line 14, delete the following: "ORGANIZATION OFFICIAL MAKES POLITICAL CONTRIBUTION"

On page 78, line 17, after the word "corporation" delete the rest of the line

On page 78, line 18, delete the following: "labor organization,"

On page 78, line 34, after the word "the" delete the word "insurance"

On page 78, line 35, delete the following: "labor organization,"

On page 319, delete lines 13 through 35

On page 320, delete lines 1 through 4

And renumber the lines, pages and sections accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2039 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred Senate Bill No. 2099 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2099 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2136 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 1 delete the word "if" and insert in lieu thereof the following:

"for each adopted child who is under the age of twenty-one years and who is either irreversibly mentally retarded or, on the basis of the annual findings of a licensed physician, is blind or disabled as determined

pursuant to the provisions of Title XVI of the United States Social Security Act, provided"

On page 2, after line 5 insert the following new paragraph:

"(4) Reduced, up to a maximum of one thousand dollars, by the amount of filing fees, attorney's fees and travel costs incurred in connection with an adoption and by the actual costs paid to a licensed child-placing agency in making the adoptive study and in supervising and evaluating the adoptive placement."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2136 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2222 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 after the word "illness," delete the words "nervous disorders,"

On page 1, line 9 after the word "any" delete the words "public or private institution" and insert in lieu thereof "licensed hospital"

On page 1, line 11 delete the words "nervous disorders," and after the word "addiction," delete the word "and" and insert in lieu thereof the word "or"

On page 2, line 5 after the word "illness," delete the words "nervous disorders," and after the word "addiction," delete the word "and" and insert in lieu thereof the word "or"

On page 2, line 6 delete the word "illnesses" and insert in lieu thereof the word "illness" and after the word "licensed" delete the words "treatment facility" and insert in lieu thereof the word "hospital"

On page 2, line 8 after the first word "treatment" delete the following "treatment" and insert in lieu thereof a "period"

On page 2, delete all of line 9

On page 2, delete all of lines 21, 22 and 23

On page 2, line 28 after the word "such" delete the word "pooling" and insert in lieu thereof the word "policy"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2222 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2265 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 18 delete the words "small game"

On page 3, line 11 after the word "deer" insert the words "or within a district open for the hunting of antelope"

On page 3, line 12 after the word "deer" insert the words "or antelope, respectively"

On page 3, line 14 delete the word "use" and insert in lieu thereof the word "used"

On page 3, line 14 after the word "deer" insert the words "or antelope, respectively,"

On page 4, line 14 delete the word "same" and insert in lieu thereof the word "game"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2265 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2282 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Bill No. 2282 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2332 has had the same under consideration and recommends that the same be amended as follows:

On page 4, line 8, after the word "the" insert beginning triple parentheses

On page 4, line 9, delete the beginning triple parentheses

On page 4, line 9, after the ending triple parentheses delete the word "custody" and insert in lieu thereof "date of sentencing"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2332 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2333 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2333 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2334 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2334 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2371 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2371 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2381 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2381 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2393 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2411 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, delete the figure "410,793.00" and insert in lieu thereof the figure "200,000.00"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent is to reduce the appropriation intended to be used for contract work with the Geological Survey department of the University of North Dakota.

SENATOR LIPS, Chairman

Senate Bill No. 2411 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2425 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 22, delete the word "extenstion" and insert in lieu thereof the word "extension"

On page 2, line 23, delete the word "chairmen" and insert in lieu thereof the word "chairman"

And renumber the lines accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

Senate Bill No. 2425 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2437 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 place triple parentheses around the comma and insert in lieu thereof an underscored semicolon

On page 1, line 14 place triple parentheses around the comma and insert in lieu thereof an underscored semicolon

On page 1, line 15 place triple parentheses around the comma and insert in lieu thereof an underscored semicolon

On page 1, line 16 place beginning triple parentheses before the comma and ending triple parentheses after the word "and" and insert in lieu thereof an underscored semicolon

On page 1, line 18 place triple parentheses around the word "and" and immediately thereafter insert the following new language: "one other representative of each reservation appointed by the tribal council;"

On page 1, line 21 place triple parentheses around the comma and insert in lieu thereof an underscored semicolon

On page 1, line 22 place beginning triple parentheses before the comma and delete the triple parentheses around the word "and"

On page 1, line 22 insert ending triple parentheses after the word "two" and immediately thereafter insert the following: "; three"

On page 1, line 23 delete the following: ", and"

On page 1, delete line 24

On page 2, delete line 1

On page 2, line 2 delete the following: "required herein shall be"

On page 2, line 2 insert the following new language after the word "governor": "and a representative of each house of the legislative assembly who shall be chosen on a bi-partisan basis by the presiding officer of each house"

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Bill No. 2437 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2451 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 16, delete the following: "the construction of"

On page 1, line 17, delete the words "for completion" and insert in lieu thereof the words "and construction started"

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 is to allow construction of a Heritage Center to commence in



1976 rather than to be completed in 1976.

SENATOR LIPS, Chairman

Senate Bill No. 2451 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred Senate Bill No. 2458 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2458 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2480 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2480 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2481 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Bill No. 2481 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2487 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2487 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2493 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Bill No. 2493 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4026 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20, following the words "exemption to" delete the words "one hundred fifty" and insert in lieu thereof the words "two hundred" And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Concurrent Resolution No. 4026 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1021 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1021 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1028 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1028 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1029 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1029 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1096 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1096 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1161 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15 of the engrossed bill following the word "person" delete the words "sixty years of age or older"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1161 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1184 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1184 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1229 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1229 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1258 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1258 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1344 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21 following the word "taxes" insert the underscored words "for the preceding year"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1344 was placed on the sixth order of business on the calendar for the succeeding legislative day.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Lips moved that the Committee Report on Senate Bill No. 2212, as printed on page 419 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2212, the roll was called and there were 47 ayes; 3 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN	•		• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNES			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM	•	
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER	•		MR PRESIDENT		

The motion prevailed, and Senate Bill No. 2212 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2239, as printed on page 419 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2239, the roll was called and there were 47 ayes; 2 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN	•		• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNES			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER	•		MR PRESIDENT		

The motion prevailed, and Senate Bill No. 2239 was indefinitely postponed.

Senator Morgan moved that the Committee Report on Senate Bill No. 2305, as printed on page 420 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2305, the roll was called and there were 47 ayes; 3 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNES			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER	•		MR PRESIDENT		

The motion prevailed, and Senate Bill No. 2305 was indefinitely postponed.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### TWENTY-SEVENTH DAY

Bismarck, February 12, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Reverend Phil Lint, Pastor, McCabe United Methodist Church, Bismarck.

"Let us pray: Lord our God, we stop in the midst of our work to remind ourselves of your presence here among us; to be confronted anew that you care and are involved in what we say and do here; and to be reminded that we live and work and speak always before you.

We bow now to ask for your wisdom, guidance, and mercy upon each of us here present.

We pray in the name of Christ, Amen."

Roll Call: All Senators present except Sandness.

A quorum was declared by the President.

### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-fifth day after recess and twenty-sixth day and recommends that the same be corrected as follows:

On page 422, line 27 delete the following: "Delete the words "or station" and insert in lieu thereof the following: "insert beginning triple parentheses before the word or and insert ending triple parentheses after the word station".

And when so corrected recommends that the same be approved.

SENATOR VOSPER, Vice-Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Freed moved that the Committee Report on Senate Bill No. 2349, as printed on page 420 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2349, the roll was called and there were 24 ayes; 26 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5		•	• JONES		•	• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT			• STRINDEN		•
• FRODMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		•
• FREED			• LEE		•	• REITEN			• THANE		•
• FRITZELL		•	• LIPS		•	• RINGSACK			• TWETEN		•
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD			• MAHER			• SANDNES			• WALSH		
• HOFNER			• MELLAND		•	• SCHULTZ, C. #14			• WENSTROM		•
• HOLLAND		•	• MORGAN			• SCHULTZ, J. #37			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			• MR. PRESIDENT		

The motion failed, and Senate Bill No. 2349 was placed on the Eleventh Order of Business for the next succeeding legislative day.

Senator Freed moved that the Committee Report on Senate Bill No. 2350, as printed on page 421 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2350, the roll was called and there were 43 ayes; 7 nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS		•	• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNES		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2350 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2359, as printed on page 421 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2359, the roll was called and there were 45 ayes; 4 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNES		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2359 was indefinitely postponed.

Senator Lips moved that the Committee Report on Senate Bill No. 2382, as printed on page 421 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2382, the roll was called and there were 45 ayes; 4 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNES		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT



**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 10; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNES		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

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 39-06-14 of the North Dakota Century Code, relating to driver's licenses issued to operators.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 383), the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNES		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2324. A Bill for an Act relating to income tax credits for charitable contributions to nonprofit private institutions of higher education.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNES		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2342. A Bill for an Act to create and enact sections 26-03A-12, 26-26-22, 26-27-23, 26-27.1-27, and 26-27.2-26 of the North Dakota Century Code, relating to continued insurance coverage of an insured prisoner while incarcerated.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNEB			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2353. A Bill for an Act to create and enact a new subdivision to subsection 1 of section 12.1-32-02 of the North Dakota Century Code, as contained in section 31 of chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to sentencing alternatives.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48 ; nays,0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNEB			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2363. A Bill for an Act to amend and reenact section 60-02-35 of the North Dakota Century Code, relating to insurance on grain by warehouseman.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		



● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNES	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2386.** A Bill for an Act to amend and reenact subsection 4 of section 19-03.1-2L of the North Dakota Century Code, relating to the requirements of a prescription for dispensing certain controlled substances.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2420.** A Bill for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to the hunting of fur-bearers from motor vehicles.

Which has been read.

**MOTIONS**

Senator Naaden moved that Senate Bill No. 2420 be amended as follows:

On page 1, line 11, after the word "WITH" insert the words "DOGS BY"

On page 1, line 13, after the word "GAME" insert the words "OR FUR-BEARERS HUNTED WITH DOGS"

On page 1, line 14, delete the words "or fur-bearers" and insert in lieu thereof the following: ", or while hunting fur-bearers with dogs"

On page 1, line 16, insert beginning triple parentheses before the word "a" and insert ending triple parentheses after the word "game" and immediately thereafter insert the word "the"

On page 1, line 17, delete the word "such" and insert in lieu thereof the word "the"

On page 1, line 19, insert beginning triple parentheses before the word "big" and insert ending triple parentheses after the word "game"

On page 2, line 1, delete the words "or fur-bearers" and insert in lieu thereof the following: ", or while hunting fur-bearers with dogs"

On page 2, line 5, delete the words "or fur-" and insert in lieu thereof the following: ", or while hunting fur-bearers with dogs,"

On page 2, line 6, delete the word "bearers"

And renumber the lines accordingly.

Senator Naaden moved that the amendments be adopted, which motion prevailed.

Senator Naaden moved that the rules be suspended, that Senate Bill No. 2420 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2420. A Bill for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to the hunting of furbearers from motor vehicles.

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, 20; nays, 28; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●			●					●
BARTH		●	ISZLER			NAADEN			SHABLOW		●
BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI		
CHRISTENSEN, H. #5		●	JONES			NETHING		●	SOLBERG		
CHRISTENSEN, L. #3		●	KALITZMANN		●	PYLE		●	STRAND		~
CONLIN		●	LARSON		●	RAIT		●	STRINDEN		
ERDMAN		●	LASHKOWITZ		●	REDLIN			STROUP		●
FREED			LEE		●	REITEN			THANE		
FRITZELL		●	LIPS		●	RINGSAK			TWETEN		
GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER		
GRONHOVD		●	MAHER		●	SANDNES			WALSH		
HOFFNER		●	MELLAND		●	SCHULTZ, C. #14			WENSTROM		●
HOLAND			MORGAN		●	SCHULTZ, J. #37			WRIGHT		●
HOMUTH		●	MUTCH			SCHUSTER		●	MR. PRESIDENT		

So the bill was declared lost.

## MOTIONS

Senator Solberg moved that Senate Bill No. 2284 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Solberg requested the unanimous consent of the Senate to withdraw Senate Bill No. 2284, which request was granted.

Senator Maher moved that Senate Bill No. 2419 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Maher requested the unanimous consent of the Senate to withdraw Senate Bill No. 2419, which request was granted.

Senator Lashkowitz moved that Senate Bill No. 2401 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Lashkowitz requested the unanimous consent of the Senate to withdraw Senate Bill No. 2401, which request was granted.

## MOTION

Senator Nething moved that the President appoint a committee of three to arrange for a memorial service for the Senate, which motion prevailed.

## SELECT COMMITTEE FOR MEMORIAL SERVICE

The President appointed a Select Committee to arrange for a memorial service for the North Dakota State Senate, such committee as follows: Senators H. Christensen, Chairman, Fritzell, and Gronhovd.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2422. A Bill for an Act relating to changing the name of the county welfare board to the county social service board.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2424. A Bill for an Act to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves; and to provide for the state park service to administer the Act.

Which has been read.

MOTION

Senator Fritzell moved that Senate Bill No. 2424 be amended as follows:

On page 5 of the engrossed bill on line 2, delete the word "society" and insert in lieu thereof the words "park service"

On page 8, line 20, delete the word "society" and insert in lieu thereof the words "park service"

Senator Fritzell moved that the amendments be adopted, which motion prevailed.

Senator Fritzell moved that the rules be suspended, that Senate Bill No. 2424 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2424. A Bill for an Act to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves; and to provide for the state park service to administer the Act.

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 yeas, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

MOTION

Senator Fritzell moved that Senate Bill No. 2424 be re-printed, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2460. A Bill for an Act to amend and reenact section 57-15-57 of the North Dakota Century Code, relating to a levy for county welfare.

Which has been read. MOTIONS

Senator Goodman moved that Senate Bill No. 2460 be amended as follows:

On page 1, line 13, delete the word "five" and insert in lieu thereof the word "three"

Senator Goodman moved that the amendments be adopted, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Bill No. 2460 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2460. A Bill for an Act to amend and reenact section 57-15-57 of the North Dakota Century Code, relating to a levy for county welfare.

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, 38; nays, 11; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN					● SHABLOW
● BERUBE		●	● JACOBSON			● NASSET					● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		●			● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE					● STRAND
● CONLIN			● LARSON			● RAIT	●				● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN					● STROUP
● FREED		●	● LEE			● REITEN					● THANE
● FRITZELL			● LIPS			● RINGSACK					● TWETEN
● GOODMAN			● LONGMIRE			● SANDS					● VOSPER
● GRONHOVD			● MAHER			● SANDNESS					● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14					● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32					● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER					● MR. PRESIDENT

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jones moved that the Senate do concur in the House amendments to Senate Bill No. 2269, which motion prevailed.

Senator Jones moved that the rules be suspended and that Senate Bill No. 2269 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2269. A Bill for an Act to regulate the practice of public accounting in the public interest; to create a state board of accountancy and to prescribe its powers and duties; and to provide penalties for violations of the provisions of this Act; and to repeal Chapter 43-02 of the North Dakota Century Code.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN					● SHABLOW
● BERUBE			● JACOBSON			● NASSET					● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING					● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE					● STRAND
● CONLIN			● LARSON			● RAIT	●				● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN					● STROUP

● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**MESSAGE TO THE HOUSE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2013

Senate Bill No. 2079

Senate Bill No. 2090

Senate Bill No. 2177

Senate Bill No. 2186

Senate Bill No. 2348

Senate Bill No. 2366

Senate Bill No. 2388

Senate Bill No. 2431

Senate Bill No. 2432

Senate Bill No. 2436

Senate Bill No. 2439

Senate Bill No. 2463

Senate Bill No. 2478

Senate Concurrent Resolution No. 4030

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1134

House Bill No. 1259

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

**MESSAGE FROM THE HOUSE**

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on

House Bill No. 1030

House Bill No. 1310

House Bill No. 1315

House Bill No. 1437

House Bill No. 1474

House Bill No. 1485

House Bill No. 1502

House Bill No. 1512

House Concurrent Resolution No. 3015

House Concurrent Resolution No. 3029

ROY GILBREATH, Chief Clerk

Senator Nothing moved that after the reading of Senate Bills Nos. 2018, 2025, 2026, 2065, 2195, 2199, 2253, 2280, 2349, 2358, 2381, 2407, 2456, 2480, 2487 and House Bills Nos. 1021, 1028, 1029, 1096, 1184, 1229, 1258, that the Senate recess until 1:00 P.M., February 13, 1975 which motion prevailed.

LEO LEIDHOLM, Secretary



TWENTY-SEVENTH DAY AFTER RECESS  
AND TWENTY-EIGHTH DAY

Bismarck, February 13, 1975

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. 2025  
Senate Bill No. 2026  
Senate Bill No. 2065  
Senate Bill No. 2195  
Senate Bill No. 2199  
Senate Bill No. 2280  
Senate Bill No. 2358  
Senate Bill No. 2407  
Senate Bill No. 2456

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2253

And find the same correctly Re-engrossed.

SENATOR STRAND, Chairman

Senator Fritzell 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. 2014 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20, delete the figure "80,256" and insert in lieu thereof the figure "76,606"

On page 2, line 1, delete the figure "191,456" and insert in lieu thereof the figure "187,806"

On page 2, line 4, delete the figure "2,504,257" and insert in lieu thereof the figure "2,398,482"

On page 2, line 15, delete the figure "5,085,308" and insert in lieu thereof the figure "4,979,533"

On page 2, line 18, delete the figure "1,854,121" and insert in lieu thereof the figure "1,784,488"

On page 2, line 21, delete the figure "69,950" and insert in lieu thereof the figure "117,950"

On page 2, after line 24 add the following: 24 a. "Devils Lake flood control project, channel A or McHugh Flood Control, if it is not possible to construct channel A during the biennium 600,000"

On page 2, line 25, delete the figure "1,900,000" and insert in lieu thereof the figure "1,852,000"

On page 2, line 26, delete the figure "4,326,466" and insert in lieu thereof the figure "4,856,833"

On page 2, line 28, delete the figure "3,616,466" and insert in lieu thereof the figure "4,146,833"

On page 2, line 31, delete the figure "173,770" and insert in lieu thereof the figure "165,872"

On page 2, line 32, delete the figure "59,041" and insert in lieu thereof the figure "49,041"

On page 2, line 33, delete the figure "20,533" and insert in lieu thereof the figure "30,533"

On page 3, line 2, delete the figure "7,414,290" and insert in lieu thereof the figure "7,406,392"

On page 3, line 4, delete the figure "914,290" and insert in lieu thereof the figure "906,392"

On page 3, line 5, delete the figure "4,722,212" and insert in lieu thereof the figure "5,241,031"

On page 3, line 6, delete the figure "12,295,308" and insert in lieu thereof the figure "12,189,533"

On page 3, line 7, delete the figure "17,017,520" and insert in lieu thereof the figure "17,430,564"

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 is to adjust salaries and wages to reflect 5 per cent increases each year of the biennium. In the Water Commission appropriation, \$600,000 was added for work in the Devils Lake area for flood control and the contract fund was reduced and the equipment line increased to allow purchase of a geophysical logging unit.

SENATOR LIPS, Chairman

Senate Bill No. 2014 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2180 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senate Bill No. 2180 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2187 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 5, after the word "mean" delete beginning triple parentheses

On page 2, line 8 after the word "therefrom" delete ending triple parentheses

On page 2, delete all of the underscored language in lines 9 through 35

On page 5, line 16 after the first "in" delete beginning triple parentheses

On page 5, line 18 after the first "of" delete ending triple parentheses and after the word "state" delete beginning triple parentheses

On page 5, line 19 after the word "sewerage" delete ending triple parentheses

On page 5, line 22 delete the word "three" and insert in lieu thereof the word "five"

On page 5, line 24 after the word "project." delete the words "In cities"

On page 5, delete all of lines 25 through 30

On page 6, line 2 after the second word "plumber," insert the words "or plumber's apprentice"



On page 6, line 3 delete the beginning triple parentheses; after the word "village" delete the ending triple parentheses and the words "or plumber's apprentice"

On page 6, line 4 after the word "state" delete the beginning triple parentheses and after the word "sewerage" delete the ending triple parentheses

On page 8, line 35 after the word "years" delete the words "and have completed the"

On page 9, delete all of lines 1, 2 and 3

On page 9, line 4 delete the words "department of public instruction"

On page 9, line 30 delete the words "or as provided in subsection 1 of section 43-18-10"

On page 9, line 31 after the word "himself" delete the "period" and insert the following new language " , or in cities of 1,000 population or less and in all rural areas, such a registered apprentice may work in his own employ."

On page 10, line 27 after the word "inspectors" delete the words "or any interested"

On page 10, line 28 delete the word "person"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2187 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2256 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete lines 21 through 25

And renumber the lines accordingly.

SENATOR MUTCH, Chairman

Senate Bill No. 2256 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2281 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2281 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2343 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2343 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2345 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2345 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2347 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2347 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2352 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2352 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

Senate Bill No. 2365 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2387 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2387 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2410 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2410 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2441 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20 after the word "resides" delete the "period" and insert the following new language "or a statewide permit issued by the fire marshal's office."

On page 3, line 16 after the first word "a" delete the word "monthly" and insert in lieu thereof the word "semi-annual"

On page 4, line 7 after the word "pounds." insert the following new language "This act shall not apply to items sold or utilized in accordance with Chapter 23-15 of the North Dakota Century Code."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2441 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2444 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

Senate Bill No. 2444 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2462 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2462 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2482 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

Senate Bill No. 2482 was placed on the sixth order of business on the calendar for the succeeding legislative day.

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 indefinitely postponed.

SENATOR MORGAN, Chairman

Senate Bill No. 2491 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4029 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 23, delete the following word: "and"

On page 2, line 4 following the semicolon insert the following word: "and"

On page 2, line 4 following the semicolon insert the following words: "WHEREAS, the Bureau of Reclamation has made efforts and has taken steps to effect substantial improvement in the land acquisition program and to improve its relationships with landowners:"

On page 2, line 13 following the word "urges" insert the following words: "continued efforts of"

On page 2, line 15 delete the words "that land-"

On page 2, delete lines 16, 17 and 18

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4029 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 MUTCH, Chairman

Senate Concurrent Resolution No. 4034 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4036 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Concurrent Resolution No. 4036 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Concurrent Resolution No. 4039 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Concurrent Resolution No. 4039 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4040 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4040 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4042 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10, after the word "life," insert "the environment,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass. And be referred to the Legislative Council Resolutions Committee.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4042 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1116 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1116 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1253 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1253 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1030.** A Bill for an Act to appropriate moneys from the state general fund to the state school construction fund.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1310.** A Bill for an Act to limit the amount by which the current assessment on a unit of real property may be increased over the preceding assessment for real 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. 1315.** A Bill for an Act to transfer the custody and control of the former executive mansion from the director of institutions to the state historical board, and to repeal chapter 342 of the 1957 Session Laws of North Dakota.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1437.** A Bill for an Act to amend and reenact section 49-18-04 of the North Dakota Century Code, relating to contract motor carriers.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1474.** A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a final deadline date for any taxing district to amend its current budget.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1485.** A Bill for an Act to amend and reenact section 40-48-20 of the North Dakota Century Code, relating to the requirements of subdivision regulations adopted by a city planning commission.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1502.** A Bill for an Act to amend and reenact section 50-01-07 of the North Dakota Century Code, relating to appointment of non-county commissioner members to county welfare boards.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1512.** A Bill for an Act to amend and reenact Sections 39-24-03 and 39-24-05 of the North Dakota Century Code, relating to snowmobile registration fees and the disposition of same.

Which was read the first time and referred to the Committee on Transportation.

**House Concurrent Resolution No. 3015:** A concurrent resolution urging the United States Department of Agriculture to abandon its plans to increase food stamp purchase requirements for low income households.

Which was read the first time and referred to the Committee on Agriculture.

House Concurrent Resolution No. 3029. A concurrent resolution urging Congress to enact legislation to provide reimbursement to farm owners and operators for damage through depredation by migratory birds.

Which was read the first time and referred to the Committee on Agriculture.

#### COMMUNICATION

The President announced that a communication had been received from the Governor.

Senator Hoffner moved that the communication be printed in the Journal, which motion prevailed.

#### STATE OF NORTH DAKOTA EXECUTIVE OFFICE BISMARCK

February 13, 1975

The Honorable Wayne Sanstead  
President of the Senate  
Senate Chambers  
State Capitol  
Bismarck, North Dakota 58505

Dear Lt. Governor Sanstead:

I am deeply disappointed in the attitude of Michigan Wisconsin Pipe Line Company toward the tax program embodied in House Bill 1575. Mr. Seder stated that House Bill 1575 "would put Michigan Wisconsin out of business in North Dakota." I find this statement completely inconsistent with his statement of last week that Michigan Wisconsin planned to proceed with their project in North Dakota — at a time when they were completely familiar with the administration's tax proposal and other taxation bills before the Legislative Assembly.

This type of intimidation is not appreciated and cannot be tolerated. Also, I reject Mr. Seder's and Mr. Byrnes' interpretation that the federal government and the investment community would interpret this legislation as evidence that North Dakota has a "hostile climate" to energy development.

Mr. Seder has consistently stated that Michigan Wisconsin will pay a fair tax. House Bill 1575 is a fair tax, consistent with the best interests of the people of North Dakota.

The tax is fair since it will be applied to everyone equally. The bill would repeal the sales tax on electricity used within the state, but this cannot be considered unfair to out-of-state consumers; the consuming states could also eliminate its sales tax on energy at any time for its consuming public.

The tax is in the best interests of the people of North Dakota by assessing a reasonable charge to defray the costs incurred by the energy developments in the state. Michigan Wisconsin will make a profit on the sales of its synthetic gas; North Dakota, should also be entitled to a fair return for sharing a non-renewable resource.

Michigan Wisconsin has implied that this tax program is an attempt to indirectly keep the energy industry out of the state. This is not true. As chairman of the State Water Commission, I supported the Commission in granting a conditional water permit to Michigan Wisconsin for one plant, and I supported retaining the appropriation priority dates on water for three additional plants that may be built at a later date. I have also expressed support, and continue to do so, for Basin Electric's proposal to jointly construct facilities with Michigan Wisconsin for financial and economic reasons.

It has been suggested by Michigan Wisconsin that this tax program is confiscatory. A few examples will illustrate the shortcomings of this statement:

1) Each gasification plant will produce 91 billion cubic feet of gas annually to be sold at retail for about \$5 per thousand cubic feet (MCF). With annual retail sales of about \$455 million, consuming states will realize \$18.2 million from a 4 per cent sales tax. However, a 30 per cent severance tax on \$4 lignite would yield only \$12 million annually for the State of North Dakota (\$1.20 x 10 million tons). Repeal of the sales tax by the consuming state could more than offset the costs attributable to a severance tax. It is also interesting to note that the \$12 million (realized from the severance tax) represents only 2.64 per cent of the total retail sales of the synthetic gas.

2) The 1½ per cent energy conversion privilege tax will yield about \$16.5 million from a \$1.1 billion gasification plant. However, the tax on such a gasification plant would be \$18.15 million if assessed at the 1973 statewide average of 165 mills, or it would be \$24.2 million if assessed at the 1973 average mill levy (220 mills) of North Dakota's seven largest cities. Thus, the 1½ per cent energy conversion privilege tax is less than the tax rate imposed on our own homes and businesses.

The opportunity to comment on this matter of mutual concern is appreciated.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTIONS

Senator Redlin moved that Senate Bill No. 2483 be returned to the Senate from the Committee on Natural Resources which motion prevailed.

Senator Redlin requested the unanimous consent of the Senate to withdraw Senate Bill No. 2483, which request was granted.

Senator Lashkowitz moved that Senate Bill No. 2492 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Lashkowitz requested the unanimous consent of the Senate to withdraw Senate Bill No. 2492, which request was granted.

Senator Stroup moved that Senate Bill No. 2134 be returned to the Senate from the Committee on Natural Resources, which motion prevailed.

Senator Stroup requested the unanimous consent of the Senate to withdraw Senate Bill No. 2134, which request was denied due to an objection by a member of the Senate body.

Senator Freed moved that Senate Bill No. 2134 be returned to the Committee on Natural Resources, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Bills Nos. 2005, 2039, 2136, 2222, 2265, 2332, 2411, 2423, 2437, 2451, SCR 4026 and House Bills Nos. 1161 and 1344 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2005 as recommended by the Committee on Appropriations as printed on page 438 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2039 as recommended by the Committee on Judiciary as printed on page 439 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2136 as recommended by the Committee on Finance and Taxation as printed on pages 439 and 440 of the Senate Journal be adopted, which motion prevailed.



Senator Nasset moved that the Committee Report on Senate Bill No. 2282, as printed on page 441 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2282, the roll was called and there were 31, ayes; 19, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE		• STRAND
• CONLIN		•	• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED		•	• LEE			• REITEN		• THANE
• FRITZELL		•	• LIPS			• RINGSACK		• TWETEN
• GOODMAN			• LONGMIRE		•	• SANDS		• VOSPER
• GROHNHOVD		•	• MAHER			• SANDNER		• WALSH
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND		•	• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2282 was indefinitely postponed.

PERSONAL PRIVILEGE

Senator Longmire:

Mr. President, Ladies and Gentlemen of the Senate:

We had a very interesting technical discussion yesterday. However, I think that we probably reached a wrong decision when we felt that the lieutenant governor did not have the right to vote on Senate Bill 2015. I cannot discuss the bill for reconsideration, of course, except in this manner. I cannot make a motion to reconsider since I was held to have been on the nonprevailing side in connection with the discussion since it was a 25 to 25. I do think this is a serious matter that will have to be reckoned with in the future. I certainly am not criticizing or contesting in any way or attempting to the vote of the President or the option of the President when he failed to vote, because at that time with no research by any of the members of the Senate or very little of it we all were a little confused as to what exactly the law was and certainly Rule 55 of our rules prohibited the lieutenant governor to vote.

However, some of us since that time have done some research into this matter. We find that we have a section of our constitution which expressly gives the lieutenant governor the right to vote under these conditions. That is section 77 of the constitution which reads "The lieutenant governor shall be president of the Senate but shall have no vote unless they be equally divided." Of course they were equally divided yesterday. We apparently based our rule on section 65 of the constitution which was in line with our rule 55 which did prohibit it. However, we think rule 77 will take precedence over rule 55 — I mean section 77 over rule 55 because it is a specific power that the lieutenant governor would have. I know the lieutenant governor did everything that he felt was right in his usual effort to be fair in connection with his duties in presiding over this body. But I do think that in the future we are going to have to settle this issue, Mr. President, because the conclusion that our founding fathers came to in the United States Constitution would apply here in this connection when it does provide that the Vice President of the United States shall be president of the Senate but shall have no vote unless they are equally divided and that's Article 1, Section 3, Clause 4 and that is almost the same wording we have in section 77.

The Supreme Court of North Dakota time and time again has held that the founding fathers intended to copy the federal method in connection



with our constitution. The Supreme Court of North Dakota has clearly layed down the principles of constitutional construction. The fundamental purpose in construing the constitutional provision is to ascertain and give effect to the attention, intention and purpose of the framers and the people who adopt such constitutional provisions. So it seems to me clearly, Mr. President, that there is more legal authority, a greater weight of authority that the President did have the power yesterday to vote. I don't know of any way that they could settle that case in the future unless the prevailing side give us an opportunity to reconsider the case, or the bill, and then to let the lieutenant governor do whatever he was planning to do in connection with the matter and then appeal to the courts. Whichever side lost because the issue at that time would be raised. It seems to me that in establishing this conclusion and eliminating the confusion that will continue to exist if sometime or another this matter is not litigated it would be worth that effort. The sister state of Montana recently held in a decision that the lieutenant governor did have the power to vote and it was his instruction that he should vote if he found himself in a situation of a tie vote even on a bill as well as a resolution and that is a fairly recent case. I have been here in this legislature for ten sessions. I have never asked for the courtesy of getting a bill reconsidered. I know some would say "why didn't you change my vote yesterday on it." but I did not know that this law was as it is at that time until I researched it further and I figured if I couldn't get one more vote to reconsider I'd lost anyway so why change my vote for reconsideration. Mr. President, I felt that somebody ought to clarify the situation a little bit for future use of this body and other similar bodies.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### TWENTY-EIGHTH DAY

Bismarck, February 13, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Reverend Stanley Malmgren, Pastor, First Baptist Church, Bismarck.

"Almighty God,

We come into Thy presence this afternoon hour mindful of the greatness of Thyself and much aware of our need of Thee. We acknowledge that we are weak and at times faulty in our decisions. We seek forgiveness and healing where this is needed and pray that Thou wilt grant our petitions according to Thy manifold mercies.

We ask that Thou wilt impart divine wisdom for the making of decisions in this session of the North Dakota Legislature. May Thy Spirit so control our thoughts that that which is said and done in this place this day will be pleasing and acceptable in Thy sight.

We thank Thee for hearing our prayers this hour.

In the name of Jesus Christ, Thy Son, we pray.

Amen"

Roll Call: All Senators present except Sandness.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-sixth day after recess and twenty-seventh day and recommends that the same be corrected as follows:

On page 435, line 41 delete "Senator L. Christensen" and insert in lieu thereof "Committee on Delayed Bills"

On page 455, line 55, insert "which motion prevailed" after "1975". And when so corrected recommends that the same be approved.

SENATOR VOSPER, Vice-Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

**COMMITTEE REPORTS  
FOR INDEFINITE POSTPONEMENT**

Senator Freed moved that the Committee Report on Senate Bill No. 2333, as printed on page 441 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2333, the roll was called and there were 47, ayes; 3, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDENBEG		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2333 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2334, as printed on page 441 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2334, the roll was called and there were 50, ayes; 0, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDENBEG		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2334 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2371, as printed on page 441 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2371, the roll was called and there were 36, ayes; 13, nays; absent and not voting, 2.

NORTH DAKOTA SENATE														
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SAYKOWSKI			• SAYKOWSKI		
• CHRISTENSEN, H. #5		•	• JONES			• NETHING			• SOLBERG			• SOLBERG		
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE			• STRAND			• STRAND		
• CONLIN		•	• LARSON		•	• RAIT			• STRINDEN			• STRINDEN		
• ERDMAN		•	• LASHKOWITZ			• REDLIN			• STROUP			• STROUP		
• FREED		•	• LEE			• REITEN			• THANE			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK			• TWETEN			• TWETEN		
• GOODMAN		•	• LONGMIRE		•	• SANDS			• VOSPER			• VOSPER		
• GRONHOVD		•	• MAHER			• SANDNES			• WALSH			• WALSH		
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM			• WENSTROM		•
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT			• WRIGHT		
• HOMUTH		•	• MUTCH			• SCHUSTER		•	• MR. PRESIDENT			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2371 was indefinitely postponed.

Senator Lips moved that the Committee Report on Senate Bill No. 2393, as printed on page 441 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2393, the roll was called and there were 33, ayes; 16, nays; absent and not voting, 2.

NORTH DAKOTA SENATE														
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SAYKOWSKI			• SAYKOWSKI		
• CHRISTENSEN, H. #5		•	• JONES			• NETHING			• SOLBERG			• SOLBERG		
• CHRISTENSEN, L. #3		•	• KAUTZMANN		•	• PYLE			• STRAND			• STRAND		
• CONLIN		•	• LARSON			• RAIT		•	• STRINDEN			• STRINDEN		
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN			• STROUP			• STROUP		
• FREED		•	• LEE			• REITEN			• THANE			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK			• TWETEN			• TWETEN		
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER			• VOSPER		
• GRONHOVD		•	• MAHER			• SANDNES			• WALSH			• WALSH		
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM			• WENSTROM		•
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32		•	• WRIGHT			• WRIGHT		
• HOMUTH		•	• MUTCH			• SCHUSTER			• MR. PRESIDENT			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2393 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2458, as printed on page 443 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2458, the roll was called and there were 48, ayes; 1, nay; absent and not voting, 2.

NORTH DAKOTA SENATE														
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SAYKOWSKI			• SAYKOWSKI		
• CHRISTENSEN, H. #5		•	• JONES			• NETHING			• SOLBERG			• SOLBERG		
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE			• STRAND			• STRAND		
• CONLIN		•	• LARSON			• RAIT			• STRINDEN			• STRINDEN		
• ERDMAN		•	• LASHKOWITZ			• REDLIN			• STROUP			• STROUP		
• FREED		•	• LEE			• REITEN			• THANE			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK			• TWETEN			• TWETEN		
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER			• VOSPER		
• GRONHOVD		•	• MAHER			• SANDNES			• WALSH			• WALSH		
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM			• WENSTROM		
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT			• WRIGHT		
• HOMUTH		•	• MUTCH			• SCHUSTER			• MR. PRESIDENT			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2458 was indefinitely postponed.

Senator Nasset moved that the Committee Report on Senate Bill No. 2481, as printed on page 443 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate

Bill No. 2481, the roll was called and there were 34, ayes; 15, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD		●	● MAHER		●	● SANDNES			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH		●	● MUTCH			● SCHUSTER		●	● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2481 was indefinitely postponed.

Senator Nasset moved that the Committee Report on Senate Bill No. 2493, as printed on page 443 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2493, the roll was called and there were 40, ayes; 9, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD		●	● MAHER		●	● SANDNES			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH		●	● MUTCH			● SCHUSTER		●	● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2493 was indefinitely postponed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2018. A Bill for an Act to amend and reenact subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to the authority of the state auditor to examine the books and records of state agencies and occupational and professional boards and commissions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNES			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2025.** A Bill for an Act to amend and reenact sections 15-45-01, 15-45-02, and 15-45-04 of the North Dakota Century Code, relating to the establishment of kindergartens, providing a minimum term for kindergartens, and providing for an election for a mill levy for kindergartens.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 418), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONKHOVD			• MAHER			• SANDNES		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2026.** A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program; to amend and reenact sections 15-40.1-06, 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-16, 15-40.2-03, and 57-15-14 of the North Dakota Century Code, relating to foundation program payments, tax levy limitations in school districts, aid for transportation, and tuition payments for school districts; to repeal section 57-58-02 of the North Dakota Century Code, relating to computation of grants-in-aid to county equalization funds; and declaring legislative intent.

Which has been read. **MOTION**

Senator Hoffner moved that Senate Bill No. 2026 be amended as follows:

On page 3, line 5, delete the word "thirty" and insert in lieu thereof the word "forty-five"

On page 3, line 7, delete the word "eighty" and insert in lieu thereof the word "ninety"

On page 10, line 27, delete the word "twenty-six" and insert in lieu thereof the word "twenty-nine"

And renumber the lines accordingly.

Senator Hoffner requested a roll call vote on the proposed amendments to Senate Bill No. 2026, which request was granted.

**ROLL CALL**

The question being on the proposed amendments to Senate Bill No. 2026, the roll was called and there were 18 ayes; 31, nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE

FRITZELL	LIPS	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GRONHOVD	MAHER	SANDNES	WALSH
HOFFNER	MELLAND	SCHULTZ, C #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

So the amendments lost.

**ROLL CALL**

The question being on the final passage of Senate Bill No. 2066, as amended, (SJ page 417), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2065. A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to penalties for conviction of driving while under the influence of alcohol or drugs.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 418), the roll was called and there were ayes, 35; nays, 12; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2195. A Bill for an Act to amend and reenact section 60-02-17 of the 1973 Supplement to the North Dakota Century Code, relating to storage, receiving, and redelivery charges for grain, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 419), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNEB			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

Senate Bill No. 2199. A Bill for an Act to amend and reenact section 36-21.1-06 of the North Dakota Century Code, relating to care of abused animals and providing notice and hearing prior to sale of such animals to discharge a lien for their care.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 419), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNEB			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2253. A Bill for an Act making an appropriation to the North Dakota state water commission for the purpose of the investigation, design, and development of a plan for staged development of the water resources of southwestern North Dakota, including the Missouri River waters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 419 and 420), the roll was called and there were ayes, 32; nays, 17; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE		●	● JACOBSON			● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H.#5		●	● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L.#3		●	● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN		●	● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD		●	● MAHER		●	● SANDNEB			● WALSH		●

HOFFNER	•	MELLAND	•	SCHULTZ, C. #14	•	WENSTROM	•
HOLAND	•	MORGAN	•	SCHULTZ, J. #32	•	WRIGHT	•
HOMUTH	•	MUTCH	•	SCHUSTER	•	MR. PRESIDENT	•

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2269.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2109

Senate Bill No. 2157

Senate Bill No. 2324

Senate Bill No. 2342

Senate Bill No. 2353

Senate Bill No. 2363

Senate Bill No. 2386

Senate Bill No. 2422

Senate Bill No. 2424

Senate Bill No. 2460

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1066

House Bill No. 1292

House Bill No. 1302

House Bill No. 1335

House Bill No. 1352

House Bill No. 1354

House Bill No. 1377

House Bill No. 1414

House Bill No. 1428

House Bill No. 1444

House Bill No. 1477

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2073

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2008

House amendments to Senate Bill No. 2008

On page 1, line 18, delete the numerals "24,911" and insert in lieu thereof the numerals "24,033"

On page 1, line 24, delete the numerals "42,292" and insert in lieu thereof the numerals "41,414"

On page 2, line 3, delete the numerals "85,235" and insert in lieu thereof the numerals "81,358"

On page 2, line 9, delete the numerals "143,001" and insert in lieu thereof the numerals "139,124"



On page 2, line 12, delete the numerals "52,403" and insert in lieu thereof the numerals "49,640"

On page 2, line 16, delete the numerals "70,000" and insert in lieu thereof the numerals "67,237"

On page 2, line 17, delete the numerals "255,293" and insert in lieu thereof the numerals "247,775"

And renumber the lines accordingly.

Senate Concurrent Resolution No. 4001

House amendments to SCR 4001

On page 2, delete all of the lines 13 through 21.

Insert in lieu thereof the following:

"WHEREAS, the State of North Dakota operates the Jamestown State Hospital, the Grafton and San Haven State School, the School for the Blind at Grand Forks, the North Dakota School for the Deaf at Devils Lake, and the Soldiers' Home at Lisbon: and

WHEREAS, the State of North Dakota employs numerous patient-workers at the Jamestown State Hospital and the Grafton State School,"

And renumber the lines and pages accordingly.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

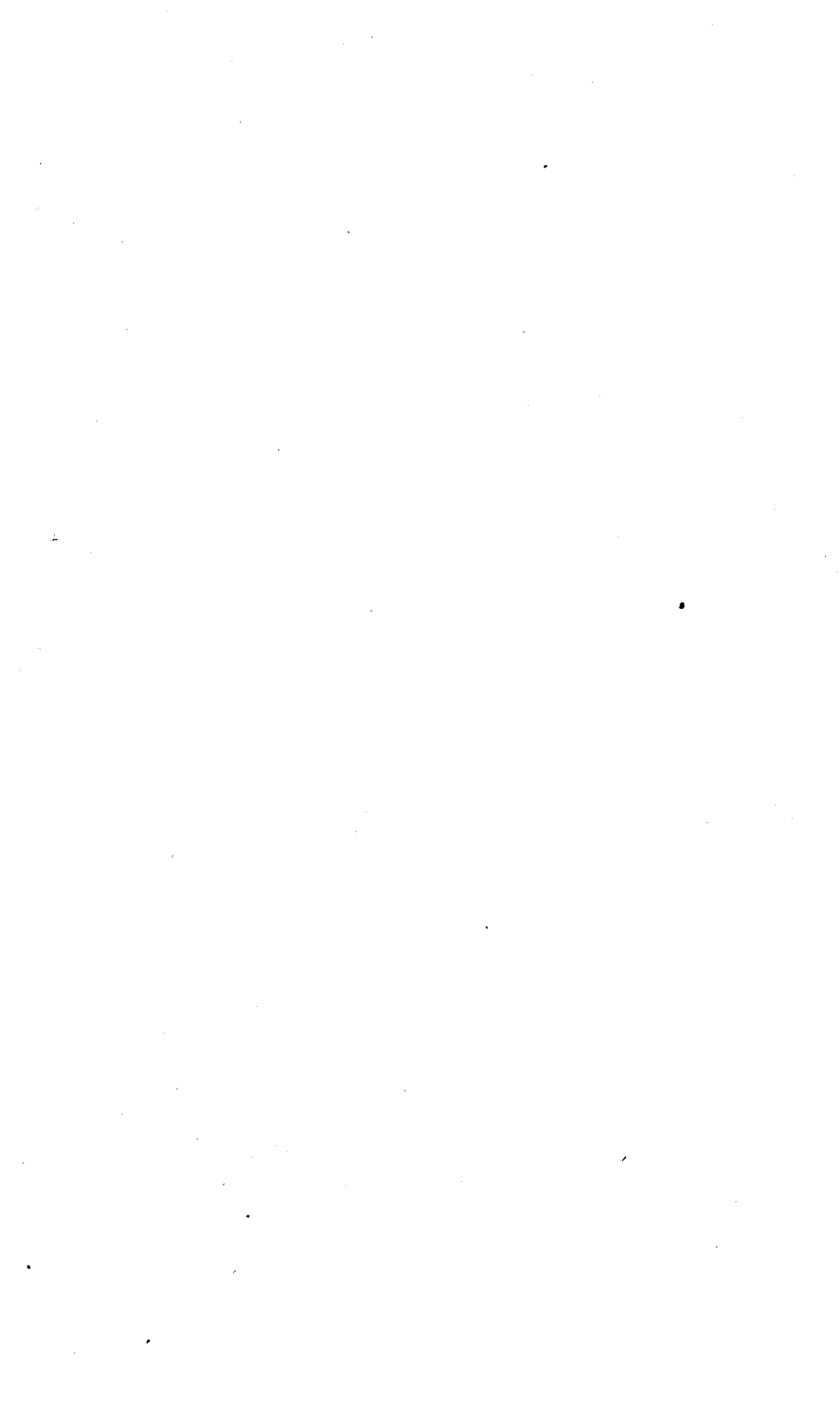
Senate Bill No. 2056

Very respectfully,

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2005, 2039, 2136, 2222, 2265, 2332, 2343, 2347, 2352, 2365, 2387, 2411, 2437, 2451, Senate Concurrent Resolutions Nos. 4026, 4034, 4036, 4039, 4040, and House Bills Nos. 1116, 1161, 1253 and 1344, that the Senate recess until 1:00 P.M., February 14, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



TWENTY-EIGHTH DAY AFTER RECESS  
AND TWENTY-NINTH DAY

Bismarck, February 14, 1975

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. 2005  
Senate Bill No. 2136  
Senate Bill No. 2222  
Senate Bill No. 2332  
Senate Bill No. 2411  
Senate Bill No. 2425  
Senate Bill No. 2437  
Senate Bill No. 2451  
Senate Concurrent Resolution No. 4026  
And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Walsh moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2265  
And find the same correctly Re-engrossed.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion prevailed.

COMMUNICATION  
State of North Dakota  
Executive Office  
Bismarck

February 13, 1975

The Honorable Wayne Sanstead  
President of the Senate  
North Dakota State Senate  
Bismarck, North Dakota 58505

Dear Mr. President:

I have made the following appointments which, under state law, are subject to State Senate confirmation.

State Board of Higher Education (Section 15-10-05)

Geraldine Clapp, Fargo July 26, 1974-July 1, 1981

Helen Jacobson, Williston July 1, 1975-July 1, 1982

Attached are brief biographies of Geraldine Clapp and Helen Jacobson.

With best regards,

Sincerely yours,  
ARTHUR A. LINK  
Governor

The President referred the above appointments to the Committee on Education.

#### FIRST READING OF SENATE BILLS

Committee on Delayed Bills introduced:

**Senate Bill No. 2495.** A Bill for an Act calling for a legislative council study of the teachers' fund for retirement, including the methods of funding and administering such fund; and providing an appropriation.

Was read the first time and referred to the Committee on Appropriations.

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Bills Nos. 2014, 2187, 2256, 2441 and Senate Concurrent Resolutions 4029 and 4042 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2014 as recommended by the Committee on Appropriations as printed on pages 457 and 458 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2187 as recommended by the Committee on Industry, Business and Labor as printed on pages 458 and 459 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2256 as recommended by the Committee on Transportation as printed on page 459 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2441 as recommended by the Committee on Industry, Business and Labor as printed on page 460 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to Senate Concurrent Resolution No. 4029 as recommended by the Committee on State and Federal Government as printed on page 461 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Concurrent Resolution No. 4042 as recommended by the Committee on Natural Resources as printed on page 461 of the Senate Journal be adopted, and Senate Concurrent Resolution 4042 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

#### MOTION

Senator Fritzell moved that the Senate reconsider the action by which the amendments to Senate Bill No. 2014 were adopted, which motion prevailed.

Senator Fritzell moved to amend the amendments as follows:

On page 2, after line 24, delete the following: 24 a. "Devils Lake flood control project, channel A or McHugh Flood Control, if it is not possible to construct channel A during the biennium 600,000"

Senator Fritzell moved that the amendments be adopted, which motion failed.

Senator Lips moved that the amendments to Senate Bill No. 2014 be adopted, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2097 has had the same under consideration and

recommends that the same be amended as follows:

On page 1, line 5, after the semicolon insert the following: "establishing a natural resources policy board;"

On page 3, after line 12, insert the following new section:

"54-55-02. NATURAL RESOURCES POLICY BOARD — APPOINTMENT — TERM — COMPENSATION.) There is hereby created a natural resources policy board consisting of eight members. One member shall be appointed by the governor from each of the eight state districts established by the state planning division to aid its administrative activities. The appointments shall be for a term of four years commencing on July first and no appointee may serve more than two terms. Four of the original eight appointees shall serve for a term of six years, as determined by lot. Vacancies occurring for any reason other than expiration of an appointive term shall be filled by appointment for the remainder of the term. The governor, or his designee, shall serve as chairman of the policy board and the board shall select, from its membership, a vice chairman and secretary who shall serve for a term of one year, commencing on July first. The members of the board shall be subject to removal by the governor for cause shown, upon notice and hearing in accordance with the provisions of chapter 28-32. Board members who are not full-time salaried employees of this state shall receive compensation in the amount provided in subsection 1 of section 54-35-10, and shall be reimbursed for their mileage and expenses in the amounts provided by sections 44-08-04 and 54-06-09. Members of the board who are full-time salaried employees of this state shall be reimbursed for necessary travel and other expenses incurred in the performance of the business of the board in the amounts provided for other state officers.

54-55-03. MEETINGS AND DUTIES.) Each board member, other than the chairman, shall hold a public meeting at least once each fiscal year in his respective district to inform the residents of such district of the activities, policies, and programs of the department, and to determine the needs and opinions of such residents concerning such activities, policies, and programs.

The natural resources policy board shall meet at least two times each fiscal year, such meetings to be held in August and in April at the state capitol in Bismarck. Five members of the board constitute a quorum for the purpose of conducting its business. It shall be the duty of the board to advise the commissioner regarding the operations, policies, and programs of the department."

On page 3, line 13, delete the numerals "54-55-02" and insert in lieu thereof the numerals "54-55-04"

On page 3, line 28, delete the second word "department" and insert in lieu thereof the words "office of the commissioner"

On page 3, line 30, delete the words "such department and all of the hereinafter named division headquarters"

On page 3, line 31, delete the words "at one central physical location" and insert in lieu thereof the words "the commissioner"

On page 3, line 33, delete the numerals "54-55-03" and insert in lieu thereof the numerals "54-55-05"

On page 4, line 14, delete the numerals "54-55-04" and insert in lieu thereof the numerals "54-55-06"

On page 5, line 20, delete the numerals "54-55-05" and insert in lieu thereof the numerals "54-55-07"

On page 5, line 32, delete the numerals "54-55-06" and insert in lieu thereof the numerals "54-55-08"

On page 6, delete lines 4, 5, 6, and 7

On page 6, line 8, delete the numerals "54-55-07" and insert in lieu thereof the numerals "54-55-09"

On page 6, line 14, delete the numerals "54-55-08" and insert in lieu thereof the numerals "54-55-10"

On page 6, line 20, delete the numerals "54-55-09" and insert in lieu thereof the numerals "54-55-11"

On page 6, line 29, delete the numerals "54-55-10" and insert in lieu thereof the numerals "54-55-12"

On page 7, line 1, delete the numerals "54-55-11" and insert in lieu thereof the numerals "54-55-13"

On page 7, line 21, delete the numerals "54-55-12" and insert in lieu thereof the numerals "54-55-14"

On page 7, line 30, delete the numerals "54-55-13" and insert in lieu thereof the numerals "54-55-15"

On page 8, line 5, delete the numerals "54-55-14" and insert in lieu thereof the numerals "54-55-16"

On page 8, line 9, delete the numerals "54-55-15" and insert in lieu thereof the numerals "54-55-17"

On page 8, line 20, delete the numerals "54-55-16" and insert in lieu thereof the numerals "54-55-18"

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same be re-referred to the Committee on Appropriations.

SENATOR JACOBSON, Chairman

Senate Bill No. 2097 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2134 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

Senate Bill No. 2134 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2156 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senate Bill No. 2156 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2322 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senate Bill No. 2322 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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:

On page 2, line 6, following the ending triple parentheses delete the word "fifty" and insert in lieu thereof the word "thirty"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2344 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2364 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12, following the word "a" delete the word "complete" and insert in lieu thereof the word "summarized"

On page 1, line 18, following the word "section" place beginning and ending triple parentheses around the section number "51-52-06.1" and insert in lieu thereof the section number "54-52-06.1"

On page 1, line 20, following the word "member" remove the beginning triple parentheses

On page 1, line 21, following the word "of" place beginning and ending triple parentheses around the word "five" and insert in lieu thereof the word "six"

On page 1, line 21, following the word "annually" remove the ending triple parentheses

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2364 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2385 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

Senate Bill No. 2385 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2418 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2418 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2461 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2461 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2466 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

Senate Bill No. 2466 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2467 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 11, after the word "forester," insert the words "state geologist,"

And renumber the lines and pages accordingly.

And when so amended recommends the same be re-referred to the Committee on Appropriations.

SENATOR JACOBSON, Chairman

Senate Bill No. 2467 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2476 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2476 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2485 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 5, after the word "unless" insert "at least three days"

And renumber the lines and pages accordingly.

And when so amended recommends the same be re-referred to the Judiciary Committee.

SENATOR JACOBSON, Chairman





NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		•	•	ISZLER		•	NAADEN	•	SHABLOW
•	BERUBE		•	JACOBSON		•	NASSET		SMYKOWSKI
•	CHRISTENSEN, H.#5		•	JONES		•	NETHING		SOLBERG
•	CHRISTENSEN, L.#3		•	KAUTZMANN		•	PYLE		STRAND
•	CONLIN		•	LARSON		•	RAIT		STRINDEN
•	ERDMAN		•	LASHKOWITZ		•	REDLIN		STROUP
•	FREED		•	LEE		•	REITEN		THANE
•	FRITZELL		•	LIPS	•	•	RINGSAK		TWETEN
•	GOODMAN	•	•	LONGMIRE		•	SANDS		VOSPER
•	GRONHOVD		•	MAHER		•	SANDNESS		WALSH
•	HOFFNER		•	MELLAND		•	SCHULTZ, C.#14		WENSTROM
•	HOLANDE		•	MORGAN	•	•	SCHULTZ, J.#32		WRIGHT
•	HOMUTH		•	MUTCH		•	SCHUSTER		MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2345 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2410, as printed on page 460 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2410, the roll was called and there were 30 ayes; 16 nays; absent and not voting, 5.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		•	•	ISZLER		•	NAADEN	•	SHABLOW
		•	•	JACOBSON		•	NASSET		SMYKOWSKI
•	CHRISTENSEN, H.#5		•	JONES		•	NETHING		SOLBERG
•	CHRISTENSEN, L.#3		•	KAUTZMANN		•	PYLE		STRAND
•	CONLIN		•	LARSON		•	RAIT		STRINDEN
•	ERDMAN		•	LASHKOWITZ		•	REDLIN		STROUP
•	FREED		•	LEE		•	REITEN		THANE
•	FRITZELL		•	LIPS		•	RINGSAK		TWETEN
•	GOODMAN		•	LONGMIRE		•	SANDS		VOSPER
•	GRONHOVD	•	•	MAHER		•	SANDNESS		WALSH
•	HOFFNER		•	MELLAND		•	SCHULTZ, C.#14		WENSTROM
•	HOLANDE		•	MORGAN		•	SCHULTZ, J.#32		WRIGHT
•	HOMUTH		•	MUTCH		•	SCHUSTER		MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2410 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2462, as printed on page 460 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2462, the roll was called and there were 36 ayes; 11 nays; absent and not voting, 4.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		•	•	ISZLER		•	NAADEN	•	SHABLOW
•	BERUBE		•	JACOBSON		•	NASSET		SMYKOWSKI
•	CHRISTENSEN, H.#5		•	JONES		•	NETHING		SOLBERG
•	CHRISTENSEN, L.#3		•	KAUTZMANN		•	PYLE		STRAND
•	CONLIN		•	LARSON		•	RAIT		STRINDEN
•	ERDMAN		•	LASHKOWITZ		•	REDLIN		STROUP
•	FREED		•	LEE		•	REITEN		THANE
•	FRITZELL		•	LIPS		•	RINGSAK		TWETEN
•	GOODMAN		•	LONGMIRE		•	SANDS		VOSPER
•	GRONHOVD	•	•	MAHER		•	SANDNESS		WALSH
•	HOFFNER		•	MELLAND		•	SCHULTZ, C.#14		WENSTROM
•	HOLANDE		•	MORGAN		•	SCHULTZ, J.#32		WRIGHT
•	HOMUTH		•	MUTCH		•	SCHUSTER		MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2462 was indefinitely postponed.

**MOTION**

Senator Wenstrom moved that the committee report for indefinite

postponement on Senate Bill No. 2482 be laid over one legislative day, which motion prevailed.

Senator Morgan moved that the Committee Report on Senate Bill No. 2491, as printed on page 460 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2491, the roll was called and there were 48 ayes; 0 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H.#5			• JONES	•		• NETHING			• SOLBERG		
• CHRISTENSEN, L.#3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C.#14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J.#37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2491 was indefinitely postponed.

**MOTION**

Senator Nething moved that the Senate adopt the proposed Joint Legislative Rule No. 23, which motion prevailed.

**PROPOSED JOINT LEGISLATIVE RULE**

SECTION 1.) Joint Legislative Rule No. 23 is hereby created to read as follows:

**23. JOINT STANDING COMMITTEE ON REAPPORTIONMENT**

A joint standing committee on reapportionment consisting of ten members is hereby created. The membership shall be evenly divided between the House and Senate, and the members shall be appointed by the Speaker of the House and the committee on committees of the Senate, with the first-named member in each House serving as co-chairman. All bills and resolutions relating to redistricting or reapportioning of legislative districts shall be referred to the joint standing committee on reapportionment. The joint standing committee shall first meet at the call of the Senate co-chairman and the chairmanship of each meeting thereafter shall alternate between the co-chairman. Members of the joint standing committee shall be excused from attending a meeting of any other committee while they are attending a meeting of the joint standing committee. The joint standing committee shall issue joint reports on legislation referred to it, with the report being first presented to the House having possession of the bill, and later presented to the other House if appropriate.

**JOINT STANDING COMMITTEE ON REAPPORTIONMENT**

The President appointed as such committee pursuant to rule 23, Senators Goodman, Co-Chairman, C. Schultz, Smykowski, Barth and Holand.

**MOTIONS**

Senator Nasset moved that Senate Concurrent Resolution No. 4002 be returned to the Senate from the Legislative Council Resolutions Committee and placed on the calendar for second reading and final passage, which motion prevailed.

Senator Nasset moved that Senate Bill No. 2026 be re-printed, which motion prevailed.

Senator Freed moved that Senate Bill No. 2450 be returned to the Senate from the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Freed requested the unanimous consent of the Senate to withdraw Senate Bill No. 2450, which request was granted.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

**TWENTY-NINTH DAY**

Bismarck, February 14, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Duane K. Sorum, Pastor, First Lutheran Church, Mandan.

“Thank you, God, for lovers, for people who love us, for people who love this state and nation, for people who love Your world.

We ask You to make Your power and love so effective in the hearts and lives of those who sit in these chambers and walk in these halls that every piece of legislation will be a Valentine demonstrating strong love and tenderness for all people, especially those who have no power, and also for the land and the resources which You have entrusted to us all. Amen.”

Roll Call. All Senators present except Holand, Jones and Smykowski.

A quorum was declared by the President.

**CORRECTION AND REVISION**

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the twenty-seventh day after recess and twenty-eighth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2008, as printed on pages 474 and 475 of the Senate Journal, which motion prevailed.

Senator Lips moved that the rules be suspended and that Senate Bill No. 2008 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2008. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 5.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE								
YEAS			N-V			NAYS			YEAS			N-V			NAYS			YEAS			N-V			NAYS		
● BARTH			●			● ISZLER			●			● NAADEN			●			● SHABLOW			●					
● BERUBE			●			● JACOBSON			●			● NASSET			●			● SMYKOWSKI			●					

• CHRISTENSEN, H. #5	• JONES	• NETHING	• SOLBERG
• CHRISTENSEN, L. #3	• KAUTZMANN	• PYLE	• STRAND
• CONLIN	• LARSON	• RAIT	• STRINDEN
• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSACK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUT	• MUTCH	• SCHUSTER	• MR. PRESIDENT

So the bill passed and the title was agreed to.

**MOTIONS**

Senator Freed moved that Senate Bill No. 2039 be laid over one legislative day, which motion prevailed.

Senator Kautzmann moved that Senate Bill No. 2222 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2005. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 438), the roll was called and there were ayes, 40; nays, 6; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL		•	• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUT			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2136. A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide an additional adjustment for adopted children for state income tax purposes.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 439 and 440), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		

• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUT	• MUTCH	• SCHUSTER	• MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2265. A Bill for an Act to amend and reenact sections 20.1-03-04, 20.1-03-11, and 20.1-08-04 of the North Dakota Century Code, relating to the requirement of hunting licenses for residents, to licenses to hunt big game and special permits to hunt deer, and to the contents of the governor's proclamation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 440), the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN		• SHABLOW
• BERUBE			• JACOBSON		•	• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN			• LARSON		•	• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE		•	• REITEN		• THANE
• FRITZELL			• LIPS		•	• RINGSACK		• TWETEN
• GOODMAN			• LONGHAIRE		•	• SANDS		• VOSPER
• GRONHOVD			• MAHER		•	• SANDNESS		• WALSH
• HOFFNER			• MELLAND		•	• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN		•	• SCHULTZ, J. #32		• WRIGHT
• HOMUT			• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2280. A Bill for an Act to amend and reenact section 57-15-56 of the North Dakota Century Code, relating to programs and activities for senior citizens.

Which has been read.

MOTIONS

Senator Lips moved that Senate Bill No. 2280 be amended as follows:

On page 2, line 5, of the engrossed bill, place triple parentheses around the word "one" and insert in lieu thereof the word "two"

Senator Lips moved that the amendments be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2280 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2280. A Bill for an Act to amend and reenact section 57-15-56 of the North Dakota Century Code, relating to programs and activities for senior citizens.

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, 3; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN		• SHABLOW
• BERUBE			• JACOBSON		•	• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN			• LARSON		•	• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE		•	• REITEN		• THANE
• FRITZELL			• LIPS		•	• RINGSACK		• TWETEN

● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**PERSONAL PRIVILEGE**

Senator Shablow: Mr. President, I rise on a point of personal privilege. Well, Mr. President, I would like to explain why I voted no. I think we had better take a look at what we are doing in the mill-leaves that we are passing. I sit on Taxation and Finance and Political Subdivision, and bill after bill after bill has a mill-levy that will be imposed on the people either by resolution of the board or by vote of the people or something else. I believe the people of North Dakota are looking toward this assembly to possibly reduce taxes because of the funds we do have in the general fund, more than we expected to have. But, what we are really doing is taxing the people of North Dakota in so many possibly minute ways, but to such a great extent, that they'll not know what hit them until they get their next tax statement and recognize and realize how many mill-leaves we have passed were certainly possibly good in alot of their purposes. I cannot argue, and I shouldn't have voted against this bill, but I voted in order to show that I am at least conscious of the fact that mill-leaves are getting to be an extreme thing and the number is great. I had them added up once, I thought correctly, something in the order of 26 mills. I am not sure of that figure, but, I was sure that it was in the neighborhood of 21 mills. Thank you.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2332. A Bill for an Act to amend and reenact sections 12-53-01, 12-53-06, 12-53-07, 12-53-10, 12-53-11 and 12-53-12 of the North Dakota Century Code, relating to when a sentence for a misdemeanor or felony may be suspended, to placing a defendant on probation when a felony sentence is suspended, to the duty of the clerk of court when a felony sentence is suspended, to arrest of a person under suspended sentence for breach of probation conditions, to revocation of suspension and termination of probation after hearing, and to release from probation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 441), the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2343. A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the North Dakota Century Code, relating to the power of municipalities to defray expense of improvements by 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, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION			NORTH DAKOTA SENATE			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2347. A Bill for an Act to amend and reenact section 11-33-04 of the North Dakota Century Code, relating to the membership of the county planning 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, 47; nays, 1; absent and not voting, 3.

REGULAR SESSION			NORTH DAKOTA SENATE			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2349. 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.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

REGULAR SESSION			NORTH DAKOTA SENATE			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		

● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2352.** A Bill for an Act to amend and reenact subsection 8 of section 38-14-05 of the North Dakota Century Code, relating to the duties of a surface mine operator.

Which has been read.

Senator Lee moved that Senate Bill No. 2352 be amended as follows:

On page 2, line 7, following the comma, insert the following words: "predominantly upland game,"

On page 2, line 9, following the period, insert the following words: "Following completion and approval of reclamation on state-owned mined lands, certain suitable areas may be leased for hay crop production on a three year rotation basis, provided that not more than thirty-three and one-third percent of these lands are harvested in a single year."

Senator Lee moved that the amendments be adopted, which motion prevailed.

Senator Lee moved that the rules be suspended, that Senate Bill No. 2352 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2352.** A Bill for an Act to amend and reenact subsection 8 of section 38-14-05 of the North Dakota Century Code, relating to the duties of a surface mine operator.

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, 5.

REGULAR SESSION			NORTH DAKOTA SENATE						1975 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KALITZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRONDEN		
● ERODMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2358.** A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporter.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 421), the roll was called and there were ayes, 38; nays, 8; absent and not voting, 5.

REGULAR SESSION			NORTH DAKOTA SENATE						1975 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		





**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 21; nays, 25; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN		●	● THANE		●
● FRITZELL		●	● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN		●	● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD		●	● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

So the bill was declared lost.

Senate Bill No. 2387. A Bill for an Act to repeal section 11-11-40 of the North Dakota Century Code, relating to an appeal from a decision by 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, 44; nays, 0; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN		●	● THANE		●
● FRITZELL		●	● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN		●	● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD		●	● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTIONS**

Senator Wenstrom moved that Senate Bill No. 2407 be laid over one legislative day, which motion lost.

Senator Shablow moved that Senate Bill No. 2407 be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2411. A Bill for an Act making an appropriation to the public service commission for the purpose of conducting surface mine reclamation research.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 441), the roll was called and there were ayes, 40; nays, 6; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		●	● STRAND		●

• CONLIN	• LARSON	• RAIT	• STRINDEN
• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2437. A Bill for an Act to amend and reenact section 54-36-01 of the North Dakota Century Code, relating to the membership of the Indian affairs commission.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 442), the roll was called and there were ayes, 44; nays, 2; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Nething moved that Senate Bill No. 2451 be laid over until the 33rd legislative day, which motion prevailed.

Senate Bill No. 2456. A Bill for an Act to create and enact section 49-12-34 and 49-13-30 of the North Dakota Century Code, relating to railroad livestock shipments and railroad employee pay; to amend and reenact sections 8-10-05, 49-11-15, 49-11-17, subsection 1 of section 49-02-01, subsection 5 of section 49-02-02, and subsection 2 of section 49-11-06 of the North Dakota Century Code, relating to railroads; to repeal chapters 36-20 and 49-08 and section 49-04-11, 49-04-12, 49-04-13, and 49-04-14 of the North Dakota Century Code, and section 49-09-12 of the 1973 Supplement to the North Dakota Century Code, relating to railroads; providing for a limited redraft of law relating to railroads in North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 422), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Lips moved that Senate Bill No. 2480 be re-referred to the Committee on Appropriations, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2487.** A Bill for an Act to amend and reenact sections 16-17-09 and 16-17-16 of the North Dakota Century Code, relating to the composition of the district committee of a political party and election of delegates to the state party convention.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

REGULAR SESSION			NORTH DAKOTA SENATE			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES ●			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REOLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● WOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT ●		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4026.** A concurrent resolution urging Congress to raise the federal estate tax exemption to two hundred thousand dollars.

Which has been read.

Senator Goodman moved that Senate Concurrent Resolution No. 4026 be amended as follows:

On page 1, line 2, delete the words "one hundred fifty" and insert in lieu thereof the words "two hundred"

Senator Goodman moved that the amendments be adopted, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Concurrent Resolution No. 4026 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**"SECOND READING OF A SENATE CONCURRENT RESOLUTION"**

**Senate Concurrent Resolution No. 4026.** A concurrent resolution urging Congress to raise the federal estate tax exemption to two hundred thousand dollars.

The question being on the final adoption of the resolution as amended, Senator Goodman moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4026 was adopted.

**Senate Concurrent Resolution No. 4034.** A concurrent resolution urging the United States Civil Aeronautics Board to grant authority to Frontier Airlines to serve North Dakota cities not served with a flight to Denver and the southwestern portion of the United States.

Which has been read.

The question being on the final adoption of the resolution.

Senator Lashkowitz moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4034 was adopted.

**MOTION**

Senator Mutch moved that Senate Concurrent Resolutions Nos. 4036 and 4039 be laid over one legislative day, which motion prevailed.

SECOND READING OF  
SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4040.** A concurrent resolution relating to the participation of the Soil Conservation Service in planning relating to the Devils Lake Basin.

Which has been read.

The question being on the final adoption of the resolution.

Senator L. Christensen moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4040 was adopted.

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Melland moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4001 as printed on page 475 of the Senate Journal, which motion prevailed.

Senator Melland moved that the rules be suspended and that Senate Concurrent Resolution No. 4001 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF  
A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4001.** A concurrent resolution urging the Congress of the United States to pass amendments to the Fair Labor Standards Act to allow exemptions to the minimum wage provisions of the Act when the productivity of patient labor is less than that required of a full-time non-patient employee, and urging the North Dakota Congressional Delegation to propose such amendments.

Which has been read.

The question being on the final adoption of Senate Concurrent Resolution No. 4001 as amended.

Senator Melland moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4001 was adopted.

MOTION

Senator Ringsak moved that Senate Bill No. 2328 be returned to the Senate from the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Ringsak requested that Senate Bill No. 2328 be withdrawn. There being no objection, the request was granted.

PERSONAL PRIVILEGE

Senator Solberg:

We have found this week of Valentine most interesting and I can't help but refer to Deschant's admonition to all of us "to venture is to suffer anxiety but not to venture is to lose oneself." This has been quite a week. I didn't know there were so many ladies in town with telephones and because many have had a hard week and will have another hard week may I share this little very crude thing. I hope it hits a point with all of us as we go home this Friday.

"How blessed is the man whose daily chores are done that he's too busy with his work to worry very much and when his busy day is through I say he is blessed again if he's too tired to lie awake and worry all in vain."

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit:  
Senate Bill No. 2018

Senate Bill No. 2025  
 Senate Bill No. 2026  
 Senate Bill No. 2065  
 Senate Bill No. 2195  
 Senate Bill No. 2199  
 Senate Bill No. 2253

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2008.

Very respectfully,  
 LEO LEIDHOLM, Secretary of Senate

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1099  
 House Bill No. 1232  
 House Bill No. 1247  
 House Bill No. 1257  
 House Bill No. 1278  
 House Bill No. 1367  
 House Bill No. 1386  
 House Bill No. 1399  
 House Bill No. 1404  
 House Bill No. 1420  
 House Bill No. 1434  
 House Bill No. 1459  
 House Bill No. 1461  
 House Bill No. 1486  
 House Bill No. 1488  
 House Bill No. 1499  
 House Bill No. 1507  
 House Bill No. 1544  
 House Bill No. 1564  
 House Bill No. 1581

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Bills Nos. 2014, 2187, 2256, 2418, 2441, 2461, 2476 and Senate Concurrent Resolutions Nos. 4002, 4028, 4029, and 4035, that the Senate recess until 1:00 P.M., Monday, February 17, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

TWENTY-NINTH DAY AFTER RECESS AND THIRTIETH DAY

Bismarck, February 17, 1975

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. 2014

Senate Bill No. 2256

Senate Bill No. 2441

Senate Concurrent Resolution No. 4029

Senate Concurrent Resolution No. 4042

And find the same correctly Engrossed.

SEN. STRAND, Chairman

Senate Vosper 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. 2110

And find the same correctly Enrolled.

SEN. STRAND, Chairman

Senator Strand 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. 2110

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2110

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1134

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. 1134

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1134  
Which the President has signed.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following:  
Senate Bill No. 2110  
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. 2110

Was delivered to the Governor for his approval on Feb. 17, 1975.

SEN. STRAND, Chairman

## FIRST READING OF A SENATE RESOLUTION

Committee on Photography introduced:

**Senate Resolution No. 4.** A resolution to appoint an official photographer for the Senate of the Forty-fourth Legislative Assembly of the State of North Dakota.

Was read the first time.

Senator J. Schultz moved that the rules be suspended, that Senate Resolution No. 4 not be printed as a resolution, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

## SENATE RESOLUTION NO. 4

A resolution to appoint an official photographer for the Senate of the Forty-fourth Legislative Assembly of the State of North Dakota.

WHEREAS, for historical purposes it has been the custom of all North Dakota Legislative Assemblies to have composite group pictures made of all members of such assemblies; and

WHEREAS, Manda-Color of Mandan, North Dakota, offers to take six proof color photographs of each Senator, the Lieutenant Governor, the Secretary of the Senate, the Assistant Senate Secretary, the Senate Bill Clerk, the Senate Desk Reporter, and the Senate Sergeant-at-Arms, and to retouch said proofs; to make a composite color picture, size 30 x 40 inches, framed and ready to hang, of the photographs of the aforementioned; to make 57 color copies of said picture, 14 x 11 inches in size, one for each person, pictured therein; and to make one 5 x 7 inch color, and one 5 x 7 black and white, photograph of each Senator and the Lieutenant Governor; all the foregoing at a cost of \$1,070.00;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

That Manda-Color Studio of Mandan, North Dakota, be and is hereby appointed official photographer for the Senate of the Forty-fourth Legislative Assembly of the State of North Dakota; and

BE IT FURTHER RESOLVED, that Manda-Color Studio of Mandan, North Dakota, is hereby awarded the sole privilege of photographing members of the Senate and the above-mentioned Senate employees of the Forty-fourth Legislative Assembly, at a cost of \$1,070.00 to be charged as a legislative expense; and

BE IT FURTHER RESOLVED, that the photographs shall be delivered on or before June 1, 1975.



**SECOND READING OF A SENATE RESOLUTION**

Senate Resolution No. 4. A resolution to appoint an official photographer for the Senate of the Forty-fourth Legislative Assembly of the State of North Dakota.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution.

The roll was called and there were ayes, 44; nays, 2; absent and not voting 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP	●	
● FREED			● LEF			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUT	●		● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So Senate Resolution No. 4 was declared adopted.

**CONSIDERATION OF AMENDMENTS**

Senator Pyle moved that the reading of the amendments to Senate Bills 2097, 2344, 2364, 2467, 2485 and SCR 4032 be dispensed with, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2097 as recommended by the Committee on Natural Resources as printed on pages 478, 479 and 480 of the Senate Journal be adopted, and Senate Bill No. 2097 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2344 as recommended by the Committee on Political Subdivisions as printed on page 480 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2364 as recommended by the Committee on Political Subdivisions as printed on pages 480 and 481 of the Senate Journal be adopted, which motion prevailed. Senator Goodman moved that Senate Bill No. 2364 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2467 as recommended by the Committee on Natural Resources as printed on page 481 of the Senate Journal be adopted, and Senate Bill No. 2467 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2485 as recommended by the Committee on Natural Resources as printed on page 481 of the Senate Journal be adopted, and Senate Bill No. 2485 be re-referred to the Committee on Judiciary, which motion prevailed.

Senator Morgan moved that the amendments to Senate Concurrent Resolution No. 4032 as recommended by the Committee on Agriculture as printed on page 482 of the Senate Journal be adopted, which motion prevailed.

**MOTION**

Senator Lashkowitz requested permission to submit three proposed amendments to the Senate rules, which request was granted.

Senator Lashkowitz moved that these proposed amendments to Senate rules be referred to the Senate Rules Committee, which motion prevailed.

**PROPOSED AMENDMENTS TO SENATE RULES**

**SECTION 1.)** A new subsection to Senate Rule No. 8 is hereby created to read as follows:

Periodically request from the Secretary of State a current list of all registered lobbyists, and furnish a copy of that list to each member of the Senate.

**SECTION 2.)** Rule 43.1 of the Senate Rules is hereby created to read as follows:

**43.1 LOBBYISTS TO IDENTIFY THEMSELVES**

When presenting oral, graphic, or written testimony before any standing or procedural committee of the Senate, a lobbyist registered under the laws of this State shall disclose the fact that he is such a lobbyist to the committee, and shall also disclose whether he is receiving remuneration, in any form, from the person, firm, association, or corporation whom or which he is representing. All disclosures made under this rule shall be recorded in the minutes of the committee before which they were made.

**PROPOSED AMENDMENT TO SENATE RULE NO. 24**

**SECTION 1. AMENDMENT.)** Senate Rule No. 24 is hereby amended to read as follows:

**24. VOTE BY MEMBERS**

Every member who is present, before the vote is declared from the Chair, must vote for or against the question before the Senate, unless the Senate ((excuse)) excuses him; provided, however, that any member who has a personal or private interest in any measure or bill shall disclose the fact to the Senate and shall not vote thereon ((without the consent of the Senate)).

**PROPOSED AMENDMENT TO SENATE RULE NO. 46**

**SECTION 1. AMENDMENT.)** Senate Rule No. 46 is hereby amended to read as follows:

**46. REPORT OF COMMITTEES**

The report of a committee shall be for passage, for indefinite postponement, for amendment, or without recommendation. If for indefinite postponement, the committee report shall be accompanied by a written statement setting forth the committee's reasons for its recommendations. The report shall be considered on the next legislative day under the Sixth Order of Business. If the report is for amendment, the proposed amendments shall be fully set forth in the report. If such report is adopted, the measure shall thereupon go on the calendar for the next legislative day for action of the Senate as to amendments under the Sixth Order of Business. No action shall be taken upon amendments until a full mimeographed or printed copy of the report is in the hands of the members. Upon receiving the report, the Secretary shall cause copies thereof to be made and placed on the desk of each member; provided, however, that upon a two-thirds vote of the members-elect, this may be suspended, and the amendment acted on immediately after the report of the committee. The Secretary shall see that a copy of each report for indefinite postponement, with the accompanying statement of reasons, is presented to the prime sponsor of the measure to which the report relates.

If the committee report recommends the measure for passage without amendment, the measure shall go on the calendar or consent calendar for the next legislative day for second reading and final passage.

If a report or motion for indefinite postponement is adopted, it shall have the effect of entirely removing the measure from before the Senate for that session (unless revived by motion to reconsider). The passage of a motion for the adoption of a report recommending amendments has the effect of adopting the report but not the amendments. A member may





ponement on Senate Bill No. 2466 be laid over one legislative day, which motion prevailed.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Jacobson moved that the Committee Report on Senate Bill No. 2482, as printed on page 460 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2482, the roll was called and there were 48 ayes, 0 nays, absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2482 was indefinitely postponed.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Natural Resources 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 2, line 11, after the first comma delete the word "or"; and in the same line after the word "addition" delete the word "thereto"

On page 2, delete lines 12 and 13

On page 2, line 14, delete the letters and words "ment of health, added to an existing plant)" and insert in lieu thereof the words "or combination of plant and addition"

On page 5, line 31, after the word "state" insert the words "on or after either January 1, 1976, or the date of promulgation of criteria and standards under subsection 1 of section 5, whichever date is earlier,"

On page 6, line 23, after the period delete the remainder of the line

On page 6, line 24, delete the words "of such" and insert in lieu thereof the words "After receiving the application, the commission shall serve a copy of the"

On page 6, line 27, delete the word "area" and insert in lieu thereof the word "county"

On page 6, line 35, delete the word "may" and insert in lieu thereof the word "shall"

On page 7, line 1, delete the words "require the applicant to"

On page 8, line 18, delete the numerals "12, 13, and 14" and insert in lieu thereof the numerals "13, 14, and 15"

On page 8, line 22, after the word "and" insert a comma and the words "for an application received prior to July 1, 1977,"

On page 8, line 25, after the period insert the following sentence: "For an application received on or after July 1, 1977, the designation shall be made in a timely manner no later than six months after the application for a certificate requesting designation of a site or no later than three months after the application for a certificate requesting designation of a corridor."

On page 9, line 5, delete the numerals "12, 13, and 14" and insert in lieu thereof the numerals "13, 14, and 15"

On page 9, line 9, after the period insert the following new section:  
 "SECTION 12. EMERGENCY CERTIFICATION.) Any utility whose electric power system requires the immediate construction of an energy conversion facility or transmission facilities may make an application to the commission for an emergency certificate of site compatibility or permit for the construction of transmission facilities. The emergency certificate or permit shall be issued in a timely manner no later than six months after the application and upon a finding by the commission that a demonstrable emergency exists which requires such immediate construction and that adherence to the procedures and time schedules set forth in this Act would jeopardize the utility's electric power system. A public hearing shall be held within ninety days of receipt of the application by the commission."

On page 9, line 11, delete the words "an annual public hearing at a time and place" and insert in lieu thereof the words "public hearings as"

On page 9, line 18, after the word "facility" insert a semicolon and the words "however, where more than one county is involved, the commission may consolidate the county hearings and hold a consolidated hearing or hearings in a place designated by the commission"

On page 9, line 28, after the word "from" insert the words "the state department of agriculture,"

On page 11, line 9, delete the numeral "15" and insert in lieu thereof the numeral "16"

On page 11, line 25, delete the word "hearing" and insert in lieu thereof the word "rehearing"

On page 12, line 12, delete the numeral "21" and insert in lieu thereof the numeral "22"

On page 12, line 30, after the period insert the following sentence: "The application fee under this subsection shall not be less than five thousand dollars nor more than one hundred fifty thousand dollars."

On page 13, line 6, after the word "fee" insert the words "under subsection 1"

On page 13, line 7, delete the word "section" and insert in lieu thereof the word "subsection"

On page 13, line 8, delete the comma and insert in lieu thereof a period

On page 13, delete lines 9 and 10

On page 14, line 11, delete the numeral "22" and insert in lieu thereof the numeral "23"

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2050 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2070 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL", and delete the remainder of the bill and insert in lieu thereof the following:

"for an Act providing a random motor vehicle maintenance program by the superintendent of the state highway patrol; and providing a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. MOVEMENT OF VEHICLES WITHOUT REQUIRED EQUIPMENT OR IN UNSAFE CONDITION PROHIBITED.) No person shall drive or move any registered motor vehicle in this state unless the vehicle is equipped pursuant to the laws of this state and the equipment is in good working order and adjusted as required by law.

SECTION 2. SUPERINTENDENT OF HIGHWAY PATROL TO

**REGULATE RANDOM MOTOR VEHICLE MAINTENANCE PROGRAM.)**

1. The superintendent of the highway patrol may require that motor vehicles registered in this state be inspected on a random basis every year and that an official certificate of maintenance be issued for each such vehicle inspected. The superintendent may also, pursuant to section 4 of this Act, determine which vehicles are to be inspected during any given year. Such inspections may include, but are not limited to, the condition, adjustment, and installation of brakes, steering, tires, headlights, taillights, directional lights, suspension systems, and the registration of every such motor vehicle. In the event repair or adjustment of any motor vehicle is found necessary upon inspection, the owner of the motor vehicle, at his own expense, may obtain such maintenance or repair at any place he may choose.

2. The superintendent shall accept a current certificate of maintenance or inspection issued in another state.

3. The motor vehicle registrar, upon notice from the superintendent or his authorized agent, shall suspend the registration of any vehicle which the superintendent or his authorized agent determines to be in such unsafe condition as to constitute a menace to safety, or which, after notice and demand, is not equipped as required in this Act or is not equipped as required under regulations promulgated under this Act, or for which a required certificate of inspection has not been obtained.

4. The superintendent may designate and certify inspectors and inspection stations under rules and regulations promulgated pursuant to this Act.

**SECTION 3. EXCEPTIONS.)** All those vehicles specified by rules promulgated by the superintendent, pursuant to section 4 of this Act, will be exempt from random inspection.

**SECTION 4. SUPERINTENDENT TO ESTABLISH RULES AND REGULATIONS.)** The superintendent, subject to approval by an appropriate interim legislative committee designated by the legislative council, is hereby authorized to promulgate rules and regulations under chapter 28-32 for the administration and enforcement of this Act. He may also promulgate regulations for inspection stations, setting forth the minimum equipment needed and the procedures to be followed by such stations and may promulgate regulations setting forth standards that vehicle inspectors shall meet and procedures to be followed by persons who desire to become motor vehicle inspectors.

**SECTION 5. ADMINISTRATIVE HEARING ON REQUEST.)** Any person aggrieved by a decision of the superintendent or his designated agent under the provisions of this Act shall have thirty days from receipt of notice of that decision to request, in writing, an administrative hearing on the matter so decided. If a timely request for a hearing is made, the superintendent shall appoint a hearing examiner who shall hold a hearing as provided for in chapter 28-32. The decision of the hearing examiner shall be appealable as provided for in chapter 28-32.

**SECTION 6. PENALTY.)** Any person violating any of the provisions of this Act, or violating any of the regulations promulgated under this Act, shall be guilty of an infraction."

And renumber the lines, pages, and sections accordingly.

SENATOR MUTCH, Chairman

Senate Bill No. 2070 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2084 has had the same under consideration and recommends that the same be amended as follows:

On page 5, line 6, following the words "of the" delete the words "1973 Supplement to the"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2084 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2088 has had the same under consideration and recommends that the same be amended as follows:

On page 9, after line 27, insert the following new section:

“SECTION 18. COUNTY SHALL BE EXCLUDED FROM CONSERVANCY DISTRICT IF NOT BENEFITED.)

1. Any county in the conservancy district not benefited or not to be benefited, in whole or in part, as determined by the board of county commissioners of any such county, by the establishment of the west river conservancy district as authorized by this Act shall be excluded from the district as provided herein. The board of county commissioners of any such county may by resolution direct the county auditor and the chairman of the board to file with the board of directors of the conservancy district a petition, for and on behalf of the county, requesting the board of directors of the district to exclude such county therefrom. A certified copy of the resolution of the county board shall accompany and be filed with such petition. The petition and resolution shall state specific reasons why such county will not be benefited by the establishment and development of the west river conservancy district.

2. Upon receipt of the petition, the secretary of the board of directors shall cause notice of the filing of such petition to be printed once each week for two consecutive weeks in a newspaper or newspapers of general circulation within the county which has petitioned for exclusion. The notice shall state that the petitioning county has filed a petition for exclusion from the district, and that the district board of directors shall grant such petition within sixty days from the date of filing. Within sixty days from the date the petition is filed with the district board, the board shall grant such petition.”

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Bill No. 2088 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2092 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2092 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation 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 20, after the period insert the following underscored sentence: “The county treasurer, at the time he mails the notice required by section 57-24-01, shall also mail a copy of such notice to the owner of the surface overlying the severed mineral interest described in the notice.”

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2093 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Bill No. 2095 has had the same under consideration and



recommends that the same be amended as follows:

On page 2, line 9, delete the word "a" and insert in lieu thereof the word "the"; and in the same line, after the word "of", insert the word "inherent"

On page 3, line 17, delete the triple parentheses before the word "of" and insert triple parentheses in front of the word "minerals"

On page 4, line 5, delete the triple parentheses before the word "normally"

On page 4, line 7, delete the triple parentheses following the word "horizon"

On page 4, line 32, delete the word "the" and insert in lieu thereof the words "not less than"

On page 5, line 16, delete the word "prepare" and insert in lieu thereof the word "submit"

On page 7, line 7, delete the numerals "38-12-02.1" and insert in lieu thereof the numerals "38-14-02.1"

On page 9, line 21, following the word "in", insert the words "not less than"

On page 11, line 16, delete the triple parentheses after the word "area"

On page 11, line 17, delete the triple parentheses before the word "two"

On page 11, line 17, following the triple parentheses and before the word "five" insert the following: "up to a maximum of"

On page 11, line 18, following the triple parentheses and before the word "five" insert the words "up to"

On page 11, line 22, following the word "area" and before the period insert the following: "as prescribed by the commission"

On page 13, line 1, delete the word "of" and insert in lieu thereof the word "or"

On page 13, line 13, delete the word "other"

On page 14, line 31, after the word "allow", insert the following: ", or upon its own motion may order."

On page 15, following the line 5, insert the following new subsections:

"14. If the surface owner's domestic or livestock water supply has been disrupted, or diminished in quality or quantity by surface mining operations, the operator shall, at no cost to the surface owner, make such repairs, alterations, or construction as will ensure the delivery to the surface owner of that quality and quantity of water available to such surface owner prior to mining. Repairs, alterations, or construction required herein shall be considered to be a part of reclamation for the purposes of subsection 3 of section 38-14-07."

"15. The operator shall keep a book containing the following information concerning the permitted mine or mines:

- a. Its name;
- b. Its location;
- c. Date when it began business;
- d. Name of the owner;
- e. Name of the operator;
- f. Number of tons of coal mined therein;
- g. Number of men employed therein; and
- h. Price received for coal sold.

In addition, the operator shall annually make a verified report of the foregoing to the commission. The commission shall not make public the price received for coal sold at any individual mine, but may make public the total valuation of all coal sold in the state."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same be re-referred to the Appropriations Committee.

SENATOR JACOBSON, Chairman

Senate Bill No. 2095 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2158 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2158 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2161 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2161 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2162 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, delete the triple parentheses around the word "nine" and delete the word "seven"

On page 1, line 13, after the letters "a.m." delete the beginning triple parentheses

On page 1, line 16, after the word "located" delete the ending triple parentheses

On page 1, line 17, delete the triple parentheses around the word "seven" and delete the word "eight"

On page 1, delete all of line 24

On page 2, delete all of lines 1 through 4

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2162 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2174 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2174 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2224 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the words "two new sections", and insert in lieu thereof the words: "a new section"

On page 1, line 3, delete the words "in public toilets"; and in that same line, insert the following before the period: "in public toilets in buildings or facilities constructed or remodeled after the effective date of the bill"

On page 1, delete lines 11 through 24

On page 2, delete lines 1 through 4

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Bill No. 2224 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2255 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2255 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2285 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2285 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2301 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12, delete the “,” following the numerals “15-47-27”; delete the beginning and ending triple parentheses around the word “and”; delete the words “and 15-47-38.”

On page 1, line 16, after the “period” insert the following: “The term “teacher”, as used in section 15-47-38, shall be construed to include all teachers and principals in all public school districts within this state, and all persons employed in teaching in any state institution, except institutions of higher learning.”

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2301 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2308 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2308 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2321 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2321 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2335 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2335 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred Senate Bill No. 2338 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Bill No. 2338 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2339 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 5, following the period, delete the underscored words “all such obsolescent road”

On page 3, delete the underscored lines 6 through 8

On page 3, line 9, delete the underscored words “any bidder prior to sale”

Insert in lieu thereof, the underscored words “All such obsolescent road machinery, equipment, and material offered for sale to political subdivisions shall be sold by negotiation to the purchasing political subdivision at the State Highway Department’s established market value.

All such obsolescent road machinery, equipment, and material which is offered at general sale and valued at more than three thousand dollars shall be sold on sealed bids at the highest and best bid, reserving the right to reject all bids, with no money deposit required of any bidder prior to sale."

And renumber the lines accordingly.

DUANE MUTCH, Chairman

Senate Bill No. 2339 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2340 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR FREED, Chairman

Senate Bill No. 2340 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2354 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2354 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2360 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 22, following the word "of" delete the words "one-half" and insert in lieu thereof the words "one-fourth"

On page 3, line 28, following the word "of" delete the words "one-half" and insert in lieu thereof the words "one-fourth"

On page 4, line 23, delete the figure "\$440,000.00" and insert in lieu thereof the figure "\$220,000.00"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR SANDS, Chairman

Senate Bill No. 2360 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2369 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2369 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2373 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2373 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2400 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2400 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2403 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2403 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred Senate Bill No. 2404 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

Senate Bill No. 2404 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2406 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Bill No. 2406 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2413 has had the same under consideration and recommends that the same be amended as follows:

On page 1, delete lines 11 and 12

On page 1, line 14, delete the underscored word "four" and insert in lieu thereof the underscored word "five"

And renumber the lines accordingly.

And when so amended recommends that the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2413 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2421 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2421 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2426 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, following the word "vehicles" insert the words "and providing an effective date"

On page 1, line 17, following the underscored word "with" delete the underscored word "any"

On page 2, line 2, following the period insert the underscored words "The registrar shall promulgate rules and requirements which, so far as possible, shall conform to the regulations established by the Vehicle Equipment Safety Commission and the Federal Motor Vehicle Safety Standards. The provisions of this Act shall be effective beginning on or after January 1, 1976."

And renumber the lines accordingly.

And when amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2426 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2427 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2427 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2434 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the words "A BILL", delete the remainder of the line and delete the remainder of the bill, and insert the following in lieu

thereof: "for an Act to amend and reenact sections 4-12-02 and 4-12-08 of the North Dakota Century Code, relating to rules and regulations of the commissioner on honey bees.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 4-12-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-12-02. COMMISSIONER OF AGRICULTURE ((AND LABOR))) TO ENFORCE PROVISIONS — PUBLIC HEARING.)

1. The commissioner of agriculture ((and labor)) shall enforce the provisions of this chapter.

2. A public hearing may be held at the request of the commissioner of agriculture or at the request of any beekeeper concerning the effect of any emergency regulation or order promulgated by the commissioner to carry out the provisions of this chapter.

SECTION 2. AMENDMENT.) Section 4-12-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-12-08. COMMISSIONER TO MAKE REGULATIONS GOVERNING DISEASES OF BEES.) The commissioner of agriculture ((and labor)) shall prescribe and issue such emergency regulations and orders as are necessary to prevent, eradicate, or control the introduction, spread, or dissemination of all contagious or infectious diseases of honey bees.

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2434 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2438 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2438 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2445 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2445 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2446 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senate Bill No. 2446 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2447 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

Senate Bill No. 2447 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2448 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was

referred Senate Bill No. 2452 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the second comma delete the word "and"

On page 1, line 4, after the first comma, insert the following "public road construction and maintenance in addition to that provided by the local governing body or other agency and the improvement and control of the environmental quality of the recreation service district,"

On page 1, line 22, following the second comma delete the word "and"

On page 1, line 22, following the word "services" insert the following ", and public road construction and maintenance, in addition to that provided by the local governing body or agency"

On page 1, line 24, delete the period and insert the following ", and provide for the improvement and control of the environmental quality of the recreation service district. Said recreation service district shall be limited in size and location to an area which is contiguous to or within one-quarter mile of the recreational waters of the area or to the areas of land which are dedicated to public use for recreational purposes. In addition, said district shall consist of not less than five hundred privately owned seasonal homes or cottages and other residences and establishments."

On page 2, line 24, following the word "voters" insert the following ", as defined in section 3 of this Act,"

On page 2, line 24, delete the word "three" and insert in lieu thereof the words "not less than five"

On page 3, line 6, after the first period, delete the word "Three" and insert in lieu thereof the words "Not less than five"

On page 3, line 9, delete the words "one year" and insert in lieu thereof the words "three years"

On page 3, line 10, following the period insert the following "The term of each director shall be established so that the term of approximately one-third of the directors shall terminate each year."

On page 3, line 34, following the comma delete the word "and"

On page 3, line 34, following the word "services" insert the following ", and public road construction and maintenance, in addition to that provided by the local governing body or other agency"

On page 4, line 1, following the comma, insert the following "and to provide for the improvement and control of the environmental quality of the recreation service district,"

On page 4, line 5, after the word "district" insert the following "affected by such levy or special assessment and"

On page 4, line 8, following the word "water" delete the word "and" and insert in lieu thereof ", and after the word "services" insert the following "public road construction and maintenance and improvement of environmental quality"

On page 5, line 4, following the period, insert the following "The board shall have the authority to cooperate with the state or federal government or any agency or department thereof in furnishing assurances and meeting local cooperation requirements, within the scope of the power of said board, in connection with any project involving the construction, improvement, operation, maintenance, conservation or use of the area, including waters, within the recreation service district."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2452 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2454 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2454 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2457 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senate Bill No. 2457 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2459 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Bill No. 2459 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2473 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete the numerals "27-02-27" and the comma

On page 1, line 2, delete the numerals "27-05-29" and the first comma

On page 1, line 3, delete the word "supreme"

On page 1, line 4, delete the words "court, district courts, and"

On page 1, line 5, after the word "justice" insert the word "courts" and after the word "municipal" insert the word "courts" and delete the word "judge"

On page 1, delete all of lines 17 through 24

On page 2, delete all of lines 1 through 20

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2473 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2475 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2475 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2479 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2479 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2484 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2484 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2486 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

Senate Bill No. 2486 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2488 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman



Senate Bill No. 2488 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2489 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2489 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4023 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 9, delete the word "natural" and insert in lieu thereof the word "legislative"

On page 2, line 12, after the word "eighty" delete the word "natural" and insert in lieu thereof the word "legislative"

On page 2, line 15, after the period delete the rest of the line

On page 2, delete all of lines 16 through 18

And renumber the lines and pages accordingly.

And when so amended recommends the same be placed on the calendar without recommendation.

SENATOR FREED, Chairman

Senate Concurrent Resolution No. 4023 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Concurrent Resolution 4038 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

Senate Concurrent Resolution No. 4038 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Concurrent Resolution No. 3019 has had the same under consideration and recommends that the same do pass.

SENATOR SMYKOWSKI, Vice-Chairman

House Concurrent Resolution No. 3019 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTIETH DAY

Bismarck, February 17, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Reverend David Knecht, Pastor, McCabe Methodist Church, Bismarck.

"God of our Fathers, in this day when so many clamoring voices bid us heed their call, give us the inner quiet that enables us to hear the beat of Your drum, that right may be our light and trust our shield.

On this President's Day make us keenly aware of the heritage entrusted to us. We would not be so enamoured with the past that we are fearful of change; but we would be mindful of today and tomorrow lest we barter yesterday's treasure for today's whim.

Help us see our blessings in humble gratefulness, not in self-righteous pride, knowing they can be kept meaningful and alive only when used to Your glory and the good of humankind. So may it be. Amen."

Roll Call: All Senators present except Jones.

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-eighth day after recess and twenty-ninth day and recommends that the same be corrected as follows:

- On page 489, line 28, delete "as amended".
- On page 491, line 35, insert "as amended" after the word "bill".
- On page 494, line 13, delete "as amended".

On page 494, after line 47, insert "SECOND READING OF A SENATE CONCURRENT RESOLUTION, and insert the title of Senate Concurrent Resolution No. 4026.

**Senate Concurrent Resolution No. 4026.** A concurrent resolution urging Congress to raise the federal estate tax exemption to two hundred thousand dollars.

On page 496, line 43, delete the numbers "4042".

And when so corrected recommends that the same be approved.

**SENATOR SANDNESS, Chairman**

Senator Sandness moved that the report be adopted, which motion prevailed.

**RECOGNITION**

Senator Pyle moved that the President appoint a committee of three to escort the dignitaries to the front desk, which motion prevailed. The President appointed as such Committee, Senators Morgan, Wright and Redlin. The President introduced to the Senate the following FFA national officers who were visiting the legislature today:

- D. Scott McKain, Crothersville, Indiana
- Gerrit Debruin, Monroe, Wisconsin
- Bart Brashears, Alex, Oklahoma
- Shannon Simonson, Crosby, N. Dak.

**MOTIONS**

Senator Nething moved that Senate Bill No. 2370 be returned from the Committee on State and Federal Government and Senate Bill No. 2331 be returned from the Committee on Judiciary, which motion prevailed.

Senator Nething moved that Senate Bill No. 2370 and Senate Bill No. 2331 be re-referred to the Joint Standing Committee on Reapportionment and be reported back to the Senate on or before the 47th legislative day, which motion prevailed.

Senator Stroup moved that Senate Bill No. 2277 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Stroup moved that Senate Bill No. 2277 be withdrawn. The question being on the motion to withdraw Senate Bill No. 2277, the roll was called and there were 50 ayes; 0 nays; absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SAIKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So Senate Bill No. 2277 was withdrawn.

MOTIONS

Senator Longmire moved that Senate Bill No. 2408 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Longmire requested the unanimous consent of the Senate to withdraw Senate Bill No. 2408. There being no objection, the request was granted, and Senate Bill No. 2408 was withdrawn.

Senator Longmire moved that Senate Bill No. 2409 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Longmire requested the unanimous consent of the Senate to withdraw Senate Bill No. 2409. There being no objection, the request was granted, and Senate Bill No. 2409 was withdrawn.

Senator Lashkowitz moved that Senate Bill No. 2442 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Lashkowitz requested the unanimous consent of the Senate to withdraw Senate Bill No. 2442. There being no objection, the request was granted, and Senate Bill No. 2442 was withdrawn.

SECOND READING OF SENATE BILLS

Senate Bill No. 2014. A Bill for an Act to appropriate money for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 457 and 458). The roll was called and there were ayes, 48; nays, 1; absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NETHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT		●	STRINDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STRUP	
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSACK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	

So the bill was passed and the title was agreed to.

MOTIONS

Senator Melland moved that Senate Bill No. 2014 be re-printed in a quantity not to exceed 300 copies, which motion prevailed.

Senator Freed moved that Senate Bill No. 2039 be laid over one legislative day, which motion prevailed.

Senator Homuth moved that Senate Bill No. 2187 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2256. A Bill for an Act to amend and reenact subdivision b of subsection 2 of section 39-04-18 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, as amended, (SJ page 459). The roll was called and there were ayes, 45; nays, 3; absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2407. A Bill for an Act to amend and reenact section 25-12-02 of the North Dakota Century Code, relating to mental health service units.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 421 and 422). The roll was called and there were ayes, 42; nays, 5; absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2418. A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to mileage of 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, 48; nays, 0; absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2441. 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 has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 460). The roll was called and there were ayes, 40; nays, 9; absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED	●		● LEE			● REITEN			● THANE	●	
● FRITZELL			● LIPS	●		● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROHNOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN	●		● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2461. A Bill for an Act to amend and reenact section 15-03-06 of the North Dakota Century Code, relating to farm loan procedure to Indians.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROHNOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2476. A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to giving notice of an application for the appropriation of water.

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, 34; absent and not voting 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		

● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill was declared lost.

### SECOND READING OF SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4002. Alternative I.** A concurrent resolution for a constitutional amendment providing for a board of public education and a board of higher education; for the amendment of sections 82 and 83 of the Constitution of the state of North Dakota, relating to public education and to remove the superintendent of public instruction as a constitutional officer; for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

Which has been read. **ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 30; nays, 20; absent and not voting 1.

REGULAR SESSION			NORTH DAKOTA SENATE ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So Senate Concurrent Resolution No. 4002 was declared adopted.

**Senate Concurrent Resolution No. 4028.** A concurrent resolution urging Congress to provide financial reimbursement to farmers who suffer substantial grain loss due to depredation by ducks and geese.

Which has been read.

The question being on the final adoption of the resolution.

Senator Barth moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4028 was adopted.

**Senate Concurrent Resolution No. 4029.** A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Garrison Diversion Project and urging that the Bureau of Reclamation deal more equitably with persons affected by the project.

Which has been read.

The question being on the final adoption of the resolution as amended (SJ page 461).

Senator Smykowski moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4029 was adopted.

**Senate Concurrent Resolution No. 4035.** A concurrent resolution urging the North Dakota State University College of Agriculture, the North Dakota State University Cooperative Extension Service, and the North Dakota State University Experiment Station to conduct research to determine the feasibility of using grain alcohol as a renewable alternative energy source and of using byproducts from the fermentation process as an animal feed.

Which has been read.

The question being on the final adoption of the resolution.

Senator Walsh moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4035 was adopted.

**Senate Concurrent Resolution No. 4036.** A concurrent resolution urging the Highway Commissioner to concentrate efforts toward needed improvements on U.S. Highway No. 2 across the State of North Dakota as quickly as available financing will permit.

Which has been read.

The question being on the final adoption of the resolution.

Senator Longmire moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4036 was adopted.

**Senate Concurrent Resolution No. 4039.** A concurrent resolution urging Congress to refuse to concur in the President's request for permission to withhold highway funds from the State of North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

Senator Longmire moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4039 was adopted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Concurrent Resolution No. 4001.

Senate Chamber LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2005

Senate Bill No. 2136

Senate Bill No. 2265

Senate Bill No. 2280

Senate Bill No. 2332

Senate Bill No. 2343

Senate Bill No. 2347

Senate Bill No. 2349

Senate Bill No. 2352

Senate Bill No. 2358

Senate Bill No. 2365

Senate Bill No. 2387

Senate Bill No. 2411

Senate Bill No. 2437

Senate Bill No. 2456

Senate Bill No. 2487

Senate Concurrent Resolution 4026

Senate Concurrent Resolution 4034

Senate Concurrent Resolution 4040

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1263

House Bill No. 1281

House Bill No. 1328

House Bill No. 1407

House Bill No. 1440

House Bill No. 1456

House Bill No. 1472

House Bill No. 1537

House Bill No. 1552  
 House Bill No. 1553  
 House Bill No. 1554  
 House Bill No. 1555  
 House Bill No. 1592  
 House Concurrent Resolution No. 3041  
 House Concurrent Resolution No. 3051

ROY GILBREATH, Chief Clerk

House Chambers

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2017  
 Senate Bill No. 2019

ROY GILBREATH, Chief Clerk

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1066.** A Bill for an Act to amend and reenact section 39-06-49 of the North Dakota Century Code, relating to the disposition of fees collected pursuant to chapter 39-06.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1099.** A Bill for an Act making an appropriation to the American revolution bicentennial commission for the purpose of making grants to bicentennial projects.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1232.** A Bill for an Act to amend and reenact sections 15-38-04.1, 15-40.1-09, and 15-47-33 of the North Dakota Century Code, relating to the length of elementary and secondary school terms.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1247.** A Bill for an Act to amend and reenact section 57-07-01 of the North Dakota Century Code, relating to the duty of the tax commissioner upon omission or false statement in assessment.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1257.** A Bill for an Act relating to the mandatory reporting of child abuse and neglect by designated professional persons, relating to the permissive reporting of child abuse and neglect by other persons, providing for protective services, providing for the appointment of a guardian ad litem, providing immunity from liability, providing a penalty for failure to report abuse, and providing for confidentiality of records, and providing a penalty for unauthorized disclosure of reports; and to repeal chapter 50-25 of the North Dakota Century Code relating to the reporting of physical injury and neglect by physicians and other persons.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1278.** A Bill for an Act to amend and reenact sections 43-10.1-03, 43-10.1-04, 43-10.1-05, 43-10.1-06, 43-10.1-07, and 43-10.1-08 of the North Dakota Century Code, relating to reports required in relation to pre-need funeral services.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1292.** A Bill for an Act to amend and reenact section 43-11-06 and 43-11-35 of the North Dakota Century Code, relating to compensation granted to members of the board of hairdressers and



cosmetologists, and for a penalty; and to repeal subsection 3 and paragraph d of subsection 8 of section 43-11-16 of the North Dakota Century Code, relating to qualifications for registration of schools of hair-dressing and cosmetology.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1302.** A Bill for an Act to amend and reenact section 14-03-02 of the North Dakota Century Code, relating to the lawful age for marriage.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1335.** A Bill for an Act to require the installation, on all public scales used for weighing grain and on all scales used by grain buyers, of a device which will print the weight upon a ticket, and providing a penalty.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1352.** A Bill for an Act to amend and reenact section 57-15-19.4 of the North Dakota Century Code, relating to use of the township five-mill levy for federal aid farm to market roads.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1354.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees and mile tax.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1367.** A Bill for an Act to amend and reenact section 16-13-47.1 of the North Dakota Century Code, relating to the procedure for recounts in congressional, state, and county elections.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1377.** A Bill for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to definitions used in Title 39.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1386.** A Bill for an Act to create and enact section 47-19A-03.1 of the North Dakota Century Code, relating to failure to file notice of a right of reentry or repossession for breach of a condition subsequent contained in a deed of conveyance of property; and to amend and reenact sections 47-19A-04 and 47-19A-05 of the North Dakota Century Code, relating to filing of notice of claim of interest in a deed of conveyance.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1399.** A Bill for an Act to allow for the creation of county judicial coordinating councils, and to provide for their membership and operation.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1404.** A Bill for an Act to amend and reenact section 43-01-18 of the North Dakota Century Code, relating to the fees of abstracters.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1414.** A Bill for an Act to amend and reenact section 27-05-05 of the North Dakota Century Code, relating to the method by which presiding judges of district courts are determined.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1420.** A Bill for an Act to amend and reenact section 40-24-18 of the North Dakota Century Code, relating to a fund for special improvement moneys.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1428.** 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 1971 Bond Validating Act" to "The 1975 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, 1975.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1434.** 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 engrossing and enrolling of legislative measures.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1444.** A Bill for an Act to amend and reenact subsection 6 of section 57-02-11 of the North Dakota Century Code, relating to annual assessments of real property.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1459.** A Bill for an Act to amend and reenact section 15-47-05 of the North Dakota Century Code relating to qualifications of school electors and officers.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1461.** A Bill for an Act to amend and reenact sections 27-15-01, 27-15-02, and 27-15-10 of the North Dakota Century Code, relating to additional memberships on the judicial Council, and providing for the term of office and compensation for such additional members.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1477.** A Bill for an Act to amend and reenact sections 35-09-01, 35-09-02, 35-09-03, and 35-09-04 of the North Dakota Century Code, relating to fertilizer, farm chemicals, and seed liens, procedure to obtain lien, priority of lien, and penalty for wrongful use of fertilizer, farm chemicals, and seed.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1486.** A Bill for an Act to provide that district courts may assign certain duties to juvenile supervisors; and to create and enact a new subdivision to subsection 1 of section 27-20-06 of the North Dakota Century Code, relating to the powers and duties of juvenile supervisors.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1488.** A Bill for an Act to amend and reenact sections 43-05-01, 43-05-02, 43-05-03, 43-05-09, 43-05-10, 43-05-11, 43-05-12, 43-05-14, 43-05-15, 43-05-16, and 43-05-17 of the North Dakota Century Code, relating to definitions of podiatrists, and providing a penalty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1499.** A Bill for an Act to create and enact a new subsection to section 40-38-04 of the North Dakota Century Code, relating to employment of personnel for a public library; and to amend and reenact section 40-38-03 of the North Dakota Century Code, relating to appointment of the board of directors of a public library.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1507.** A Bill for an Act to amend and reenact section 11-11-28 of the North Dakota Century Code, relating to bidder's bond requirements.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1544.** A Bill for an Act to amend and reenact section 6-03-60 of the North Dakota Century Code, relating to loans to and purchases from bank directors, officers and employees, and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1564.** A Bill for an Act to amend and reenact section 39-21-50 of the North Dakota Century Code, relating to the emblem required to be displayed by slow-moving vehicles and the penalty for failure to display such emblem.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1581.** A Bill for an Act to amend and reenact section 40-22-15 of the North Dakota Century Code, relating to resolutions declaring improvements necessary and to require the publication of maps of special assessment districts.

Which was read the first time and referred to the Committee on Political Subdivisions.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business and after the reading of Senate Bills Nos. 2335, 2338, 2340, 2344, 2354, 2403, 2427, 2446, 2447, 2454, 2484, SCR Nos. 4032, 4038 and HCR 3019, that the Senate recess until 12:30 P.M., February 18, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



**THIRTIETH DAY AFTER RECESS  
AND THIRTY-FIRST DAY**

Bismarck, February 18, 1975

The Senate convened at 12:30 P.M., pursuant to recess taken, the President presiding.

**REPORT OF PROCEDURAL COMMITTEE**

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2039

Senate Bill No. 2344

Senate Bill No. 2364

Senate Bill No. 2467

Senate Bill No. 2485

Senate Concurrent Resolution No. 4032

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed.

**FIRST READING OF SENATE BILLS**

Committee on Delayed Bills introduced:

Senate Bill No. 2496. A Bill for an Act to create and enact section 54-27-10.1 of the North Dakota Century Code, and to amend and reenact section 54-27-10 of the North Dakota Century Code, relating to the availability of appropriations.

Was read the first time and referred to the Committee on Appropriations.

Senators Melland, Nething introduced:

Senate Concurrent Resolution No. 4055. A concurrent resolution directing the Legislative Council to study the desirability of disposing of Experiment Station land in expanding urban areas, setting priorities for use of state land, a plan for disposal of such land, and whether to dispose of such land by negotiation or by bid.

Was read the first time and referred to the Committee on State and Federal Government.

**CONSIDERATION OF AMENDMENTS**

Senator Nething moved that the reading of the amendments to Senate Bills Nos. 2050, 2070, 2084, 2088, 2093, 2095, 2162, 2224, 2301, 2339, 2360, 2413, 2426, 2434, 2452, 2473 and Senate Concurrent Resolution No. 4023 be dispensed with, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2050 as recommended by the Committee on Natural Resources as printed on pages 503 and 504 of the Senate Journal be adopted, which motion prevailed. Senator Melland moved that Senate Bill No. 2050 be referred to the Committee on Appropriations, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2070 as recommended by the Committee on Transportation as printed on pages

504 and 505 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2084 as recommended by the Committee on Finance and Taxation as printed on pages 505 and 506 of the Senate Journal be adopted, which motion prevailed.

Senator Melland moved that Senate Bill No. 2084 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2088 as recommended by the Committee on Natural Resources as printed on page 506 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2093 as recommended by the Committee on Finance and Taxation as printed on page 506 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Bill No. 2095 as recommended by the Committee on Natural Resources as printed on pages 506, 507 and 508 of the Senate Journal be adopted, and Senate Bill 2095 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2162 as recommended by the Committee on Judiciary as printed on page 508 of the Senate Journal be adopted, which motion prevailed.

Senator Smykowski moved that the amendments to Senate Bill No. 2224 as recommended by the Committee on State and Federal Government as printed on page 508 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to Senate Bill No. 2301 as recommended by the Committee on Education as printed on page 509 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2339 as recommended by the Committee on Transportation as printed on pages 509 and 510 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2360 as recommended by the Committee on Political Subdivisions as printed on page 510 of the Senate Journal be adopted, and Senate Bill 2360 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2413 as recommended by the Committee on Transportation as printed on page 511 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2426 as recommended by the Committee on Transportation as printed on page 511 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to Senate Bill No. 2434 as recommended by the Committee on Agriculture as printed on pages 511 and 512 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2452 as recommended by the Committee on Political Subdivisions as printed on pages 512 and 513 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2473 as recommended by the Committee on Judiciary as printed on page 514 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Concurrent Resolution No. 4023 as recommended by the Committee on Judiciary as printed on page 515 of the Senate Journal be adopted, which motion lost.

#### MOTION

Senator Longmire moved that the Senate reconsider the action by which Senate Bill No. 2381 was lost, which motion lost.

## 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 1, line 4, after the word "institutions" insert the words "and declaring an emergency"

On page 1, line 22, delete the numerals "1,371,364" and insert in lieu thereof the numerals "1,325,398"

On page 2, line 4, delete the numerals "5,257,300" and insert in lieu thereof the numerals "5,211,334"

On page 2, line 6, delete the numerals "5,152,300" and insert in lieu thereof the numerals "5,106,334"

On page 2, following line 6, insert the following: "(The above line item of this Act entitled 'environmental control for capitol' is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.)"

On page 2, line 23, delete the numerals "439,017" and insert in lieu thereof the numerals "419,308"

On page 2, line 29, delete the numerals "894,917" and insert in lieu thereof the numerals "875,208"

On page 2, line 31, delete the numerals "889,917" and insert in lieu thereof the numerals "870,208"

On page 2, line 34, delete the numerals "468,689" and insert in lieu thereof the numerals "429,633"

On page 3, line 4, delete the numerals "898,756" and insert in lieu thereof the numerals "859,700"

On page 3, line 7, delete the numerals "1,920,403" and insert in lieu thereof the numerals "1,724,662"

On page 3, line 8, delete the numerals "254,431" and insert in lieu thereof the numerals "251,836"

On page 3, line 9, delete the numerals "321,786" and insert in lieu thereof the numerals "299,228"

On page 3, line 10, delete the numerals "119,114" and insert in lieu thereof the numerals "80,677"

On page 3, line 12, delete the numerals "5,000" and insert in lieu thereof the numerals and line "5,000"

On page 3, delete line 13

On page 3, line 14, delete the numerals "2,833,860" and insert in lieu thereof the numerals "2,510,403"

On page 3, line 16, delete the numerals "2,270,499" and insert in lieu thereof the numerals "1,947,042"

On page 3, line 19, delete the numerals "536,555" and insert in lieu thereof the numerals "477,071"

On page 3, line 20, delete the numerals "57,397" and insert in lieu thereof the numerals "56,834"

On page 3, line 21, delete the numerals "52,875" and insert in lieu thereof the numerals "50,785"

On page 3, line 23, delete the numerals "26,550" and insert in lieu thereof the numerals and line "243,550"

On page 3, delete line 24

On page 3, line 25, delete the numerals "707,197" and insert in lieu thereof the numerals "849,807"

On page 3, line 27, delete the numerals "549,857" and insert in lieu thereof the numerals "692,467"

On page 3, line 30, delete the numerals "1,549,997" and insert in lieu thereof the numerals "1,388,098"

On page 3, line 31, delete the numerals "70,982" and insert in lieu thereof the numerals "80,567"

On page 3, line 32, delete the numerals "176,942" and insert in lieu thereof the numerals "170,006"

On page 3, line 34, delete the numerals "156,820" and insert in lieu thereof the numerals and line "156,820"

On page 3, delete line 35

On page 4, line 1, delete the numeals "2,050,078" and insert in lieu thereof the numerals "1,863,281"

On page 4, line 3, delete the numerals "1,657,448" and insert in lieu thereof the numerals "1,470,651"

On page 4, line 6, delete the numerals "12,259,219" and insert in lieu thereof the numerals "10,971,986"

On page 4, delete line 7

On page 4, line 8, delete the numerals "674,117" and insert in lieu thereof the numerals "686,120"

On page 4, line 9, delete the numerals "1,572,839" and insert in lieu thereof the numerals "1,676,142"

On page 4, line 11, delete the numerals "713,900" and insert in lieu thereof the numerals and line "713,900"

On page 4, delete line 12

On page 4, line 13, delete the numerals "16,277,287" and insert in lieu thereof the numerals "14,175,698"

On page 4, line 14, delete the numerals "1,977,034" and insert in lieu thereof the numerals "3,264,783"

On page 4, line 15, delete the numerals "14,300,253" and insert in lieu thereof the numerals "10,910,915"

On page 4, line 18, delete the numerals "2,485,784" and insert in lieu thereof the numerals "2,258,617"

On page 4, line 19, delete the numerals "468,840" and insert in lieu thereof the numerals "501,484"

On page 4, line 20, delete the numerals "668,739" and insert in lieu thereof the numerals "663,161"

On page 4, line 21, delete the numerals "111,273" and insert in lieu thereof the numerals "91,263"

On page 4, delete line 23

On page 4, line 24, delete the numerals and line "6,230" and insert in lieu thereof the numerals "6,230"

On page 4, after line 24, insert the following lines:

"Penitentiary industries:

Salaries and wages	183,946
Fees and services	138,112
Supplies and materials	710,789
Equipment	135,600
Land, structures, and major improvements	15,000"

On page 4, line 25, delete the numerals "3,961,813" and insert in lieu thereof the numerals "4,798,752"

On page 4, line 26, delete the following: ", federal funds 364,892" and insert in lieu thereof the numerals "1,398,339"

On page 4, line 27, delete the numerals "3,596,921" and insert in lieu thereof the numerals "3,400,413"

On page 4, delete lines 28 through 35

On page 5, delete line 1 and line 2

On page 5, line 3, delete the numerals "12" and insert in lieu thereof the numerals "11"

On page 5, line 5, delete the numerals "4,122,281" and insert in lieu thereof the numerals "3,933,723"

On page 5, line 6, delete the numerals "100,597" and insert in lieu thereof the numerals "107,241"

On page 5, line 7, delete the numerals "723,379" and insert in lieu thereof the numerals "758,168"



On page 5, line 9, delete the numerals "4,000" and insert in lieu thereof the numerals and line "4,000"

On page 5, delete line 10

On page 5, line 11, delete the numerals "5,087,633" and insert in lieu thereof the numerals "4,856,732"

On page 5, line 13, delete the numerals "4,775,085" and insert in lieu thereof the numerals "4,544,184"

On page 5, line 14, delete the numerals "35,342,802" and insert in lieu thereof the numerals "30,713,680"

On page 5, line 15, delete the numerals "5,514,144" and insert in lieu thereof the numerals "6,907,973"

On page 5, line 16, delete the following: "S.B. 2007 40,856,946" and insert in lieu thereof the numerals "37,621,653"

On page 5, delete lines 32 through 35 and insert in lieu thereof the following sections:

"SECTION 4.) The state library commission is hereby authorized to accept federal funds which are hereby appropriated for the biennium beginning July 1, 1975, and ending June 30, 1977, and it is the intent of the legislature that if federal funds become available for the operation of the state library commission, the general fund appropriation shall be reduced by the amount of such federal matching funds.

SECTION 5. APPROPRIATION AND TRANSFER.) In addition to other appropriations provided by this Act, there is hereby appropriated the sum of \$1,259,084.00, or so much thereof as may be necessary, from the general fund in the state treasury for transfer to the Grafton state school operating fund during the biennium beginning July 1, 1975, and ending June 30, 1977. Such transfer shall be made only in the event of a reduction, and only to the extent of such reduction, in either or both years of the biennium in the receipt of the estimated federal funds of \$1,259,084.00 by the Grafton state school pursuant to funds anticipated under the Comprehensive Employment and Training Act. Transfers pursuant to this appropriation shall be made only upon approval of the emergency commission.

SECTION 6. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the one hundred sixty-seven thousand eight hundred nine dollars appropriated for recreational personnel by this Act for the Grafton state school's recreation program be expended only to the extent that federal funds are received for such program during the biennium beginning July 1, 1975, and ending June 30, 1977.

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 on such items as are designated to be made available immediately on passage and approval."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

STATEMENT OF PURPOSE OF AMENDMENT: Salaries and wages are adjusted in the appropriations to the various agencies and institutions in this bill to reflect funding for five percent salary increases for employees for each year of the biennium.

The appropriations to the various institutions for fees and services, supplies and materials (except for travel, postage, and utilities), and equipment have been adjusted in accordance with a six percent for the first year and a five percent for the second year level of inflation for the next biennium.

Funds in the amount of \$37,888 which were for a laundry worker and an additional accountant were deleted from the industrial school appropriation.

The new positions included in the appropriation to the Grafton state school are as follows: attendants, 79; resident program aides, 22; mid-

way program personnel, 9; food service workers, 6; a maintenance man; a director of resident living; three registered nurses; a director of behavior modification; a physical therapist; a Ph. D. psychologist; a speech therapist; and a placement director. The estimated income was adjusted to reflect the deletion of \$150,050.00 in estimated collections from working residents, a \$167,809.00 increase in federal funds for the recreation program, and \$1,259,084.00 in federal funds anticipated under the Comprehensive Employment and Training Act. The \$680,000.00 for resident salaries was deleted from the Grafton state school budget. If the courts require payment of resident salaries, additional funds from other sources will be required at the school.

Funding was approved for three additional correctional officers recommended in the executive budget for the penitentiary since these positions will be filled by employees presently employed in the dairy operation and laundry services at the penitentiary.

Funding for four other correctional officers recommended in the executive budget was deleted from the appropriation to the penitentiary.

The penitentiary industries appropriation was consolidated with the penitentiary appropriation since the penitentiary industries will be able to operate with less general fund money with a consolidated appropriation.

The funding for the purchase of a beef herd appropriation at \$50,000.00 and the irrigation system for \$36,000.00 were deleted from the penitentiary industries appropriation.

The appropriation as approved for the penitentiary industries also makes it possible for the director of institutions to discontinue the operation of the license and tag plant at the penitentiary.

The increase of \$217,000 in the appropriation for school for the blind plant improvements is for the purpose of adding an addition connecting existing buildings, and providing additional space.

SENATOR MELLAND, Vice Chairman

Senate Bill No. 2007 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2031 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and delete the rest of the bill and insert in lieu thereof the following: "for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the deposit of the proceeds of such tax in a special coal development fund in the state treasury; to provide for the allocation of moneys deposited in the coal development fund to impacted school districts, counties, cities, and state agencies; to provide for the creation of a coal development impact office in the office of the governor; to provide for a legislative council coal development review committee to approve or disapprove impact grants; to provide that certain sections of this Act shall be temporary; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

**SECTION 1. SEVERANCE TAX UPON COAL — IMPOSITION — IN LIEU OF SALES AND USE TAXES — PAYMENT TO THE TAX COMMISSIONER.)** There is hereby imposed upon all coal severed for sale or for industrial purposes by coal mines within the state during the period July 1, 1975, through June 30, 1976, a tax in the amount of thirty cents per ton of two thousand pounds, and during the period July 1, 1976, through June 30, 1977, a tax in the amount of thirty-five cents per ton of two thousand pounds. Such severance tax shall be in lieu of any sales or use taxes imposed by law. Each coal mine owner or operator shall remit

such tax for each calendar quarter, within thirty days after the end of each quarter, to the state tax commissioner upon such reports and forms as the tax commissioner shall deem necessary.

**SECTION 2. WHEN TAX DUE — WHEN DELINQUENT.)** The severance tax as provided in this Act shall be due within thirty days after the end of each quarter, and if not received by the thirtieth day, shall become delinquent and shall be collected as herein provided. The tax commissioner, upon request and a proper showing of the necessity therefor, may grant an extension of time, not to exceed fifteen days, for paying the tax, and when such a request is granted, the tax shall not be delinquent until the extended period has expired. The tax commissioner shall require a report to be filed quarterly by each owner or operator of a coal mine, in such form as the tax commissioner may specify, to list a full description of the mine, the number of tons of coal severed, the amount of tax due and remitted, and any other information deemed necessary by the tax commissioner for the proper administration of this Act.

**SECTION 3. POWERS OF STATE TAX COMMISSIONER.)** The state tax commissioner shall have power to require any person engaged in such production, and the agent or employee of such person, or purchaser of such coal, or the owner of any royalty interest therein, to furnish any additional information by him deemed to be necessary for the purpose of correctly computing the amount of said tax, and to examine the books, records, and files of such person, and shall have power to conduct hearings and compel the attendance of witnesses, the production of books, records, and papers of any person, and full authority to make any investigation or hold any inquest deemed necessary to a full and complete disclosure of the true facts as to the amount of production from any coal mine or of any company or other producer thereof, and as to the rendition thereof for taxing purposes.

**SECTION 4. TAX COMMISSIONER TO COMPUTE TAX ON INCORRECT RETURNS.)** The state tax commissioner shall have the power and authority to ascertain and determine whether or not any report or remittances filed with him are correct, and if the owner or operator has made an untrue or incorrect report or remittance, the commissioner shall ascertain the correct amount of taxes due, and give immediate notice to the owner or operator filing the incorrect return or remittance. Any coal mine operator or owner receiving notice from the tax commissioner that he has filed an incorrect return or remittance shall remit the tax assessed by the commissioner within fifteen days of such notice. Any owner or operator aggrieved by a decision of the tax commissioner may make application in writing within fifteen days of notification for a hearing which shall be granted not later than fifteen days after receipt of the application. The tax commissioner may grant or reject, in whole or in part, the contentions of the owner or operator and upon conclusion of the hearing shall proceed to make a final determination of taxes due. Such taxes assessed by the commissioner shall become delinquent five days after the conclusion of the hearing, except in such cases where an owner or operator shall appeal such assessment to the district court of Burleigh County, in which case they shall become delinquent five days following final judicial determination.

**SECTION 5. PENALTY ON DELINQUENCY — FAILURE TO FILE REPORTS.)** Where the severance tax provided for in this Act shall become delinquent, it shall, as a penalty for such delinquency, bear interest at the rate of eight percent per annum. If the quarterly report is not filed within thirty days after the end of any quarter and taxes due paid, the tax commissioner shall notify the delinquent owner or operator of such delinquency, and if such report and remittance are not filed within an additional fifteen days, the tax commissioner shall notify the public service commission, which shall forthwith suspend such owner's or

operator's license or permit until such time as payment is received, or the issues settled to the satisfaction of the tax commissioner.

**SECTION 6. LIEN FOR TAX.)** The severance tax herein referred to shall, at all times, be and constitute a first and paramount lien against the producer's property as the case may be, both real and personal. In all cases where such tax is not paid, it may be recovered at the suit of the state, upon relation to the state tax commissioner, in any court of competent jurisdiction of the county where any such property, assets, and effects are located.

**SECTION 7. APPEAL FROM DECISION OF TAX COMMISSIONER.)** Any person aggrieved because of any action or decision of the tax commissioner under the provisions of sections 1 through 10 of this Act may appeal therefrom to the district court of Burleigh County.

**SECTION 8. RULES AND REGULATIONS — BOND.)** The tax commissioner is hereby authorized and empowered to prescribe and promulgate all necessary rules and regulations for the purpose of making and filing of all reports required hereunder and otherwise necessary to the enforcement of sections 1 through 10 of this Act, and may, at his option and discretion, require a sufficient bond from any coal mine operator or owner charged with the making and filing of reports and the payment of the taxes herein imposed, and said bond shall run to the state of North Dakota and shall be conditioned upon the making and filing of reports as required by law or regulation, and for the prompt payment, by the principal therein, of all taxes justly due the state by virtue of the provisions of sections 1 through 10 of this Act.

**SECTION 9. PENALTY.)** Any person intentionally violating any of the provisions of sections 1 through 10 of this Act is guilty of a class A misdemeanor.

**SECTION 10. COAL DEVELOPMENT FUND ESTABLISHED.)** Moneys collected by the state tax commissioner pursuant to the provisions of sections 1 through 9 of this Act shall be paid to the state treasurer and shall be credited to a special fund in the state treasury, to be known as the coal development fund. The moneys accumulated in such fund shall be allocated as provided by law and as appropriated by the legislative assembly.

**SECTION 11. DEFINITIONS.)** As used in sections 11 through 15 of this Act, unless the context or subject matter otherwise requires:

1. "Coal development" shall mean the mining of coal and industries directly related to the processing of coal, including, but not limited to: the generation of electricity from coal or coal products, coal gasification, coal liquefaction, and the manufacture of fertilizer from coal.

2. "Impacted city" shall mean a city which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.

3. "Impacted county" shall mean a county which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.

4. "Impacted school district" shall mean a public school district which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.

**SECTION 12. ALLOCATION OF MONEYS IN COAL DEVELOPMENT FUND.)** Moneys deposited in the coal development fund shall be apportioned quarterly by the state treasurer as follows:

1. Twenty-four percent shall be credited to a special fund in the state treasury for distribution through grants by the coal development impact office to impacted school districts.

2. Twenty-four percent shall be credited to a special fund in the state treasury for distribution through grants by the coal development impact office to impacted cities and counties.

3. Nine percent shall be credited to a special fund in the state treasury for the administration of sections 11 through 15 of this Act by the coal development impact office and for the administration of the strip mine reclamation law by the public service commission.

4. Five percent shall be credited to a special fund in the state treasury for distribution through grants by the coal development impact office to state agencies which demonstrate an impact from coal development.

5. Thirty-eight percent shall be credited to a special fund in the state treasury to be held in trust and the income from which shall be used to provide impact aid for the rehabilitation and restoration of strip mined areas and affected communities.

Provided, however, that the special funds created by this Act shall be subject to biennial appropriation by the legislative assembly and expended only in accordance with such appropriations.

**SECTION 13. COAL DEVELOPMENT IMPACT OFFICE — APPOINTMENT OF DIRECTOR.)** There is hereby created in the office of the governor a coal development impact office. The director shall be appointed by and shall serve at the pleasure of the governor. The salary of the director shall be set by the governor within the limits of legislative appropriations. The director may employ such other persons as may be necessary and may fix their compensation within the appropriation made for such purpose.

**SECTION 14. POWERS AND DUTIES OF COAL DEVELOPMENT IMPACT OFFICE.)** The coal development impact office shall:

1. Develop a plan for the assistance, through financial grants for services and facilities, of counties, cities, school districts, and other political subdivisions in a coal development impact area.

2. Advise, study, recommend, and report to the governor and the legislative assembly on the impact to the state and the political subdivisions of the state resulting from coal development.

3. Establish procedures and provide proper forms to political subdivisions for use in making application for funds for impact assistance as provided in this Act.

4. Make grants to counties, cities, school districts, and other political subdivisions, subject to the approval of the legislative council coal development review committee, as provided in this Act and within the appropriations made for such purposes. In determining the amount of impact grants for which political subdivisions are eligible, the amount of revenue to which such political subdivisions will be entitled from taxes upon the real property of coal development plants and from other tax or fund distribution for formulas provided by law shall be considered.

**SECTION 15. LEGISLATIVE COUNCIL COAL DEVELOPMENT REVIEW COMMITTEE.)** The legislative council coal development review committee shall consist of seven members of the legislative assembly to be selected by the chairman of the legislative council. It shall be the duty and responsibility of the committee to review and approve or disapprove, in whole or in part, the decisions on grants made by the coal development impact office. The chairman of the legislative council shall select a chairman of the coal development review committee, and the committee shall be subject to the same rules and provisions for hearings, and other procedures as are other legislative council committees.

**SECTION 16. APPROPRIATION.)** There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$8,000,000.00, or so much thereof as may be necessary, to the state treasurer for impact grants approved by the legislative council coal development review committee as provided in this Act, for the biennium beginning July 1, 1975, and ending June 30, 1977.

**SECTION 17. PROVISIONS OF ACT TEMPORARY.)** Sections 1 through 15 of this Act shall be effective for the period beginning July 1,

1975, and ending June 30, 1977, and thereafter shall be of no force and effect unless reenacted by the legislative assembly."

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 STROUP, Chairman

Senate Bill No. 2031 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2032 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2032 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2033 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2033 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred Senate Bill No. 2069 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, following the numerals "39-10-01.1" delete the comma and insert in lieu thereof the word "and" and following the numerals "39-10-07.3" delete the comma and the word ", and"

On page 1, line 2, delete the numerals "39-10-43.1"

On page 1, line 7, delete the numerals and the comma "39-08-18,"

On page 1, line 7, delete the following: "39-09-02,"

On page 1, line 10, following the second comma, delete the numerals and comma "39-10-41," and following the sixth comma delete the numerals and comma "39-10-51,"

On page 1, line 16, following the second comma delete the word "open"

On page 1, line 17, delete the words and comma "bottle law," and following the second comma delete the words and the comma "speed limitations,"

On page 2, line 3, following the second comma delete the words "obedience to signal indicating ap--"

On page 2, line 4, at the beginning of the line delete the words and comma "proach of train,"

On page 2, line 6, at the beginning of the line delete the words and comma "unattended motor vehicles,"

On page 2, delete lines 30 and 31

On page 6, delete lines 14 through 35

On page 7, delete lines 1 through 5 and delete lines 27 through 35

On page 8, delete lines 1 through 35

On page 9, delete lines 1 through 32

On page 10, line 18, following the underscored word "than" delete the underscored words "sixty miles per hour during daytime or"

On page 10, line 19, following the underscored word "hour" delete the underscored words "during nighttime"

On page 22, delete lines 2 through 28

On page 23, delete lines 3 through 29

On page 24, line 32, following the underscored word "school" insert the underscored words "or for a school sanctioned activity"

On page 25, delete lines 17 through 24

And renumber the lines, pages, and sections accordingly.

And when amended recommends the same do pass.

SENATOR MUTCH, Chairman

Senate Bill No. 2069 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2080 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Bill No. 2080 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2094 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2094 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2108 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2108 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions 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 1, delete everything after the words "A BILL", and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subsection to section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officials; and to create and enact a new paragraph to section 11-10-10.2 of the North Dakota Century Code, relating to the salary of the clerk of the district court; and to create and enact a new subsection to section 11-15-03.1 of the North Dakota Century Code, relating to the salary of the county sheriff.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. A new subsection to section 11-10-10 of the North Dakota Century Code is hereby created and enacted to read as follows:

On July 1, 1975, the salary of the county auditor, the county treasurer, the county superintendent of schools, the register of deeds, the county judge and the states attorney shall be increased eight percent. This subsection shall not apply to county commissioners.

SECTION 2. A new subsection to section 11-10-10.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

On July 1, 1975, the salary of the clerk of district court shall be increased by eight percent.

SECTION 3. A new subsection to section 11-15-03.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

On July 1, 1975, the salary of the county sheriff shall be increased by eight percent.

And renumber the lines, pages, and sections accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2117 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2150 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senate Bill No. 2150 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2152 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Bill No. 2152 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2159 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 28, after the word "exceptions" insert the following: "within the limits of legislative appropriation,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The intent is to remove the need for additional funding to implement the act.

SENATOR MELLAND, Vice-Chairman

Senate Bill No. 2159 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2163 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2163 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2200 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2200 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2262 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, after the numerals "25-09-04, insert the following: "25-09-04.1,"; and in that same line before the numerals "25-09-07", insert the following: "subsection 1 of section"

On page 1, line 3, delete the numerals "25-09-08, 25-09-09,"; and in that same line delete the following: "subsection 2 of"

On page 1, line 4, after the comma insert the word "relating"; and in that same line delete the word "delete"

On page 1, line 6, after the word "patients", delete the following: "their responsible relatives, or their guardians or estates"

On page 1, line 7, delete the numerals "25-09-04.1" and insert in lieu thereof the numerals "25-09-11.1"

On page 1, line 9, after the word "and", delete the remainder of the line

On page 1, line 10, delete the words "patients of the Grafton state school" and insert in lieu thereof the words "reduction of claims against responsible relatives"

On page 1, line 18, delete the triple parentheses before the word "the" and after the word "to"

On page 2, line 9, delete the word "PROVIDED" and insert in lieu thereof the words "OF PERSONS UNDER TWENTY-ONE YEARS OF AGE"

On page 3, line 21, after the word "anyone", insert the words "under twenty-one years of age who is"



On page 3, line 22, insert the following after the period: "On and after July 1, 1975, persons over twenty-one years of age who are qualified for admission pursuant to this chapter shall be responsible for expenses incurred through care and treatment at the state school in the manner provided by chapter 25-09."

On page 3, line 27, insert triple parentheses before the word "Except"

On page 3, line 28, insert triple parentheses after the partial word "penses"; before the word "for" insert the word "Expenses"; and in that same line delete the beginning triple parentheses after the word "hospital" and insert the following after the word "and": "each patient over twenty-one years of age at"

On page 3, line 29, delete the triple parentheses after the word "school", and insert the words " , if practicable, " after the word "shall"

On page 4, line 3, after the word "that", insert triple parentheses around the word "the" and after the triple parentheses insert the word "any"; and insert triple parentheses before the word "of"

On page 4, line 4, insert triple parentheses after the word "cents" and after the triple parentheses insert the following: "required by the payor of such benefits to be paid directly to the patient"; and in the same line, after the word "shall", insert the following words: " , upon approval of the director of institutions, "

On page 4, line 5, insert triple parentheses around the words "social security"; and insert the word "thus" after the word "money"

On page 4, line 11, delete the beginning triple parentheses before the word "or"; and insert after the word "or" the words "a patient over twenty-one years of age at the"; and delete the triple parentheses after the word "school"

On page 4, line 12, insert the following after the second word "or": " , except for a patient at the Grafton state school, "

On page 5, line 1, delete the beginning triple parentheses before the word "or"; and insert the following after the word "or": "any patient over twenty-one years of age at the"

On page 5, line 2, delete the triple parentheses after the word "school"

On page 5, line 22, delete the triple parentheses before the number "4."

On page 5, line 25, delete the triple parentheses after the period

On page 6, delete line 10 and insert in lieu thereof the following:

SECTION 7. AMENDMENT.) Section 25-09-04.1 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-04.1. NONRESIDENT PATIENTS — LIABILITY — DEFINITIONS.) Nonresident patients at the Grafton state school and nonresident responsible relatives of such patients shall be liable for the full cost of care and treatment at the state school according to the provisions of sections 25-09-02 through ((25-09-06)) 25-09-10.

For the purposes of this chapter:

1. "Nonresident patient at the Grafton state school" shall include:

a. Any patient at such school who is under eighteen years old and whose responsible relative is not a bona fide resident of this state.

b. Any Indian patient.

2. "Nonresident responsible relative" shall include the bureau of Indian affairs in those cases involving Indian patients."

On page 6, line 13, insert the number "1." before the word "The"

On page 6, line 22, insert triple parentheses before the word "in"; delete the beginning triple parentheses after the word "hospital"; delete the triple parentheses after the word "school"; and insert triple parentheses after the comma

On page 7, line 4, after the period insert the following:

"2. The patient, former patient, executor, administrator, or guardian may make application to the supervising department to pay less than the

costs or none of the costs incurred by the state for the patient's care and treatment at the state school. Such application shall be accompanied by proof of the patient's or the estate of the patient's inability to pay. Upon receipt of such application, the supervising department shall direct the county welfare board of the county from which the patient was admitted to determine whether the patient, former patient, or the patient's estate is able to pay all, a portion, or none of the expenses incurred by the state for such patient's care and treatment. The supervising department shall approve, reject, or amend the determination made by the county welfare board. The determination made by the supervising department may be appealed to the district court of Burleigh County or the district court of the county of residence of the patient. Any patient, former patient, guardian, executor, or administrator who seeks relief for the payment of the cost of care and treatment by filing an application for relief of payment, shall do so with the understanding that the supervising department may, in its discretion, and to its satisfaction, verify any statement made in such application for relief of payment by a request for information from financial institutions, including commercial banks. Notwithstanding the provisions of section 57-38-57, this verification may include a review of such applicant's state income tax return or any other document or report submitted to or held by any office or department of the state of North Dakota or any of its political subdivisions."

On page 7, line 8, before the word "Any" insert the number "1."

On page 7, line 22, insert the following after the word "retroactive": "to such date as it may determine"; and in the same line insert the following after the period:

"2. Any patient or former patient at the state school or the patient's or former patient's executor, administrator, or guardian, may make application to the supervising department not more often than once each calendar year for a review of the determination made by the supervising department in regard to the ability of such patient, former patient, or estate to pay costs of care and treatment. Such application and review shall be treated in the same manner as an original application by such persons for a determination of inability to pay costs of care and treatment. Upon such review, the supervising department may reaffirm or alter the previous determination and shall have authority to make such redetermination retroactive. In addition, the supervising department on its own motion may review the ability of the patient, former patient, or estate to pay for costs of care and treatment, which determination may be made retroactive to such date as it may determine."

On page 7, line 23, delete the word "Section" and insert in lieu thereof the words "Subsection 1 of section"

On page 7, line 31, delete the triple parentheses around the words "or state school" and, after the word "or", insert the following: "a patient over twenty-one years of age at the"

On page 7, line 33, after the word "estate", insert the following: "in the case of a patient at the state school"

On page 7, line 33, insert the following after the comma: "and against the patient or his estate"

On page 7, line 34, insert the following after the word "estates": "in the case of a patient at the state hospital"

On page 7, delete line 35

On page 8, delete lines 1 through 29

On page 8, line 30, delete the words "Subsection 2 of section" and insert in lieu thereof the word "Section"

On page 8, line 31, after the word "the" insert the following: "1973 Supplement to the"

On page 8, insert the following after line 32:

25-09-10. DISPOSITION OF NONRESIDENTS — EXCEPTIONS —  
RECIPROCAL AGREEMENTS.)

1. If a person who has no legal residence in this state or whose residence is unknown is found to be a fit subject for care and treatment in the state hospital ((or the San Haven state hospital)), such person shall be sent to such institution in the same manner, and accompanied by the same documents as in the case of a resident of this state. The supervising department shall immediately inquire as to the residence of such person, and if found to be in another state or country the supervising department may arrange for transportation of such person to the place where he belongs. The supervising department may enter into reciprocal agreements with other states regarding the mutual exchange, return, and transportation of mentally ill ((or tubercular)) persons who are within the confines of one state but have legal residence or legal settlement in another state. Such agreements shall contain no provision conflicting with any laws of this state.

On page 9, line 8, delete the triple parentheses before the word "and"; insert the word "adequate" after the word "and"; and insert triple parentheses before the word "the"

On page 9, line 9, insert the following after the triple parentheses: "pensions or other benefits belonging to and received or to be received by such person, or an acceptable agreement, approved by the director of institutions, is made with the responsible relative of such person."

On page 9, line 17, delete the numerals "25-09-04.1" and insert in lieu thereof the numerals "25-09-11.1"

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

Senate Bill No. 2262 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2275 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, following the first comma, insert the following: "censure,"

On page 2, line 5, after the word "in" delete the following: "a proceeding against a judge" and insert in lieu thereof the following: "proceedings under this Act"

On page 2, line 16, after the comma delete the rest of the line

On page 2, delete all of line 17

On page 2, delete all of line 18

On page 2, delete all of line 19 and insert in lieu thereof the following: "one lawyer who is licensed to practice law in this state"

On page 2, line 20, delete the words "least ten years" and on the same line after the word "and" delete the word "two" and insert in lieu thereof the word "four"

On page 2, line 23, delete the words "judicial organizations" and insert in lieu thereof the words "state associations"

On page 2, line 29, after the word "Initially," delete the word "three" and insert in lieu thereof the word "two" and on the same line after the word "years," delete the word "three" and insert in lieu thereof the word "two"

On page 2, line 31, after the semicolon delete the rest of the line and insert in lieu thereof the words "as determined by lot"

On page 2, line 32, delete the words "members drawing lots"

On page 3, line 14, following the word "recommendation" insert the word "submitted"

On page 3, delete all of lines 31 through 35

On page 3, following line 30, insert the following language:

"(b) censure or remove a judge for action that constitutes willful misconduct in office, willful failure to perform his duties as prescribed by

law or by administrative rule or regulation of the Supreme Court, willful violation of provisions of the code of judicial conduct as adopted by the Supreme Court, or habitual intemperance. No proceedings hereunder shall be instituted for alleged acts occurring more than six years prior to receiving a complaint."

On page 4, delete all of lines 1 and 2

On page 4, line 28, after the second word "time" delete the word "when" and insert in lieu thereof the word "whenever" and on the same line after the word "deems" delete the words "such employment"

On page 4, line 31, after the word "allowed" delete the following: "his necessary"

On page 4, line 33, after the comma, delete the rest of the line and insert in lieu thereof the following: "as provided in 44-08-04 and 54-06-09."

On page 6, line 5, after the word "attend" insert a comma, and delete the word "or" and after the word "testify" insert a comma

On page 6, line 6, after the word "by" delete the words "any such"

On page 6, line 8, after the word "compelling" delete the word "such" and insert in lieu thereof the word "a"

On page 6, line 10, after the word "order" delete the word "such" and insert in lieu thereof the word "a"

On page 6, line 15, after the word "order" delete the word "such" and insert in lieu thereof the word "a"

On page 6, line 19, delete the word "such" and insert in lieu thereof the word "a"

On page 6, line 20, after the word "DEPOSITION" delete the words "AND SUBPOENA"

On page 6, line 23, delete the colon and insert the following language: "order the deposition of a person residing within or without the state to be taken."

On page 6, delete all of lines 24 through 26

On page 7, line 24, after the word "of" delete the numerals "\$50,000.00" and insert in lieu thereof the numerals "\$20,000.00"

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same be re-referred to the Committee on Appropriations.

SENATOR FREED, Chairman

Senate Bill No. 2275 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2289 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL", delete the remainder of the bill and insert in lieu thereof the following: "for an Act to establish a state-financed program of reparations to persons who suffer personal injury and to dependents of those who are killed by criminally injurious conduct or in attempts to prevent criminal conduct or apprehend criminals; providing a penalty; and providing an appropriations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. SHORT TITLE.) This Act shall be known as the Uniform Crime Victims Reparations Act.

SECTION 2. LEGISLATIVE PURPOSE AND INTENT.) It is the intent of the legislative assembly of this state to provide a method of compensating and assisting those persons within the state who are innocent victims of criminal acts and who suffer bodily injury or death. To this end, it is the legislative assembly's intention to provide compensation in the amount of expenses actually suffered as a direct result of the criminal acts of other persons.

SECTION 3. DEFINITIONS.) As used in this Act, the words and phrases in this section have the meanings indicated:

1. "Board" means the workmen's compensation bureau.
2. "Claimant" means any of the following claiming reparations under this Act: a victim, a dependent of a deceased victim, a third person other than a collateral source, or an authorized person acting on behalf of any of them.
3. "Collateral source" means a source of benefits or advantages for economic loss otherwise reparable under this Act which the victim or claimant has received, or which is readily available to him, from:
  - a. The offender;
  - b. The government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under this Act;
  - c. Social security, medicare, and medicaid;
  - d. State-required temporary non-occupational disability insurance;
  - e. Workmen's compensation;
  - f. Wage continuation programs of any employer;
  - g. Proceeds of a contract of insurance payable to the victim for loss which he sustained because of the criminally injurious conduct; or
  - h. A contract providing prepaid hospital and other health care services, or benefits for disability.
4. "Criminally injurious conduct" means conduct that:
  - a. Occurs or is attempted in this state;
  - b. Poses a substantial threat of personal injury or death; and
  - c. Is punishable by fine, imprisonment, or death, or would be so punishable but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state. Criminally injurious conduct does not include conduct arising out of the ownership, maintenance, or use of a motor vehicle except when intended to cause personal injury or death.
5. "Dependent" means a natural person wholly or partially dependent upon the victim for care or support and includes a child of the victim born after his death.
6. "Economic loss" means economic detriment consisting only of allowable expense, work loss, replacement services loss, and, if injury causes death, dependent's economic loss and dependent's replacement services loss. Non-economic detriment is not loss. However, economic detriment is loss although caused by pain and suffering or physical impairment.
  - a. "Allowable expense" means reasonable charges incurred for reasonably needed products, services, and accommodations, including those for medical care, rehabilitation, rehabilitative occupational training, and other remedial treatment and care. The term includes a total charge not in excess of five hundred dollars for expenses in any way related to funeral, cremation, and burial. It does not include that portion of a charge for a room in a hospital, clinic, convalescent or nursing home, or any other institution engaged in providing nursing care and related services, in excess of a reasonable and customary charge for semi-private accommodations, unless other accommodations are medically required.
  - b. "Work loss" means loss of income from work the injured person would have performed if he had not been injured, and expenses reasonably incurred by him in obtaining services in lieu of those he would have performed for income, reduced by any income from substitute work actually performed by him or by income he would have earned in available appropriate substitute work he was capable of performing but unreasonably failed to undertake.

c. "Replacement services loss" means expenses reasonably incurred in obtaining ordinary and necessary services in lieu of those the injured person would have performed, not for income but for the benefit of himself or his family, if he had not been injured.

d. "Dependent's economic loss" means loss after decedent's death of contributions of things of economic value to his dependents, not including services they would have received from the decedent if he had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death.

e. "Dependent's replacement services loss" means loss reasonably incurred by dependents after decedent's death in obtaining ordinary and necessary services in lieu of those the decedent would have performed for their benefit if he had not suffered the fatal injury, less expenses of the dependents avoided by reason of decedent's death and not subtracted in calculating dependent's economic loss.

f. "Non-economic detriment" means pain, suffering, inconvenience, physical impairment, and other nonpecuniary damage.

g. "Victim" means a person who suffers personal injury or death as a result of (1) criminally injurious conduct, (2) the good faith effort of any person to prevent criminally injurious conduct, or (3) the good faith effort of any person to apprehend a person suspected of engaging in criminally injurious conduct.

SECTION 4. AWARD OF REPARATIONS.) The board shall award reparations for economic loss arising from criminally injurious conduct if satisfied by a preponderance of the evidence that the requirements for reparations have been met.

SECTION 5. POWERS AND DUTIES OF THE BOARD.) In addition to the powers and duties specified elsewhere in this Act, the board has the following powers and duties:

1. The duty to establish and maintain a principal office and other necessary offices within this state, appoint employees and agents as necessary, and prescribe their duties and compensation.

2. The duty to adopt by rule a description of the organization of the board stating the general method and course of operation of the board.

3. The duty to adopt rules to implement this Act, including rules for the allowance of attorney's fees for representation of claimants; and to adopt rules providing for discovery proceedings, including medical examination consistent with sections 10 and 11 of this Act. Rules shall be statements of general applicability which implement, interpret, or prescribe policy, or describe the procedure or practice requirements of the board.

4. The duty to prescribe forms for applications for reparations.

5. The duty to hear and determine all matters relating to claims for reparations, and the power to reinvestigate or reopen claims without regard to statutes of limitations or periods of prescription.

6. The power to request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to determine whether, and the extent to which, a claimant qualifies for reparations. A statute providing confidentiality for a claimant's or victim's juvenile court records does not apply to proceedings under this Act.

7. The duty, if it would contribute to the function of the board, to subpoena witnesses and other prospective evidence, administer oaths or affirmations, conduct hearings, and receive relevant, nonprivileged evidence.

8. The power to take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge.

9. The duty to make available for public inspection all board decisions and opinions, rules, written statements of policy, and interpretations formulated, adopted, or used by the board in discharging its functions.

10. The duty to publicize widely the availability of reparations and information regarding the filing of claims therefor.

**SECTION 6. APPLICATION FOR REPARATIONS — AWARDS — LIMITATIONS ON AWARDS.)**

1. An applicant for an award of reparations shall apply in writing in a form that conforms substantially to that prescribed by the board.

2. Reparations may not be awarded unless the claim is filed with the board within one year after the injury or death upon which the claim is based.

3. Reparations may not be awarded to a claimant who is the offender or an accomplice of the offender, nor to any claimant if the award would unjustly benefit the offender or accomplice. Unless the board determines that the interests of justice otherwise require in a particular case, reparations may not be awarded to the spouse of, or a person living in the same household with, the offender or his accomplice or to the parent, child, brother, or sister of the offender or his accomplice.

4. Reparations may not be awarded unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within seventy-two hours after its occurrence or the board finds there was good cause for the failure to report within that time.

5. The board, upon finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies, may deny, reconsider, or reduce an award of reparations.

6. Reparations otherwise payable to a claimant shall be reduced or denied:

a. To the extent the economic loss upon which the claim is based is recouped from other persons, including collateral sources; and

b. To the extent the board deems reasonable because of the contributory misconduct of the claimant or of a victim through which he claims.

7. Reparations may not be awarded if the economic loss is less than one hundred dollars.

8. Reparations for work loss, replacement services loss, dependent's economic loss, and dependent's replacement services loss may not exceed two hundred dollars per week.

9. Reparations payable to a victim and to all other claimants sustaining economic loss because of injury to or death of that victim may not exceed twenty-five thousand dollars in the aggregate.

**SECTION 7. NOTICE TO ATTORNEY GENERAL — FUNCTION OF ATTORNEY GENERAL.)** Promptly upon receipt of an application for reparations, the board shall forward a copy of the application and all supporting papers to the attorney general, who in appropriate cases may investigate the claim, appear in hearings on the claim, and present evidence in opposition to or support of an award.

**SECTION 8. INFORMAL DISPOSITION — CONTESTED CASE.)** Unless precluded by law, informal disposition may be made of a claim by stipulation, agreed settlement, consent order, or default. A claim not so disposed of is a contested case.

**SECTION 9. CONTESTED CASES — NOTICE — HEARING — RECORDS.)** In a contested case, all parties shall be afforded an opportunity for hearing after reasonable notice.

1. The notice of hearing shall include:

a. A statement of the time, place, and nature of the hearing;

b. A statement of the legal authority and jurisdiction under which the hearing is to be held;

c. A reference to the particular sections of the statutes and rules involved; and

d. A short and plain statement of the matters asserted.

To the extent that the board is unable to state the matters at the time

the notice is served, the initial notice may be limited to a statement of the issues involved. Thereafter, upon application a more definite statement shall be furnished.

2. Every interested person shall be afforded an opportunity to appear and be heard and to offer evidence and argument on any issue relevant to his interest, and examine witnesses and offer evidence in reply to any matter of an evidentiary nature in the record relevant to his interest.

3. A record of the proceedings shall be made and shall include:

- a. The application and supporting documents;
- b. All pleadings, motions, and intermediate rulings;
- c. Evidence offered, received, or considered;
- d. A statement of matters officially noticed;
- e. All staff memoranda or data submitted to the board in connection with its consideration of the case; and
- f. Offers of proof, objections, and rulings.

4. Oral proceedings or any part thereof shall be transcribed on request of any party, who shall pay transcription costs unless otherwise ordered by the board.

5. Determinations of the board shall be made in writing, supported by findings of fact and conclusions of law based exclusively on the record, and mailed promptly to all parties.

#### SECTION 10. EVIDENCE OF PHYSICAL CONDITION.)

1. There is no privilege, except privileges arising from the attorney-client relationship, as to communications or records relevant to an issue of the physical, mental, or emotional condition of the claimant or victim in a proceeding under this Act in which that condition is an element.

2. If the mental, physical, or emotional condition of a victim or claimant is material to a claim, the board may order the victim or claimant to submit to a mental or physical examination by a physician or psychologist, and may order an autopsy of a deceased victim. The order may be made for good cause shown upon notice to the person to be examined and to all persons who have appeared. The order shall specify the time, place, manner, conditions, and scope of the examination or autopsy and the person by whom it is to be made, and shall require the person to file with the board a detailed written report of the examination or autopsy. The report shall set out his findings, including results of all tests made, diagnoses, prognoses, and other conclusions and reports of earlier examinations of the same conditions.

3. On request of the person examined, the board shall furnish him a copy of the report. If the victim is deceased, the board, on request, shall furnish the claimant a copy of the report.

4. The board may require the claimant to supplement the application with any reasonably available medical or psychological reports relating to the injury for which reparations are claimed.

SECTION 11. ENFORCEMENT OF BOARD'S ORDERS.) If a person refuses to comply with an order under this Act or asserts a privilege, except privileges arising from the attorney-client relationship, to withhold or suppress evidence relevant to a claim, the board may make any just order including denial of the claim, but may not find the person in contempt. If necessary to carry out any of its powers and duties, the board may petition the district court for an appropriate order, but the court may not find a person in contempt for refusal to submit to a medical or physical examination.

#### SECTION 12. AWARD AND PAYMENT OF REPARATIONS.)

1. An award may be made whether or not any person is prosecuted or convicted. Proof of conviction of a person whose acts give rise to a claim is conclusive evidence that the crime was committed, unless an application for rehearing, an appeal of the conviction, or certiorari is pending, or a rehearing or new trial has been ordered.



2. The board may suspend the proceedings pending disposition of a criminal prosecution that has been commenced or is imminent, but may make a tentative award under section 16 of this Act.

SECTION 13. ATTORNEY'S FEES.) As part of an order, the board shall determine and award reasonable attorney's fees, commensurate with services rendered, to be paid by the state to the attorney representing the claimant. Additional attorney's fees may be awarded by a court in the event of review. Attorney's fees may be denied on a finding that the claim or appeal is frivolous. Awards of attorney's fees shall be in addition to awards of reparations and may be made whether or not reparations are awarded. It is unlawful for an attorney to contract for or receive any larger sum than the amount allowed.

SECTION 14. SUBROGATION — ACTIONS — ALLOCATION OF EXPENSES.)

1. If reparations are awarded, the state is subrogated to all the claimant's rights to receive or recover benefits or advantages, for economic loss for which and to the extent only that reparations are awarded, from a source which is, or, if readily available to the victim or claimant, would be, a collateral source.

2. As a prerequisite to bringing an action to recover damages related to criminally injurious conduct for which reparations are claimed or awarded, the claimant shall give the board prior written notice of the proposed action. After receiving the notice, the board shall promptly:

a. Join in the action as a party plaintiff to recover reparations awarded;

b. Require the claimant to bring the action in his individual name, as a trustee in behalf of the state, to recover reparations awarded; or

c. Reserve its rights and do neither in the proposed action.

If, as requested by the board, the claimant brings the action as trustee and recovers reparations awarded by the board, he may deduct from the reparations recovered in behalf of the state the reasonable expenses, including attorney's fees, allocable by the court for that recovery.

3. If a judgment or verdict indicates separately economic loss and non-economic detriment, payments on the judgment shall be allocated between them in proportion to the amounts indicated. In an action in a court of this state arising out of criminally injurious conduct, the judge, on timely motion, shall direct the jury to return a special verdict, indicating separately the awards for non-economic detriment, punitive damages, and economic loss.

SECTION 15. MANNER OF PAYMENT — NON-ASSIGNABILITY AND EXEMPTIONS.)

1. The board may provide for the payment of an award in a lump sum or in installments. The part of an award equal to the amount of economic loss accrued to the date of the award shall be paid in a lump sum. An award for allowable expense that would accrue after the award is made may not be paid in a lump sum. Except as provided in subsection 2, the part of an award that may not be paid in a lump sum shall be paid in installments.

2. At the instance of the claimant, the board may commute future economic loss, other than allowable expense, to a lump sum, but only upon a finding by the board that:

a. The award in a lump sum will promote the interests of the claimant; or

b. The present value of all future economic loss other than allowable expense, does not exceed one thousand dollars.

3. An award for future economic loss payable in installments may be made only for a period as to which the board can reasonably determine future economic loss. The board may reconsider and modify an award for future economic loss payable in installments, upon its finding that a

material and substantial change of circumstances has occurred.

4. An award is not subject to execution, attachment, garnishment, or other process, except that an award for allowable expense is not exempt from a claim of a creditor to the extent that he provided products, services, or accommodations, the costs of which are included in the award.

5. An assignment or agreement to assign a right to reparations for loss accruing in the future is unenforceable, except:

a. An assignment of a right to reparations for work loss to secure payment of alimony, maintenance, or child support; or

b. An assignment of a right to reparations for allowable expense to the extent that the benefits are for the cost of products, services, or accommodations necessitated by the injury or death on which the claim is based and are provided or to be provided by the assignee.

SECTION 16. TENTATIVE AWARDS.) If the board determines that the claimant will suffer financial hardship unless a tentative award is made, and it appears likely that a final award will be made, an amount may be paid to the claimant, to be deducted from, the final award or repaid by and recoverable from the claimant to the extent that it exceeds the final award.

SECTION 17. RECONSIDERATION AND REVIEW OF BOARD DECISIONS.)

1. The board, on its own motion or on request of the claimant, may reconsider a decision-making or denying an award or determining its amount. The board shall reconsider at least annually every award being paid in installments. An order on reconsideration of an award shall not require refund of amounts previously paid unless the award was obtained by fraud.

2. The right of reconsideration does not affect the finality of a board decision for the purpose of judicial review.

3. A final decision of the board is subject to judicial review on appeal by the claimant, the attorney general, or the offender in the same manner and to the same extent as a decision of the district court.

SECTION 18. REPORTS.) The board shall prepare and transmit annually to the governor and the legislative assembly a report of its activities, including the name of the claimant, a brief description of the facts, and the amount of reparations awarded in each case, and a statistical summary of claims and awards made and denied.

SECTION 19. UNIFORMITY OF APPLICATION AND CONSTRUCTION.) This Act shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this Act among those states enacting it.

SECTION 20. SEVERABILITY.) If any provision of this Act or the application thereof to any person is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 21. PENALTY.) Any claimant who knowingly makes a false claim, or a false statement in connection with any claim, is guilty of a class A misdemeanor and upon conviction shall, in addition to serving any punishment as provided by law, forfeit any compensation paid under this Act.

SECTION 22. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000.00, or so much thereof as may be necessary, to the workmen's compensation bureau for the purposes of carrying out the provisions of this Act for the biennium beginning July 1, 1975, and ending June 30, 1977."

And renumber the lines and pages accordingly.

And when so amended recommends the same be re-referred to the Committee on Appropriations.

SENATOR FREED, Chairman

Senate Bill No. 2289 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2307 has had the same under consideration and recommends that the same be indefinitely postponed as amended.

On page 1, line 17, after the period insert the following new language. SECTION 2. AMENDMENT.) The state shall make such arrangements for said move on or before July 1, 1976.

SECTION 3. AMENDMENT.) There is hereby appropriated out of the general fund the sum of \$300,000.00 for remodeling of said office space. And renumber the lines, sections and pages accordingly.

And when so amended recommends the same be indefinitely postponed as amended and re-referred to the Committee on Appropriations.

SENATOR RINGSAK, Chairman

Senate Bill No. 2307 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2309 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2326 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2326 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2341 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2341 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2356 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2356 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2368 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, delete the words "of income and expenses of" and insert in lieu thereof the word "by"

On page 1, line 12, delete the words "that lobbyists disclose their sources of income and" and insert in lieu thereof the words "certain reporting procedures by lobbyists."

On page 1, delete lines 13 through 17

On page 1, line 20, insert commas after the words "whatsoever" and "indirectly" and delete the words "solicits, collects, or"

On page 1, delete line 21

On page 1, line 22, delete the words "in the performance of" and insert in lieu thereof the word "performs"

On page 1, line 23, delete the word "Attempting" and insert in lieu thereof the word "Attempts"

On page 2, line 3, delete the word "Attempting" and insert in lieu thereof the word "Attempts"

On page 2, line 6, delete the semicolon and the word "or" and insert in lieu thereof a period

On page 2, delete lines 7 through 11

On page 2, line 19, delete the words "for pay or for any other consideration"

On page 2, line 25, delete the word "by" and insert in lieu thereof the words "upon whose behalf he appears"

On page 2, line 26, delete the words "whom he is employed"

On page 2, line 27, after the comma insert the word "groups,"

On page 2, line 28, after the word "employment" insert the words "or appearances"

On page 2, delete line 29

On page 2, line 30, delete the first comma and the word "vices" and insert in lieu thereof the word "and", and after the second word "paid" delete the comma and the words "how much" and insert in lieu thereof a period

On page 2, delete lines 31 through 35

On page 3, line 1, delete the words "engaged in the activities listed."

On page 3, line 6, after the second comma insert the word "group."

On page 3, line 11, delete the words "after the" and insert in lieu thereof the words "following the close of each", delete the word "convenes" and the second word "the" and insert in lieu thereof the words "April fifteenth of any year in which the legislative assembly does not meet"

On page 3, delete lines 12 through 14

On page 3, line 16, delete the word "fifteen" and insert in lieu thereof the word "twenty-five"

On page 3, line 17, delete the words "preceding calendar month or" and insert in lieu thereof the words "legislative session or the interim"

On page 3, line 18, delete the word "quarter"

On page 3, line 19, delete the semicolon and the words "to whom the payment was made" and insert in lieu thereof a period

On page 3, delete lines 20 through 35

On page 4, delete line 1

On page 4, line 5, delete the word "thirty" and insert in lieu thereof the word "forty"

On page 4, line 6, delete the words "and shall"

On page 4, delete line 7

On page 4, line 8, delete the words "of the persons filing statements or registering"

On page 4, delete lines 11 through 19

On page 5, following line 7 insert the following subdivision: "e. To supply a current list of registered lobbyists for each legislator on or before the tenth, thirtieth, and fiftieth legislative days."

On page 5, line 19, after the word "true" insert the words "or estimated"

On page 5, line 26, after the word "true" insert the words "or estimated"

On page 5, delete lines 28 through 32

On page 6, line 17, delete the semicolon and the word "or" and insert in lieu thereof a period

On page 6, delete lines 18 through 23

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Bill No. 2368 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2390 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2390 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred Senate Bill No. 2414 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR MORGAN, Chairman

Senate Bill No. 2414 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2425 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MELLAND, Vice-Chairman

Senate Bill No. 2425 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 be amended as follows:

On page 1, line 23, delete the word "twenty" and insert in lieu thereof the word "forty"

On page 1, line 23, after the word "a" insert the words "present or former"

On page 2, line 10, after the word "district" insert the words "or districts"

On page 3, line 10, delete the word "twenty" and insert in lieu thereof the word "forty"

On page 3, line 15, following the word "of" delete the beginning triple parentheses

On page 3, line 15, following the word "a" insert the words "Class B"

On page 3, delete all of line 16

On page 3, delete all of words on line 17

On page 4, line 7, following the word "from" insert "constructing or" And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2428 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Bill No. 2430 has had the same under consideration and recommends that the same do pass.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Bill No. 2430 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Bill No. 2474 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17, after the word "youth" insert triple parentheses around the "comma" and insert in lieu thereof the word "and"

On page 1, line 18, after the word "handicapped" insert the triple parentheses around the "comma" and delete the following: "a committee on the status of men," and insert beginning triple parentheses before the word "and"

On page 1, line 20, insert ending triple parentheses after the word "resources"

On page 2, line 21, after the word "youth," delete the word "men,"

On page 3, line 3, after the word "youth," delete the following: "the status of men,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

Senate Bill No. 2474 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2495 has had the same under consideration and recommends that the same do pass.

SENATOR MELLAND, Vice Chairman

Senate Bill No. 2495 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4014 has had the same under consideration and recommends that the same do pass.

SENATOR SMYKOWSKI, Vice Chairman

Senate Concurrent Resolution No. 4014 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor 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 2, line 3 after the word "possible;" delete the word "and"

On page 2, after line 3 insert the following:

"BE IT FURTHER RESOLVED, that if H.R. 11602 is not enacted that consideration be given by the Congress to the principle that state safety inspection laws be allowed to preempt the enforcement and operation of the Federal Occupational Safety and Health Act; and"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Concurrent Resolution No. 4037 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4041 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4041 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4047 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4047 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4052 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

SENATOR MORGAN, Chairman

Senate Concurrent Resolution No. 4052 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred Senate Concurrent Resolution No. 4053 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman







ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2161, the roll was called and there were 33 ayes; 16 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5		•	• JONES		•	• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT		•	• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		•	• STROUP		•
• FREED		•	• LEE			• REITEN			• THANE		•
• FRITZELL		•	• LIPS		•	• RINGSAK			• TWETEN		•
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD		•	• MAHER		•	• SANDNESS			• WALSH		•
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH		•	• MUTCH			• SCHUSTER		•	• MR. PRESIDENT		•

The motion prevailed, and Senate Bill No. 2161 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2174, as printed on page 508 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2174, the roll was called and there were 32 ayes; 17 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5		•	• JONES		•	• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT		•	• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		•	• STROUP		•
• FREED		•	• LEE			• REITEN			• THANE		•
• FRITZELL		•	• LIPS		•	• RINGSAK			• TWETEN		•
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD		•	• MAHER		•	• SANDNESS			• WALSH		•
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH		•	• MUTCH			• SCHUSTER		•	• MR. PRESIDENT		•

The motion prevailed, and Senate Bill No. 2174 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2255, as printed on page 508 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2255, the roll was called and there were 25 ayes; 24 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5		•	• JONES		•	• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT		•	• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		•	• STROUP		•
• FREED		•	• LEE			• REITEN			• THANE		•
• FRITZELL		•	• LIPS		•	• RINGSAK			• TWETEN		•
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD		•	• MAHER		•	• SANDNESS			• WALSH		•
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH		•	• MUTCH			• SCHUSTER		•	• MR. PRESIDENT		•

The motion prevailed, and Senate Bill No. 2255 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2448, as printed on page 512 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2448, the roll was called and there were 28 ayes; 20 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●			●	●	NAADEN				SHABLOW
		●			●	●	NASSET				SMYKOWSKI
●	CHRISTENSEN, H. #5				●	●	NOTHING				SOLBERG
	●				●	●	PLYLE				STRAND
	●				●	●	RAIT				STRINDEN
	●				●	●	REDLIN				STROUP
●	FREED				●	●	REITEN				THANE
	●				●	●	RINGSAK				TWETEN
●	GOODMAN				●	●	SANDS				VOSPER
	●				●	●	SANDNESS				WALSH
	●				●	●	SCHULTZ, C. #14				WENSTROM
	●				●	●	SCHULTZ, J. #32				WRIGHT
	●				●	●	SCHUSTER				MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2448 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2488, as printed on page 514 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2488, the roll was called and there were 31 ayes; 17 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●			●	●	NAADEN				SHABLOW
		●			●	●	NASSET				SMYKOWSKI
●	CHRISTENSEN, H. #5				●	●	NOTHING				SOLBERG
	●				●	●	PLYLE				STRAND
	●				●	●	RAIT				STRINDEN
	●				●	●	REDLIN				STROUP
●	FREED				●	●	REITEN				THANE
	●				●	●	RINGSAK				TWETEN
●	GOODMAN				●	●	SANDS				VOSPER
	●				●	●	SANDNESS				WALSH
	●				●	●	SCHULTZ, C. #14				WENSTROM
	●				●	●	SCHULTZ, J. #32				WRIGHT
	●				●	●	SCHUSTER				MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2488 was indefinitely postponed.

### PERSONAL PRIVILEGE

Senator Freed: I rise on a point of personal privilege.

Mr. President, ladies and gentlemen of the Senate, I wish to state that Senate Bills 2158, 2161, 2174, 2255, 2448, 2488 will be directed to Legislative Council to be studied by the Interim study on election laws.

### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Stroup moved that the Committee Report on Senate Bill No. 2285, as printed on page 509 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2285, the roll was called and there were 31 ayes; 17 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ		•	• REDLIN		•	• STROUP		
• FREED			• LEE		•	• REITEN		•	• THANE		•
• FRITZELL			• LIPS		•	• RINGSAK		•	• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS		•	• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14		•	• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32		•	• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER		•	• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2285 was indefinitely postponed.

Senator Lips moved that the Committee Report on Senate Bill No. 2308, as printed on page 509 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2308, the roll was called and there were 36 ayes; 12 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT		•	• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER		•	• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER		•	• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2308 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2321, as printed on page 509 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2321, the roll was called and there were 42 ayes; 6 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER		•	• MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2321 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2369, as printed on page 510 of the Senate Journal be adopted.

## ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2369, the roll was called and there were 34 ayes; 12 nays; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2369 was indefinitely postponed.

## PERSONAL PRIVILEGE

Senator Rait: Mr. President: I rise on a point of personal privilege. Mr. President, members of the Senate. We've heard a lot of discussion here in the last while and we'll hear more about transmission lines that are crossing farm lands, but I don't think we should lose the sight of the fact that there are also highways crossing farm lands that disrupt irrigation and so if we're going to single out transmission lines, we better include highways in them.

## COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2373, as printed on page 510 of the Senate Journal be adopted.

## ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2373, the roll was called and there were 33, ayes; 15, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2373 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2400, as printed on page 510 of the Senate Journal be adopted.

## ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2400, the roll was called and there were 39, ayes; 8, nays; absent and not voting, 4.

NORTH DAKOTA SENATE														
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		●	● SHABLOW					
● BERUBE			● JACOBSON			● NASSET			● SANYKOWSKI					
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG					
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT			● STRINDEN					
● ERDMAN			● LASHKOWITZ	●		● REDLIN		●	● STROUP	●				
● FREED			● LEE			● REITEN			● THANE					
● FRITZELL			● LIPS			● RINGSAK			● TWETEN					
● GOODMAN			● LONGMIRE			● SANDS		●	● VOSPER					
● GRONHOVD			● MAHER			● SANDNESS			● WALSH					
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		●	● WENSTROM					
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		●	● WRIGHT					
● HOMUTH			● MUTCH	●		● SCHUSTER		●	MR. PRESIDENT					

The motion prevailed, and Senate Bill No. 2400 was indefinitely postponed.

**MOTION**

Senator Lashkowitz moved that the committee report for indefinite postponement on Senate Bill No. 2404 be laid over one legislative day, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Nasset moved that the Committee Report on Senate Bill No. 2406, as printed on page 511 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2406, the roll was called and there were 44, ayes; 2, nays; absent and not voting, 5.

NORTH DAKOTA SENATE														
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		●	● SHABLOW					
● BERUBE			● JACOBSON			● NASSET			● SANYKOWSKI					
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG					
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT			● STRINDEN					
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●				
● FREED			● LEE			● REITEN			● THANE					
● FRITZELL			● LIPS			● RINGSAK			● TWETEN					
● GOODMAN			● LONGMIRE	●		● SANDS		●	● VOSPER					
● GRONHOVD			● MAHER			● SANDNESS			● WALSH					
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM					
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT					
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT					

The motion prevailed, and Senate Bill No. 2406 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2421, as printed on page 511 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2421, the roll was called and there were 41, ayes; 5, nays; absent and not voting, 5.

NORTH DAKOTA SENATE														
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		●	● SHABLOW					
● BERUBE			● JACOBSON			● NASSET			● SANYKOWSKI					
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG					
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT		●	● STRINDEN					
● ERDMAN			● LASHKOWITZ			● REDLIN		●	● STROUP					
● FREED			● LEE			● REITEN			● THANE					

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2421 was indefinitely postponed.

Senator Lips moved that the Committee Report on Senate Bill No. 2438, as printed on page 512 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2438, the roll was called and there were 36, ayes; 11, nays; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2438 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2445, as printed on page 512 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2445, the roll was called and there were 24, ayes; 24 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The President cast the deciding vote "nay" and Senate Bill No. 2445 was placed on the calendar for second reading and final passage.

OPINION  
 STATE OF NORTH DAKOTA  
 ALLEN I. OLSON  
 ATTORNEY GENERAL  
 Bismarck, North Dakota 58505

February 18, 1975

The Honorable Wayne G. Sanstead  
 Lieutenant Governor  
 Office of Lieutenant Governor

State Capitol  
Bismarck, N.D. 58505

Dear Lieutenant Governor Sanstead:

This is in reply to your inquiry as to whether the lieutenant governor may vote on the passage of a bill where the vote in the Senate is equally divided.

Section 77 of the North Dakota Constitution provides in pertinent part that:

"The lieutenant governor shall be president of the senate, but shall have no vote unless they be equally divided."

Section 65 of the North Dakota Constitution provides that:

"No bill shall become 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."

The conflict between these sections is direct and the issue is clearly framed: Does Section 77 control, empowering the lieutenant governor to vote when the Senate is equally divided even though the lieutenant governor is a member of the executive branch, not a member-elect of the Senate as apparently required by Section 65?

This office had occasion to comment on the very same issue by an opinion dated February 19, 1945. The opinion there was that the lieutenant governor may not cast the deciding vote on final passage of a bill on the basis that the lieutenant governor is not a member-elect of the Senate. At that time there were no appellate court decisions squarely on the issue presented.

The role of the Attorney General as the interlocutory interpreter of the law is not to "make" the law as he may personally see it, but to "predict" the final interpretation of the law by the appropriate appellate courts, primarily the North Dakota Supreme Court. However an Attorney General's opinion is more than guidance; it is the proper interpretation of the law until over-ruled by the courts and is accorded substantial weight by the courts in reaching their determination.

This is a constitutional question. Normally such questions arise when legislation is challenged as not being within the authority granted by the state constitution. In those cases this office will not ordinarily arbitrate because our first duty is to defend the constitutionality of such legislation through the due course of litigation. We have a different situation here in that conflicting provisions of the constitution affect the conduct of a public office, and this office has seen fit to previously speak on the question.

Although we are reluctant to withdraw a previous opinion of this office, in our opinion appellate court holdings since the 1945 opinion are persuasive and require, under these specific circumstances, a contrary opinion. Two such cases are illustrative of court interpretation of this difficult issue since the February 19, 1945 opinion. They are *State ex rel Easbey v. The Highway Patrol Board*, 140 Mont. 383, 372, P. 2d 930 (1962) and *Opinion of the Justices* (Supreme Court of Delaware), 225 A. 2d 481 (1966).

Both of these cases considered the precise issue at hand under constitutional language substantially the same if not precisely the same as contained in the North Dakota Constitution. Both decisions were unanimous by the highest appellate courts of Montana and Delaware. Both cases held that the lieutenant governor has the power to vote on bills when the Senate is equally divided.

While there are some cases that indicate a contrary holding, they were decided prior to the two cases cited herein and considered unpersuasive by the Montana and Delaware Courts. We believe the recent decisions by the Montana and Delaware Courts are indicative of the current judicial

attitude on the question. Accordingly in direct answer to your question, it is our opinion that the lieutenant governor may cast the deciding vote on the final passage of a bill.

Sincerely,  
Allen I. Olson  
Attorney General

Senator Nething moved that the communication from the Attorney General be printed in the Journal, which motion prevailed.

#### PERSONAL PRIVILEGE

Senator Longmire: Mr. President, I rise on a point of personal privilege.

It goes back to the old adage that you won a battle and lost a war. But I would like to say in all fairness to our distinguished President that had I been in his place on the day that this issue presented itself I would have done exactly as he did because of Rule 55. At that time I had not had an opportunity as no one else had to research this question and certainly Rule 55 as stated by the distinguished senator from Grafton did prevent the President from voting. However, it was after some research later that we found section 77 of the Constitution which we felt did take precedence as I pointed out here earlier. So, I don't think we should criticize in any way the President because he had to make his decision in a short period of time without proper research and at that time it appeared that he did not have the authority, but I am glad that we now have decided that he did have the authority under 77 and I'm sure the Rules Committee at one time or another will make a rule change accordingly to comply with the Constitution.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Ringsak moved that the Committee Report on Senate Bill No. 2457, as printed on page 514 of the Senate Journal be adopted.

#### MOTION

Senator J. Schultz moved that Senate Bill No. 2457 be amended as follows:

On page 1, lines six and seven, delete the words "and providing an appropriation" and insert in lieu thereof the following "and providing an effective date"

On page 2, delete lines 21 through 30 and insert in lieu thereof the following: "Section 4. Effective date. The increased life insurance benefits coverage and new long term medical disability benefits coverage shall become effective July 1, 1977".

Senator J. Schultz moved that the amendments be adopted, which motion failed.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2457 the roll was called and there were 32, ayes; 17, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●			●			●		
BARTH		●	ISZLER			NAADEN			SHABLOW		
BERUBE		●	JACOBSON			NASSET			SMYKOWSKI		
CHRISTENSEN, H. #5		●	JONES			NETHING			SOLBERG		
CHRISTENSEN, L. #3		●	KAUTZMANN			PYLE			STRAND		
CONLIN		●	LARSON			RAIT			STRINDEN		
ERDMAN		●	LASHKOWITZ			REDLIN			STROUP		
FREED		●	LEE			REITEN			THANE		
FREITZELL		●	LIPS			RINGSAK			TWETEN		
GOODMAN		●	LONGMIRE			SANDS			VOSPER		
GRONHOVD		●	MAHER			SANDNESS			WALSH		●
HOFFNER		●	MELLAND			SCHULTZ, C. #14			WENSTROM		
HOLAND		●	MORGAN			SCHULTZ, J. #32			WRIGHT		
HOMUTH		●	MUTCH			SCHUSTER			MR. PRESIDENT		



The motion prevailed, and Senate Bill No. 2457 was indefinitely postponed.

Senator Nasset moved that the Committee Report on Senate Bill No. 2459, as printed on page 514 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2459, the roll was called and there were 39, ayes; 10, nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #37		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2459 was indefinitely postponed.

Senator Morgan moved that the Committee Report on Senate Bill No. 2466, as printed on page 481 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2466, the roll was called and there were 46, ayes; 0, nays; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #37		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2466 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2475, as printed on page 514 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2475, the roll was called and there were 44, ayes; 1, nay; absent and not voting, 6.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP

• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J #37	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2475 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2479, as printed on page 514 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2479, the roll was called and there were 24, ayes; 25, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET		•	• SMYKOWSKI		•
• CHRISTENSEN, H #5		•	• JONES		•	• NETHING		•	• SOLBERG		•
• CHRISTENSEN, L #3		•	• KAUTZMANN			• PYLE		•	• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT		•	• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		•	• STROUP		•
• FREED		•	• LEE			• REITEN		•	• THANE		•
• FRITZELL		•	• LIPS			• RINGSAK		•	• TWETEN		•
• GOODMAN		•	• LONGMIRE		•	• SANDS		•	• VOSPER		•
• GRONHOVD		•	• MAHER		•	• SANDNESS		•	• WALSH		•
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C #14		•	• WENSTROM		•
• HOLAND		•	• MORGAN		•	• SCHULTZ, J #37		•	• WRIGHT		•
• HOMUTH		•	• MUTCH		•	• SCHUSTER		•	MR. PRESIDENT		

The motion failed, and Senate Bill No. 2479 was placed on the 11th Order of Business for the next succeeding legislative day.

**MOTION**

Senator Lips moved that Senate Bill No. 2479 be re-referred to the Committee on Appropriations, which motion prevailed.

**MOTION**

Senator Lashkowitz moved that the committee report for indefinite postponement on Senate Bill No. 2486 be laid over one legislative day, which motion prevailed.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Lips moved that the Committee Report on Senate Bill No. 2489, as printed on page 515 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2489, the roll was called and there were 36, ayes; 13, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET		•	• SMYKOWSKI		•
• CHRISTENSEN, H #5		•	• JONES		•	• NETHING		•	• SOLBERG		•
• CHRISTENSEN, L #3		•	• KAUTZMANN			• PYLE		•	• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT		•	• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		•	• STROUP		•
• FREED		•	• LEE			• REITEN		•	• THANE		•
• FRITZELL		•	• LIPS			• RINGSAK		•	• TWETEN		•
• GOODMAN		•	• LONGMIRE		•	• SANDS		•	• VOSPER		•
• GRONHOVD		•	• MAHER		•	• SANDNESS		•	• WALSH		•
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C #14		•	• WENSTROM		•
• HOLAND		•	• MORGAN		•	• SCHULTZ, J #37		•	• WRIGHT		•
• HOMUTH		•	• MUTCH		•	• SCHUSTER		•	MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2489 was indefinitely postponed.

#### MOTION

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2031 be placed on the 6th order of business for the purpose of adopting the amendments, which motion prevailed.

Senator Stroup moved that the amendments be adopted, which motion prevailed. Senator Stroup moved that Senate Bill No. 2031 be re-referred to the Committee on Appropriations, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2039. A Bill for an Act to create and enact sections 11-19A-07.1, 12-44-25.1, 16-01-17, 25-01-16, 44-06-13.1, 45-11-09, 57-15-58, and 57-36-33; to amend and reenact sections 1-03-03, 2-03-10, 2-03-13, 2-04-12, 2-05-17, 2-05-18, 2-07-13, 4-02-06, 4-02-07, 4-09-24, 4-10-22, 4-10.1-15, subsection 10 of section 4-11-23, sections 4-12-20, 4-13-14, 4-13.1-13, 4-14-07, 4-14-10, 4-18.1-14, 4-21.1-16, 4-24-06, 4-25-03, 4-26-12, 4-27-12, 4-28-09, 4-28.1-05, 4-30-53, 4-33-08, 4-34-10, 5-01-04, 5-01-08, 5-01-08.1, 5-01-09, 5-01-10, 5-01-11, 5-02-01, 5-02-05, 5-02-06, 5-03-01, 5-03-06, 6-01-29, 6-03-10, 6-03-20, 6-03-38, 6-03-56, 6-03-60, 6-03-61, 6-03-63, 6-03-72, 6-05-16, 6-06-05, 6-07-06, 6-07-08, 6-08-09, 6-08-11, 6-08-14, 6-08-15, subsection 1 of section 6-08-16, sections 6-08-16.1, 6-08-28, 6-10-08, 7-02-06, 7-03-07, 7-03-09, 7-05-04, 7-08-01, 7-08-04, 8-10-07.2, 8-10-07.3, 8-10-09, 8-10-10, 10-04-18, subsection 2 of section 10-15-35, section 10-15-53, section 2 of section 10-15-58, sections 10-23-03, 10-23-08, 10-28-03, 10-28-04, 11-09-09, 11-09-38, 11-10-22, 11-13-10, 11-14-05, 11-15-28, 11-16-04, 11-16-05, 11-17-05, 11-18-06, 11-19A-07, 11-20-15, 11-21-09, 11-28-09, 11-28-20, 11-29-33, 11-33-21, 12-44-28, 12-44-33, 12-44-36, 12-44-37, 12-47-23, 12-47-24, 12-53-12, 12-53-15, 12-59-06, 12-59-10, 13-01-11, 13-01-12, 13-01-13, 13-05-10, 13-06-02, 14-03-28, 14-07-15, 14-07-16, 14-09-22, 14-10-05, 14-10-06, 14-10-08, 14-10-16, 15-04-18, 15-04-19, 15-04-22, 15-05-08, 15-06-23, 15-34.1-05, 15-35-14, 15-35-16, 15-35-17, 15-43-12, 15-47-15, 15-49-01, 15-49-02, 15-49-03, 15-49-04, 15-49-06, 15-49-08, 15-49-09, 15-49-10.1, 15-49-11, 15-50-07, 16-01-11, 16-12-09, 16-12-14, 16-14-10, 16-14-12, 16-18-09, 16-20-06, 16-20-08, 16-20-09, 16-20-17.1, 16-20-17.2, 16-20-17.3, 16-20-19, 16-20-24, 16-21-05, 18-01-11, 18-01-13, 18-01-15, 18-01-33, 18-08-01, 18-08-07, 18-08-09, 18-08-11, 18-09-13, 19-01-09, 19-02-17, 19-02-20, subsection 1 of section 19-20.1-04, sections 19-03.1-23, 19-03.1-24, 19-03.1-25, 19-03.1-26, 19-03.1-30, 19-04-01, 19-04-03, 19-04-04, 19-05-16, 19-06-08, 19-07-06, 19-08-06, 19-10-18, 19-10-22, 19-10-23, 19-11-06, 19-13.1-12, 19-14-08, 19-16.1-10, 19-16.1-11, 19-17-05, 19-17-06, 19-18-08, 19-20.1-17, 19-21-09, 19-22-05, 19-22.1-03, 20.1-01-01, 20.1-01-08, 20.1-01-09, 20.1-01-23, 20.1-03-01, 20.1-03-16, 20.1-03-21, 20.1-03-27, 20.1-04-01, 20.1-05-01, 20.1-06-01, 20.1-07-01, 20.1-08-01, 20.1-09-01, 20.1-11-01, 20.1-12-01, 20.1-13-01, 21-01-03, 21-02-04, 21-03-26, 21-04-04, 21-04-23, 21-05-08, 21-10-09, 23-01-15, subsection 1 of section 23-01-17, sections 23-02-14, 23-02-27, 23-02-33, 23-02-42, 23-02-43, 23-05-11, 23-05-12, 23-06-05, 23-06-06, 23-06-11, 23-06-12, 23-06-17, 23-06-18, 23-06-24, 23-06-26, 23-06-27, 23-06-28, 23-06-29, 23-07-07.4, 23-07-21, 23-09-08, 23-09-20, 23-09-21, 23-10-12, 23-12-03, 23-12-07, 23-13-03, 23-13-05, 23-13-06, 23-15-06, 23-16-11, 23-17-10, 23-19-09, 23-20-06, 23-20.1-10, 23-21.1-09, 23-23-04, 23-25-10, 23-26-09, 23-27-05, 23-28-06, 24-03-05, 24-03-11, 24-06-27, 24-09-06, 24-10-03, 24-12-05, 24-15-05, 24-16-12, 25-01.1-35, 25-01.1-36, 25-03-22, 25-03-28, 25-13-04, 26-01-15, subsection 4 of section 26-02-36, sections 26-03A-09, 26-04-08, 26-04-09, 26-07-09, 26-07-17, 26-09-02, 26-09-03, 26-09-04, 26-10-14, 26-12-51, 26-12-52, 26-16-14, 26-17-01.14, 26-20-08, 26-21.1-06, 26-23-07, 26-25-27, 26-26-20, 26-27-21, 26-27.1-25, 26-27.2-24, 26-28-17, 26-29-16, 26-31-06, 26-33-05, 26-37-18, 27-07-16, 27-08-15, subdivision d of subsection 1 of section 27-09.1-07, subdivision e of subsection 2 of section 27-09.1-08, section 27-09.1-16, subsection 2 of section 27-09.1-17, sections 27-10-06, 27-10-14, 27-10-16, 27-10-17, 27-10-22, 27-11-01, 27-13-05, 27-13-08, 27-13-09, 27-13-11, 27-13-12, 27-18-04,

subsection 1 of section 27-20-53, sections 28-03-06, 28-32-11, 29-01-15, 29-01-16, 29-03-09, 29-03-10, 29-04-03, 29-05-12, 29-05-25, 29-06-08, 29-06-27, subsection 4 of section 29-09-02, sections 29-12-05, 29-16-05, 29-21-21, 29-21-29, 29-26-21, 29-27-01, 29-27-03, 29-27-04, 29-29-18, subsection 3 of section 29-30-01, sections 29-30-11, 29-30-16, 29-32-05, 31-01-09, 32-13-08, 32-13-11, 32-22-10, 32-22-38, 32-36-28, 32-36-29, 33-01-08, 33-01-25, 33-12-24, 33-12-28, 34-01-04, 34-01-05, 34-01-06, 34-01-15, 34-01-17, 34-05-03, 34-06-19, 34-06-1-09, 34-07-21, 34-13-02, subsection 11 of section 34-13-15, sections 34-13-16, 34-14-07, 35-05-03, 35-09-04, 35-27-26, 36-01-18, 36-01-28, 36-01-30, 36-04-09, 36-04-21, 36-05-14, 36-05-15, 36-06-02, 36-06-03, 36-06-04, 36-07-14, 36-09-15, 36-09-17, 36-09-20, 36-09-22, 36-09-23, 36-11-01, 36-11-06, 36-11-19, 36-12-06, 36-13-08, 36-14-09, 36-14-13, 36-14-16, 36-14-21, 36-15-19, 36-15-21, 36-20-08, 36-21-01, 36-21-1-02, 36-21-1-03, 36-21-1-04, 36-21-1-05, 36-21-1-07, 36-21-1-08, 36-21-1-09, 36-21-1-11, 36-23-1-04, 36-23-1-06, 37-01-13, 37-01-16, 37-01-20, 37-01-21, 37-01-25.1, 38-01-08, 38-04-10, 38-06-62.1, 38-06-64, 38-08-16, 38-14-12, 39-01-02, 39-01-07, subsection 4 of section 39-01-15, sections 39-03-11, 39-03-12, 39-03A-25, subsection 3 of section 39-04-18, sections 39-04-41, 39-04A-08, 39-05-11, 39-05-17, 39-05-28, 39-05-33, subsection 5 of section 39-06-17, sections 39-06-40, 39-06-40.1, 39-06-42, 39-06-1-04, 39-07-06, 39-07-08, 39-08-01, 39-08-02, 39-08-03, 39-08-04, 39-08-05, 39-08-19, 39-10-65, 39-12-21, 39-16-30, 39-16.1-21, 39-18-07, 39-21-51, 39-22-07, 39-22-13, 39-23-10, subdivision c of subsection 5 of section 39-24-09, sections 39-24-11, 39-25-08, 39-26-03, 40-01-08, subsections 26 and 27 of section 40-05-02, sections 40-11-12, 40-18-12, 40-48-38, subsection 3 of section 40-49-12, sections 40-50-08, 41-02-48, 41-03-80, 42-01-15, 42-02-01, 42-02-02, 42-02-04, 42-02-07, 42-02-10, 43-01-20, 43-02-16, 43-02-17, 43-03-21, subsections 4 and 5 of section 43-04-45, sections 43-05-17, 43-06-19, 43-07-18, 43-07-21, 43-09-23, 43-10-20, 43-10-24, 43-10-1-08, 43-11-35, 43-12-24, 43-13-27, 43-15-29, 43-15-32, 43-15-42, 43-15-43, 43-15-44, 43-17-33, 43-17-34, 43-17-36, 43-18-23, 43-18-24, 43-18-1-09, 43-19.1-31, 43-20-09, 43-21-12, 43-22-09, subdivision f of subsection 1 of section 43-23-11.1, sections 43-23-17, 43-23.1-23, 43-25-19, 43-26-12, 43-26-14, 43-27-10, 43-28-25, 43-29-17, 43-30-10, 43-31-17, 43-32-31, 43-33-18, 43-34-13, 43-35-22, 43-36-25, 44-06-13, 44-08-05, 44-08-05.1, 45-11-08, 46-02-17, 46-02-19, 46-05-05, 47-14-11, 47-19-07, 47-20.1-12, 47-21-11, 47-23-10, 47-27-03, 48-05-06, 48-09-05, 49-04-14, 49-07-01, 49-08-16, 49-11-19, 49-11-22, 49-11-23, 49-11-29, 49-13-20, 49-13-27, 49-17-05, 49-17-06, 49-21-20, 50-01-18, 50-09-13, 50-10-08, 50-11-10, 50-12-17, 50-18-08, 50-19-15, 50-20-06, 50-22-05, 50-24-31, 51-04-05, 51-04-10, 51-05-04, 51-05-08, 51-05-10, 51-05-11, 51-05-13, 51-06-03, 51-07-04, 51-07-04.1, 51-07-12, 51-07-13, 51-08-01, 51-08-03, 51-09-02, 51-10-05, 51-10-14, 51-12-02, 51-12-13, 51-13-07, 51-14-05, 51-16-02, 51-17-17, 51-18-09, 52-01-04, 52-06-40, 52-09-18, 53-01-19, 53-02-08, 53-02-15, 53-03-08, 53-04-08, 53-05-06, 53-06-11, 54-03-18, 54-03.2-15, 54-05-09, 54-05-10, 54-06-08, 54-06-12, 54-10-23, 54-10-25, 54-11-12, 54-16-05, 54-16-10, 54-21.1-11, 54-23-50, 54-23-51, 54-27-13, 54-27-17, 54-41-05, 55-02-03, 55-03-07, subsection 8 of section 55-08-03, subsection 1 of section 57-02-08.1, sections 57-02-48, 57-02-49, 57-05-05, 57-05-09, 57-15-35, 57-22-14, 57-33.1-12, 57-35.1-09, 57-35.2-07, 57-36-04, subsection 3 of section 57-36-09, sections 57-36-32, 57-37-30, subsection 2 of section 57-38-45, subsection 4 of section 57-38-59, subsections 2 and 5 of section 57-39.2-18, sections 57-39.2-23, 57-40.2-08, 57-40.2-12, subsection 4 of section 57-40.2-15, sections 57-40.3-11, 57-45-05, 57-51-22, 57-52-19, 57-53-08, 57-54-23, 57-55-07, 57-55-08, 58-07-04, 58-08-08, 60-02-10, 60-02-12, 60-02-21, 60-02-29, 60-02-39, 60-03-05, 60-03-06, 60-03-07, 60-07-10, 60-09-05, 61-01-07, 61-01-09, 61-01-16, 61-01-22, 61-01-25, 61-04-12, 61-14-06, 61-14-07, 61-14-08, 61-14-09, 61-14-10, 61-14-11, 61-14-15, 61-15-08, 61-16-44, 61-20-04, subsection 4 of section 61-21-39, sections 61-21-57, 62-01-11, 62-01-11, 62-01-20, 62-03-03, 62-04-01, 62-04-03, 62-04-05, subsection 1 of section 63-01.1-15, sections 64-03-01, 64-03-02, 64-03-03, 64-03-05, 64-03-06, 64-03-07, 64-03-09, 64-04-05, 65-01-05, 65-01-10, 65-03-02, 65-04-15, 65-05-24, 65-12-07, 65-12-08; and to repeal chapters 19-19, 24-11, and 36-10; and sections 2-05-09, 4-01-18, 4-02.1-24, 4-24-01, 4-24-02, 4-24-03, 4-24-04, 4-24-05, 5-01-03, 5-01-05.3, 5-01-12, 5-02-07, 5-02-08, 6-08-05, 6-08-12, 6-08-13, 6-08-17, 6-08-18, 6-08-19, 6-09-13, 7-08-

06, 8-08-06, 8-08-10, 8-10-06, 8-10-07, 8-10-07.1, 8-10-08, 11-15-15, 11-15-23, 11-18-12, 11-23-11, 11-29-32, 12-44-22, 12-44-25, 12-44-26, 12-44-27, 12-44-39, 12-46-07, 12-46-21, 12-48.1-04, 12-49-04, 12-52-06, 12-60-14, 14-07-18, 15-08-21, 15-35-08, 15-35-13, 15-40.1-20, 15-49-07, 15-62.1-14, 16-01-08, 16-01-12, 16-12-15, 16-13-06, 16-16-25, 16-18-18, 16-18-19, 16-20-11, 16-20-13, 16-20-14, 18-01-12, 18-08-03, 19-01-15, 19-03.1-29, subsections 1, 2, and 3 of section 19-03.1-31, sections 19-04-02, 19-04-07, subsections 1 and 2 of section 19-05-13, sections 19-05-15, 21-03-33, 21-03-48, 21-03-49, 21-05-04, 21-07-04, 23-02-34, 23-02-41, 23-05-10, 23-09-13, 23-09-15, 23-10-08, 23-12-02, 23-12-05, 23-12-06, 24-02-14, 24-09-13, 24-09-14, 24-12-06, 25-03-18, 25-05-29, 26-06-11, 26-06-12, 26-07-16, 26-12-50, 27-07-17, 27-07-18, 27-10-01, 27-10-02, 28-26-05, 29-06-13.1, 29-08-27, subsection 8 of section 29-17-36, sections 29-27-06, 29-28-34, 29-29-19, 31-01-08, 33-12-29, 33-12-30, 33-12-31, 33-12-32, 34-01-07, 34-01-09, 34-01-10, 34-01-18, subsection 8 of section 34-13-15, sections 35-01-26, 35-22-13, 35-27-08, 36-06-08, 36-09-16, 36-14-17, 36-14-18, 36-21-04, 37-01-17, 37-01-18, 37-25-09, 38-04-03, 39-02-07, 39-04-42, 39-05-07, 39-05-16, 39-05-25, 39-05-34, subsection 3 of section 39-08-01, sections 39-08-12, 39-21-47, 40-09-15, 40-13-06, 40-13-12, 40-50-10, 43-04-47, 43-28-26, 44-04-02, 44-04-11, 44-04-17, 44-08-15, 46-02-16, 47-16-24, 48-05-05, 49-07-02, 49-07-04, 49-07-05, 49-11-07, 49-12-02, 49-12-05, 49-12-07, 49-12-08, 49-12-09, 49-12-10, 49-12-12, 49-12-16, 49-12-22, 49-12-24, 49-13-15, 49-13-17, 49-13-19, 49-13-21, 49-13-23, 49-13-26, 49-13-28, 49-15-18, 49-17-02, 49-17-03, 49-17-04, 49-18-44, 49-19-22, 49-19-24, 49-19-25, 49-20-12, 49-20-13, 49-21-21, 50-01-23, 50-01-24, 50-01-25, 50-09-23, 50-24-39, 51-05-06, 51-07-08, 51-08-04, 51-08-05, 51-12-04, 51-12-05, 51-12-06, 51-12-07, 52-06-38, 52-06-39, 52-09-19, 53-05-07, 54-05-01, 54-06-09.1, 54-14-06, 54-16-07, subsection 4 of section 57-02-08.1, section 57-02-13, subsection 3 of section 57-02-21, sections 57-02-45, 57-15-18, 57-15-33, 57-15-40, 57-22-33, 57-24-05, 57-35-15, 57-36-20, 57-36-21, subsection 4 of section 57-36-25, subsection 5 of section 57-36-26, section 57-37-32, subsection 2 of section 57-38-57, subsection 3 of section 57-39.2-18, subsection 2 of section 57-40.2-15, sections 57-45-15, 57-51-13, 58-12-06, 60-02-34, 60-05-05, 60-06-06, 61-01-10, 61-01-11, 61-01-12, 61-01-13, 61-01-18, 61-06-23, 61-08-15, 62-01-02, 62-02-06, 62-04-02, 64-03-04, 64-03-08, 65-01-07, and 65-05-31, all of the North Dakota Century Code, relating to the definitions of crime and criminal procedure.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 439), the roll was called and there were ayes, 42; nays, 5; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON		• NASSET		• SMYKOWSKI	•
• CHRISTENSEN, H #5			• JONES		• NETHING		• SOLBERG	
• CHRISTENSEN, L #3			• KAUTZMANN		• PYLE		• STRAND	
• CONLIN			• LARSON		• RAIT		• STRINDEN	
• EROMAN			• LASHKOWITZ	•	• REDLIN		• STROUP	
• FREED			• LEE		• REITEN		• THANE	
• FRITZELL			• LIPS		• RINGSACK		• TWETEN	
• GOODMAN			• LONGMIRE		• SANDS		• VOSPER	
• GRONHOVD			• MAHER		• SANDNESS		• WALSH	
• HOFFNER			• MELLAND		• SCHULTZ, C #14		• WENSTROM	
• HOLAND			• MORGAN		• SCHULTZ, J #32		• WRIGHT	
• HOMUTH			• MUTCH	•	• SCHUSTER		• MR. PRESIDENT	

So the bill passed and the title was agreed to.

**PERSONAL PRIVILEGE**

Senator Freed: Mr. President, ladies and gentlemen of the Senate, I would like to express my personal thanks to this body for passing Senate Bill No. 2039. I know a lot of it had to be done on faith, I will say this was the largest revision bill since the original code was enacted and we have received a number of inquiries from other states as to how we are ac-



House Bill No. 1254  
 House Bill No. 1322  
 House Bill No. 1380  
 House Bill No. 1393  
 House Bill No. 1424  
 House Bill No. 1546  
 House Bill No. 1570  
 House Bill No. 1576  
 House Bill No. 1595  
 House Bill No. 1606

ROY GILBREATH, Chief Clerk

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1263.** A Bill for an Act to provide that state employees receive payroll checks on a semimonthly or biweekly basis, and to amend and reenact the initial paragraph of section 44-08-04 of the North Dakota Century Code, relating to the reimbursement of traveling expenses on a semimonthly or biweekly basis.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1281.** A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting election day as a holiday.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1328.** A Bill for an Act to amend and reenact subsection 1 of section 26-01-11 of the North Dakota Century Code, to provide for the exemption of considerations for annuities from the insurance premium tax.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1407.** A Bill for an Act to provide that franchise dealers in recreation vehicles shall be reimbursed for vehicles and equipment inventory on hand when franchise or dealership arrangement is cancelled.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1440.** A Bill for an Act to create and enact a new section to chapter 15-29, and 7 new subsections to section 15-29-09 of the North Dakota Century Code, relating to legislative intent and the duties of the clerks of public school districts; to amend and reenact subsection 1 of section 11-14-13 and sections 11-14-14, 11-14-15, 15-18-06, 15-29-03, 15-29-04, 15-29-11, 15-29-13, 15-44-04, 15-44-05, 15-44-09, 15-47-05, 15-47-08, 15-47-21, 15-49-05, 15-49-06, 15-55-19, subsection 2 of section 21-01-01, and sections 21-03-40 and 54-10-15 of the North Dakota Century Code, relating to duties of the treasurers and clerks of public school districts.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1456.** A Bill for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to membership of the state board of higher education.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1472.** A Bill for an Act to amend and reenact section 16-04-04 of the North Dakota Century Code, relating to the filing dates for candidates' petitions.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1537.** A Bill for an Act to provide for the sale of land belonging to the school for the deaf to Devils Lake public school district no. 1.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1552.** A Bill for an Act to create and enact new subsections to sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code, relating to exempting artificial devices individually designed for handicapped persons from the sales and use taxes.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1553.** A Bill for an Act to amend and reenact section 43-33-11 of the North Dakota Century Code, relating to the sale and fitting of hearing aids.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1554.** A Bill for an Act to amend and reenact section 15-53.1-02 of the North Dakota Century Code, relating to boundary changes in school districts.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1555.** A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, relating to the dissolution of school districts.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1592.** A Bill for an Act to provide an appropriation to the state historical board for an oral history project.

Which was read the first time and referred to the Committee on Appropriations.

**House Concurrent Resolution No. 3041.** A concurrent resolution urging the Board of University and School Lands to sell state school lands to private citizens whenever possible.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Concurrent Resolution No. 3051.** A concurrent resolution urging the State Board of Higher Education to enter reciprocal tuition agreements with the States of South Dakota and Montana.

Which was read the first time and referred to the Committee on Education.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business and after the reading of Senate Bills Nos. 2070, 2088, 2093, 2150, 2152, 2162, 2224, 2301, 2326, 2390, 2339, 2413, 2414, 2426, 2430, 2434, 2445, 2452, 2473, 2495 and SCR's 4014 and 4041, that the Senate recess until 12:30 P.M., February 19, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-FIRST DAY AFTER RECESS

Bismarck, February 19, 1975

The Senate convened at 12:30 P.M., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

January 31, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on January 30, 1975, I signed the following Senate Bills:

2043  
2049

2074  
2087

Sincerely yours,  
ARTHUR A. LINK  
Governor

February 13, 1975

The Honorable Wayne Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on February 12, 1975, I signed Senate Bill 2098.

Sincerely yours,  
ARTHUR A. LINK  
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. 2031
- Senate Bill No. 2050
- Senate Bill No. 2070
- Senate Bill No. 2084
- Senate Bill No. 2088
- Senate Bill No. 2093
- Senate Bill No. 2095
- Senate Bill No. 2162
- Senate Bill No. 2224
- Senate Bill No. 2301
- Senate Bill No. 2339
- Senate Bill No. 2360

Senate Bill No. 2413

Senate Bill No. 2426

Senate Bill No. 2434

Senate Bill No. 2452

Senate Bill No. 2473

And find the same correctly Engrossed.

SEN. STRAND, Chairman

Senator Walsh moved that the report be adopted, which motion prevailed.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Gronhovd, Fritzell, Homuth introduced:

**Senate Concurrent Resolution No. 4056.** A concurrent resolution directing the Legislative Council to study economic incentives for the return, reuse, and recycling of packaging materials, to study controls for the amount and environmental quality of packaging, and to study systems of solid waste cycling and reuse.

Was read the first time and referred to the Committee on Natural Resources.

Senators Schuster, Ringsak introduced:

**Senate Concurrent Resolution No. 4057.** A concurrent resolution directing the Legislative Council to conduct a study regarding the development of a comprehensive crime and criminal justice information system, including development of appropriate privacy and security regulations.

Was read the first time and referred to the Committee on Judiciary.

Senator Nething introduced:

**Senate Concurrent Resolution No. 4058.** A concurrent resolution directing a study by the Legislative Council of the taxation of power transmission lines.

Was read the first time and referred to the Committee on Finance and Taxation.

#### FIRST READING OF A SENATE MEMORIAL RESOLUTION

Senators J. Schultz, Solberg introduced:

**Senate Memorial Resolution No. 4.** A memorial resolution extending sympathy and condolence to Senator Evan Lips upon the death of his mother.

Was read the first time.

#### MOTION

Senator J. Schultz moved that the rules be suspended, that Senate Memorial Resolution No. 4 not be printed as a resolution, not referred to a committee, but printed in the Journal and placed on the calendar for second reading and final passage.

#### SENATOR MEMORIAL RESOLUTION No. 4

A memorial resolution extending sympathy and condolence to Senator Evan Lips upon the death of his mother.

WHEREAS, God in His infinite wisdom has seen fit to summon from our midst Mrs. Margaret Lips, the mother of our colleague, Senator Evan Lips; and

WHEREAS, Senator Evan Lips is held in the highest esteem by all members of the Legislative Assembly, who share with him his great sorrow;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

That we express our deepest sorrow and extend to Senator Evan Lips

and all members of his family our sincere sympathy and condolence in this their time of sorrow; and

BE IT FURTHER RESOLVED, that this resolution be entered in the journal, and the Secretary of State is hereby directed to present an enrolled copy to Senator Evan Lips and members of his family.

#### SECOND READING OF A SENATE MEMORIAL RESOLUTION

Senate Memorial Resolution No. 4. A memorial resolution extending sympathy and condolence to Senator Evan Lips upon the death of his mother.

Was read the second time.

Senator J. Schultz moved that the resolution be adopted, which motion prevailed and Senate Memorial Resolution No. 4 was adopted.

#### PERSONAL PRIVILEGE

Senator Lips: Mr. President, ladies and gentlemen of the Senate, I would just like to thank the Senate for this memorial resolution. My mother lived a long life, and I would say a hard life; she lived on the farm, went through the dirty depression of the 1930's, I think most of us can remember those days, so I would just like to thank you all very much from the bottom of my heart.

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Bills Nos. 2007, 2069, 2117, 2159, 2262, 2275, 2289, 2368, 2428, 2474 and SCR 4037 be dispensed with, which motion prevailed.

Senator Melland moved that the amendments to Senate Bill No. 2007 as recommended by the Committee on Appropriations as printed on pages 529 through 532 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2069 as recommended by the Committee on Transportation as printed on page 536 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2117 as recommended by the Committee on Political Subdivisions as printed on page 537 of the Senate Journal be adopted, which motion prevailed.

Senator Melland moved that the amendments to Senate Bill No. 2159 as recommended by the Committee on Appropriations as printed on page 538 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to Senate Bill No. 2262 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on pages 538 through 541 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2275 as recommended by the Committee on Judiciary as printed on pages 541 and 542 of the Senate Journal be adopted, and Senate Bill No. 2275 be referred to the Committee on Appropriations, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2289 as recommended by the Committee on Judiciary as printed on pages 542 through 549 of the Senate Journal be adopted, and Senate Bill 2289 be referred to the Committee on Appropriations, which motion prevailed.

Senator Smykowski moved that the amendments to Senate Bill No. 2368 as recommended by the Committee on State and Federal Government as printed on pages 549 and 550 of the Senate Journal be adopted.

Senator Smykowski moved that Senate Bill No. 2368 be amended as follows:

On page 3, line 16 delete the words "all expenditures" and insert in lieu thereof the words "each expenditure"



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5	●		● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the motion to lay the amendments on the table on Senate Bill 2474 was adopted.

CONSIDERATION OF AMENDMENTS

Senator Kautzmann moved that the amendments to Senate Concurrent Resolution No. 4037 as recommended by the Committee on Industry, Business and Labor as printed on page 552 of the Senate Journal be adopted, which motion prevailed.

MOTION

Senator Nothing moved that the following bills on the 6th Order, Committee Reports for Indefinite Postponement be laid over one legislative day, 2032, 2033, 2094, 2108, 2200, 2309, 2341, and 2356, which motion prevailed.

COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Freed moved that the Committee Report on Senate Bill No. 2163, as printed on page 538 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2163, the roll was called and there were 38 ayes, 13 nays, absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2163 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on Senate Bill No. 2307, as printed on page 549 of the Senate Journal be adopted.

Senator Ringsak moved that Senate Bill No. 2307 be amended as follows:

On page 1, line 17, after the period insert the following new language. SECTION 2. AMENDMENT.) The State shall make such arrangements for said move on or before July 1, 1976.

**SECTION 3. AMENDMENT.)** There is hereby appropriated out of the general fund the sum of \$300,000.00 for remodeling of said office space. Senator Ringsak moved that the amendments be adopted, which motion prevailed.

Senator Lips moved that Senate Bill No. 2307 be re-referred to the Committee on Appropriations, which motion prevailed.

### COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT

Senator Ringsak moved that the Committee Report on Senate Bill No. 2404, as printed on page 511 of the Senate Journal be adopted.

Senator Lashkowitz moved that Senate Bill No. 2404 be amended as follows:

"On page 1, line 8, delete the word "council" and insert in lieu thereof the word "board"

"On page 2, line 13, delete the word "all" and insert in lieu thereof the word "low"

"On page 3, line 17, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 3, line 24, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 4, line 31, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 4, line 35, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 5, line 24, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 6, line 1, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 6, line 3, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 6, line 10, delete the words "HOUSING ADVISORY COUNCIL" and insert in lieu thereof the words "ADVISORY BOARD OR OPERATIONS REVIEW BOARD OF THE BANK OF NORTH DAKOTA"

"On page 6, delete lines 11 through 35

"On page 7, delete lines 1 through 5

"On page 7, line 6, delete the numeral "6." and insert in lieu thereof the numeral "1."; and on line 6 of the same page delete the word "council" and insert in lieu thereof the words "board or operations review board of the bank of North Dakota"

"On page 7, line 7, delete the words "members in accordance" and insert the words "industrial commission."

"On page 7, delete lines 8 through 17, and insert the sentence "The advisory board or operations review board of the bank of North Dakota shall for the purposes of this Act be referred to as 'board.'"

"On page 7, line 18, delete the numeral "8." and insert in lieu thereof the numeral "2."; and on line 18 of the same page delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 7, line 22, delete the words "ADVISORY COUNCIL" and insert in lieu thereof the word "BOARD"

"On page 7, line 23, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 7, line 25, delete the words "approve or reject loan and grant recom-"

"On page 7, line 26, delete the words "mendations made by" and insert in lieu thereof the words "advise and make recommendations to"

"On page 7, line 27, after the word "construction" insert the following language " , acquisition and rehabilitation"

"On page 7, line 30, delete the word "council" and insert in lieu thereof the word "board"

"On page 8, line 8, delete the words "advisory council" and insert the word "board"

"On page 8, line 28, delete the word "council" and insert in lieu thereof the word "board"

"On page 9, line 11, delete the word "council" and insert in lieu thereof the word "board"

"On page 9, line 12, delete the word "council" and insert in lieu thereof the word "board"

"On page 9, line 14, delete the word "agency" and insert in lieu thereof the word "board"

"On page 9, line 17, delete the word "agency" and insert in lieu thereof the word "board"

"On page 9, line 21, delete the word "AGENCY" and insert in lieu thereof the word "BOARD"

"On page 9, line 22, delete the word "agency" and insert in lieu thereof the word "board"

"On page 10, line 11, delete the word "COUNCIL" and insert in lieu thereof the word "BOARD"

"On page 10, line 12, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 11, line 3, delete the word "agency" and insert in lieu thereof the word "board"

"On page 11, line 8, delete the words "advisory council" and insert in lieu thereof the word "board"

"On page 11, line 11, delete the word "council" and insert in lieu thereof the word "board"

"On page 11, line 16, delete the word "council" and insert in lieu thereof the word "board"

"On page 11, line 18, delete the word "council" and insert in lieu thereof the word "board"

"On page 11, line 21, delete the word "council" and insert in lieu thereof the word "board"

"On page 11, line 23, delete the word "council" and insert in lieu thereof the word "board"

"On page 11, line 29, delete the word "council" and insert in lieu thereof the word "board"

"On page 12, line 8, delete the word "council" and insert in lieu thereof the word "board"

"On page 12, line 17, delete the word "council" and insert in lieu thereof the word "board"

"On page 12, line 21, delete the word "council" and insert in lieu thereof the word "board"

"On page 12, line 27, delete the word "council" and insert in lieu thereof the word "board"

"On page 12, line 29, delete the word "council" and insert in lieu thereof the word "board"

"On page 12, line 34, delete the word "council" and insert in lieu thereof the word "board"

"On page 13, line 1, delete the word "council" and insert in lieu thereof the word "board"

"On page 13, line 12, delete the word "council" and insert in lieu thereof the word "board"

"On page 13, line 14, delete the word "council" and insert in lieu thereof the word "board"

"On page 13, line 22, delete the word "council" and insert in lieu thereof the word "board"

"On page 13, line 29, delete the word "council" and insert in lieu thereof the word "board"

"On page 13, line 33, delete the word "council" and insert in lieu thereof the word "board"

"On page 14, line 15, delete the word "council" and insert in lieu thereof the word "board"

"On page 14, line 19, delete the word "council" and insert in lieu thereof the word "board"

"On page 14, line 25, delete the word "council" and insert in lieu thereof the word "board"

"On page 14, line 33, delete the word "council" and insert in lieu thereof the word "board"

"On page 15, line 1, delete the word "council" and insert in lieu thereof the word "board"

"On page 15, line 5, delete the word "council" and insert in lieu thereof the word "board"

"On page 15, line 10, delete the word "council" and insert in lieu thereof the word "board"

"On page 15, line 15, delete the word "COUNCIL" and insert in lieu thereof the word "BOARD"; in line 15 of the same page after the word "The" delete the word "council" and insert in lieu thereof the word "board"

"On page 15, line 18, delete the word "council" and insert in lieu thereof the word "board"

"On page 15, line 31, delete the word "council" and insert in lieu thereof the word "board"

"On page 16, line 2, delete the word "council" and insert in lieu thereof the word "board"

"On page 16, line 9, delete the word "council" and insert in lieu thereof the word "board"

"On page 16, line 13, delete the word "council" and insert in lieu thereof the word "board"

"On page 16, line 17, delete the word "council" and insert in lieu thereof the word "board"

"On page 16, line 24, delete the word "council" and insert in lieu thereof the word "board"

"On page 16, line 35, delete the word "agency" and insert in lieu thereof the word "board"

"On page 17, line 5, delete the word "agency" and insert in lieu thereof the word "board"

"On page 17, line 10, delete the word "agency" and insert in lieu thereof the word "board"

"On page 17, line 34, delete the word "council" and insert in lieu thereof the word "board"

"On page 17, line 35, delete the word "COUNCIL" and insert in lieu thereof the word "BOARD"

"On page 18, line 2, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 4, delete the word "council" and insert in lieu thereof the word "board"



"On page 18, line 10, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 11, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 14, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 18, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 26, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 27, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 32, delete the word "council" and insert in lieu thereof the word "board"

"On page 18, line 35, delete the word "council" and insert in lieu thereof the word "board"

"On page 19, line 5, delete the word "council" and insert in lieu thereof the word "board"

"On page 19, line 20, delete the word "council" and insert in lieu thereof the word "board"

"On page 19, line 26, delete the word "council" and insert in lieu thereof the word "board"

"On page 19, line 31, delete the word "council" and insert in lieu thereof the word "board"

"On page 20, line 3, delete the word "council" and insert in lieu thereof the word "board"

"On page 20, line 7, delete the word "council" and insert in lieu thereof the word "board"

"On page 20, line 16, delete the word "council" and insert in lieu thereof the word "board"

"On page 20, line 18, delete the word "council" and insert in lieu thereof the word "board"

"On page 20, line 19, delete the word "council" and insert in lieu thereof the word "board"

"On page 20, line 31, delete the word "council" and insert in lieu thereof the word "board"; and in line 31 of the same page after the word "the" delete the word "council" and insert in lieu thereof the word "board"

"On page 21, line 8, delete the word "council" and insert in lieu thereof the word "board"

"On page 21, line 12, delete the word "council" and insert in lieu thereof the word "board"

"On page 21, line 18, delete the word "council" and insert in lieu thereof the word "board"

"On page 21, line 20, delete the word "council" and insert in lieu thereof the word "board"

"On page 21, line 25, delete the word "council" and insert in lieu thereof the word "board"

"On page 21, line 33, delete the word "council" and insert in lieu thereof the word "board"

"On page 22, line 3, delete the word "council" and insert in lieu thereof the word "board"

"On page 22, line 16, delete the word "council" and insert in lieu thereof the word "board"

"On page 22, line 17, delete the word "council" and insert in lieu thereof the word "board"

"On page 22, line 24, delete the word "council" and insert in lieu thereof the word "board"

"On page 22, line 32, delete the word "council" and insert in lieu thereof the word "board"

"On page 22, line 35, delete the word "council" and insert in lieu thereof the word "board"

"On page 23, line 6, delete the word "council" and insert in lieu thereof the word "board"

"On page 23, line 16, delete the word "council" and insert in lieu thereof the word "board"

"On page 23, line 24, delete the word "council" and insert in lieu thereof the word "board"

"On page 23, line 28, delete the word "council" and insert in lieu thereof the word "board"

"On page 23, line 31, delete the word "council" and insert in lieu thereof the word "board"

And renumber the lines accordingly".

Senator Lashkowitz moved that the amendments be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill 2404 be deemed properly engrossed and placed on the 6th Order for Indefinite Postponement, which motion prevailed, after Senator Hoffner requested a division vote.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2404, the roll was called and there were 33, ayes; 16, nays; absent and not voting, 2.

NORTH DAKOTA SENATE												
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		•	•	ISZLER		•	NAADEN				•	SHABLOW
		•	•	JACOBSON		•	NASSET				•	SMYKOWSKI
		•	•	JONES		•	NETHING				•	SOLBERG
		•	•	KAUTZMANN		•	PYLE				•	STRAND
•				LARSON	•		RAIT	•			•	STROUP
		•		LASHKOWITZ	•		REDLIN	•			•	THANE
•				LEE			REITEN				•	TWETEN
		•		LIPS			RINGSACK				•	VOSPER
•				LONGMIRE			SANDS				•	WALSH
		•		MAHER	•		SANDNESS				•	WENSTROM
		•		MELLAND			SCHULTZ, C. #14				•	WRIGHT
		•		MORGAN			SCHULTZ, J. #37				•	MR. PRESIDENT
		•		MUTCH			SCHUSTER	•				

The motion prevailed, and Senate Bill No. 2404 was indefinitely postponed.

### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Melland moved that the Committee Report on Senate Bill No. 2425, as printed on page 551 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2425, the roll was called and there were 34 ayes; 17 nays; absent and not voting, 0.

NORTH DAKOTA SENATE												
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		•		ISZLER	•		NAADEN				•	SHABLOW
		•		JACOBSON			NASSET				•	SMYKOWSKI
		•		JONES	•		NETHING				•	SOLBERG

• CHRISTENSEN, L. #3	• KAUTZMANN	• PYLE	• STRAND
• CONLIN	• LARSON	• RAIT	• STRINDEN
• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2425 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on Senate Bill No. 2486, as printed on page 514 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2486, the roll was called and there were 31 ayes; 19 nays; absent and not voting, 1.

NORTH DAKOTA SENATE							
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE	
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V
		•	•			•	
• BARTH			• ISZLER			• NAADEN	
• BERUBE			• JACOBSON			• NASSET	
• CHRISTENSEN, H. #5			• JONES			• NETHING	
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE	
• CONLIN			• LARSON			• RAIT	
• ERDMAN			• LASHKOWITZ			• REDLIN	
• FREED			• LEE			• REITEN	
• FRITZELL			• LIPS			• RINGSAK	
• GOODMAN			• LONGMIRE			• SANDS	
• GRONHOVD			• MAHER			• SANDNESS	
• HOFFNER			• MELLAND			• SCHULTZ, C. #14	
• HOLLAND			• MORGAN			• SCHULTZ, J. #32	
• HOMUTH			• MUTCH			• SCHUSTER	
							• SHABLOW
							• SMYKOWSKI
							• SOLBERG
							• STRAND
							• STRINDEN
							• STROUP
							• THANE
							• TWETEN
							• VOSPER
							• WALSH
							• WENSTROM
							• WRIGHT
							MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2486 was indefinitely postponed.

**MOTIONS**

Senator Nething moved that the rules be suspended, that Senate Bills Nos. 2034, 2304, 2313, 2314, 2391, and 2453 be placed on the 6th Order, Consideration of Amendments, for consideration at this time, which motion prevailed.

Senator Nething moved that Senate Bill No. 2262 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Nething moved that we return to the 5th Order of Business and that the Senate stand at ease for twenty minutes to receive committee reports, which motion prevailed.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2002 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20, delete the numerals "815,491" and insert in lieu thereof the numerals "779,129"

On page 1, line 24, delete the numerals "251,366" and insert in lieu thereof the numerals "331,366"

On page 1, after line 24, add the following: "Escaped Prisoners 20,000"

On page 2, line 2, delete the numerals "1,128,337" and insert in lieu thereof the numerals "1,191,975"

On page 2, line 5, delete the numerals "2,282,692" and insert in lieu thereof the numerals "2,181,872"

On page 2, line 11, delete the numerals "4,374,218" and insert in lieu thereof the numerals "4,273,398"

On page 2, line 14, delete the numerals "400,559" and insert in lieu thereof the numerals "232,856"

On page 2, line 15, delete the numerals "173,200" and insert in lieu thereof the numerals "119,885"

On page 2, line 17, delete the numerals "6,477" and insert in lieu thereof the numerals "2,361"

On page 2, line 20, delete the numerals "2,790,573" and insert in lieu thereof the numerals "2,565,439"

On page 2, line 21, delete the numerals "2,564,184" and insert in lieu thereof the numerals "2,429,103"

On page 2, line 22, delete the numerals "226,389" and insert in lieu thereof the numerals "136,336"

On page 2, line 23, delete the numerals "1,354,726" and insert in lieu thereof the numerals "1,328,311"

On page 2, line 24, delete the numerals "6,938,402" and insert in lieu thereof the numerals "6,702,501"

On page 2, line 25, delete the numerals "8,293,128" and insert in lieu thereof the numerals "8,030,812"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

#### STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of this amendment is to adjust the salaries and wages of the various departments in the bill to reflect five percent salary increases for each year of the biennium. The state planning division's appropriation was amended to provide funding for salaries and wages and related costs for the six positions authorized by the forty-third legislative assembly and one person to assist in land use planning and other local governmental assistance programs. Funds were also deleted from the state planning division's appropriation for the following new positions:

Administrative officer

Program administrator

Director of environmental review

Land use zoning specialist

Resource specialist

Two planning coordinators

It is the intent of the legislature to add \$80,000 to the department of accounts and purchases data processing line to help implement the new accounting and budgeting system to be installed in the next biennium. It is the intent of the legislature to add a line item of \$20,000 for Escaped Prisoners to comply with Section 12-16-17 of the North Dakota Century Code.

SENATOR LIPS, Chairman

Senate Bill No. 2002 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2031 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2031 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business, and Labor 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 23 delete the triple parentheses around the word "or"

On page 2, line 5 insert beginning triple parentheses before the word "or"

On page 2, line 9 insert ending triple parentheses after the "semicolon"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2034 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2036 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, delete the words "and section 65-05-09"

On page 1, line 6, after the word "and" where it first appears, and insert in lieu thereof the words "; to amend and reenact section 65-05-09 of the North Dakota Century Code, relating to"

On page 1, line 7, before the period insert the words: "; to amend and reenact section 65-06-03 of the North Dakota Century Code, relating to compensation benefits for volunteer firemen and civil defense trainees; to amend and reenact section 65-07-03 of the North Dakota Century Code, relating to the determination of weekly wage for an employer, self-employed, and volunteer workers; and to amend and reenact section 65-07-04 of the North Dakota Century Code, relating to benefits for employer, self-employed, and volunteer workers"

On page 2, line 31, after the word "the" where it appears for the third time, insert the words "compensation or"

On page 3, after the last printed line of the bill insert the following new sections:

"SECTION 4. AMENDMENT.) Section 65-06-03 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-06-03. COMPENSATION BENEFITS — HOW DETERMINED.) The basis of compensation and benefits to be paid to volunteer firemen and volunteer civil defense trainees under the terms of this chapter shall be ((fifty-five percent of the average weekly wage paid in the state, computed to the next highest dollar)) determined in accordance with the provisions of section 65-05-09; provided, however, that the weekly wage of the claimant shall be determined from a computation of income derived from the claimant's business or employment.

SECTION 5. AMENDMENT.) Section 65-07-03 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-07-03. DETERMINATION OF "WEEKLY WAGE" FOR PREMIUM PURPOSES.) If the bureau enters into a contract for insurance under this chapter, the premium for such protection shall be based on ((a reasonable weekly wage for employees in the same class of industry. Such reasonable weekly wage shall not amount to less than one thousand eight hundred and twenty dollars per annum nor more than two thousand five hundred dollars per annum and shall be determined by the bureau.))):

1. The amount of money derived on an annual basis from the business of an employer or self-employed person as determined by said person.

2. A reasonable wage as determined by the bureau for said employees in the same class of industry that the volunteer organization is engaged.

SECTION 6. AMENDMENT.) Section 65-07-04 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-07-04. BENEFITS.) Any person or member of an organization which has contracted for insurance protection under the provisions of this chapter shall be entitled to ((the same)) compensation ((as is provided for by this title in the case of the injury or death of an employee.)) in accordance with the provisions of section 65-05-09; provided, however, that:

1. In the case of an employer or self-employed person the weekly wage of the claimant shall be determined by dividing the amount of money reported to the bureau in accordance with section 65-07-03 subsection 1 by fifty-two.

2. In the case of a member of a volunteer organization, the weekly wage of the claimant shall be determined from a computation of income derived from the claimant's business or employment."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2036 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2059 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, after the word "maximum" insert the word "primary"

On page 1, line 4, after the comma delete the following: "to require percentage royalties"

On page 1, delete all of lines 5 and 6

On page 1, line 7, delete the following: "the waiver by the parties of any terms of this Act,"

On page 1, line 20, after the word "regulated" delete the words "and determined"

On page 1, delete all of lines 21 and 22

On page 1, line 23, delete the following: "leasing of coal in place can be controlled and eliminated"

On page 2, delete all of lines 8 through 24

On page 2, line 25, delete the numeral "6" and insert in lieu thereof the numeral "2"

On page 2, line 32, delete the numeral "7" and insert in lieu thereof the numeral "3"

On page 2, line 33, after the word "of" delete the word "minerals" and insert in lieu thereof the word "coal" and on the same line after the second word "the" delete the word "minerals" and insert in lieu thereof the word "coal"

On page 3, delete all of lines 1 and 2

On page 3, line 21, after the word "unless" delete the words "coal is" and insert the following: "operations for mining are taking place on"

On page 3, line 22, delete the words "mined from"

On page 3, delete all of lines 25 through 35

On page 3, following line 24 insert the following: "This limitation shall not prohibit agreements for extensions or renewals of the primary term."

On page 4, delete all of lines 1 through 3

On page 4, delete all of lines 16 through 35

On page 5, delete all of lines 1 through 17

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2059 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2080 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2080 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was

referred Senate Bill No. 2084 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2084 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation 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 17, delete the underscored word "two" and insert in lieu thereof the underscored word "three"

On page 2, line 18, delete the underscored word "two" and insert in lieu thereof the underscored word "three"

On page 2, line 26, delete the underscored word "two" and insert in lieu thereof the underscored word "three"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2100 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2143 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2143 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2164 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Bill No. 2164 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2204 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 2, insert beginning triple parentheses before the word "It"; delete the triple parentheses around the word "intent"; and delete the word "dir-"

On page 2, line 3, delete the word "ective"; and insert ending triple parentheses after the word "in"; and immediately following the ending triple parentheses insert the word "In"

On page 2, line 7, insert beginning triple parentheses before the word "that"

On page 2, line 8, insert ending triple parentheses after the word "to" and immediately following the ending triple parentheses insert the words "school boards shall give serious consideration to the"

On page 5, line 3, delete the words "Such teacher shall also be informed"

On page 5, delete all of lines 4 through 28.

On Page 5, line 29 delete the word "pertaining." and insert in lieu thereof the following: "Such teacher shall also be informed in writing of the reasons for such nonrenewal. Such reasons shall be sufficient to justify the contemplated action of the board and shall not be frivolous or arbitrary. At the meeting with the board the teacher may then produce such evidence as may be necessary to evaluate the reasons for nonrenewal, and either party may produce witnesses to confirm or refute the reasons.

On Page 5, line 30, after the word "discuss" insert the words "and confirm"

And renumber the lines and pages accordingly.  
 And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2204 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2222 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 10 after the word "any" delete the word "licensed"

On page 1, line 11 after the word "hospital" insert the words ", as defined in subsection 29 of section 52-01-01 and the state department of health rules and regulations pursuant thereto or as licensed under section 23-17.1-01,"

On page 1, line 13 after the word "related" delete the words "illnesses, and licensed under the laws of this state" and insert in lieu thereof the word "illness"

On page 2, line 13 after the word "treatment" insert the words "and treatment by partial hospitalization"

And renumber the lines and pages accordingly.  
 And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2222 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2225 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2225 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2231 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14 delete beginning triple parentheses

On page 1, line 17 after the first word "of" insert beginning triple parentheses and after the second word "of" insert ending triple parentheses

On page 2, line 2 delete ending triple parentheses

On page 2, delete all of lines 3 through 20

And renumber the lines and pages accordingly.  
 And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2231 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2233 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after "A BILL" and everything following line 1 and insert in lieu thereof the following: "for an Act to create and enact a new subsection to each of sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code, to provide retail sales tax and use tax exemptions for clothing and wearing apparel, including fabrics and other items to be incorporated directly therein.

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 North Dakota Century Code is hereby created and enacted to read as follows:

Gross receipts from sales of clothing and wearing apparel, including fabrics, yarn and other items to be incorporated therein, but not including such items as jewelry, watches, opera glasses, binoculars, perfumes,



cosmetics, hair dressings, hair pieces, wigs, luggage, handbags, purses, billfolds, and articles made of fur on the hide or pelt.

SECTION 2.) A new subsection to section 57-40.2-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Clothing and wearing apparel, including fabrics, yarns and other items to be incorporated therein, but not including such items as jewelry, watches, opera glasses, binoculars, perfumes, cosmetics, hair dressings, hair pieces, wigs, luggage, handbags, purses, billfolds, and articles made of fur on the hide or pelt."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2233 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business, and Labor to whom was referred Senate Bill No. 2234 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2234 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business, and Labor to whom was referred Senate Bill No. 2235 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2235 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2236 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2236 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2238 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2238 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2244 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2244 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2304 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, delete the word "and"

On page 1, line 3, after the word "Act" insert the following: " , to provide for an effective date, and to provide for an appropriation"

On page 3, delete lines 19 through 21 and insert in lieu thereof the words "to prohibit an insured from obtaining services for remedial treatment and care rendered in accordance with a recognized religious healing method, and such care and treatment shall constitute economic loss."

On page 5, after line 29, insert the following new sections:

"SECTION 11. SECURITY REQUIREMENTS — AUTHORITY OF MOTOR VEHICLE REGISTRAR.)

1. The owner of a motor vehicle required to be registered in this state

shall continuously provide with respect to such motor vehicle security for payment of basic benefits and the liabilities covered under this Act, in addition to coverages required under other applicable statutes.

2. The security may be provided by a policy of insurance complying with this Act issued by an insurer authorized to transact business in this state, or by self-insurance as approved by the commissioner.

3. The owner of any motor vehicle required to be registered in this state who operates it, or permits it to be operated in this state, when the owner knows or should know that he has failed to comply with the requirement that he provide security under this Act, shall have his motor vehicle registration revoked or suspended, in accordance with procedures established by the motor vehicle registrar under the motor vehicle laws of the state, until the owner shall provide the security required by this Act.

4. An owner of a motor vehicle with respect to which security is required, who fails to have such security in effect at the time of an accident, shall be absolutely liable at law for payment of the basic benefits specified in section 2 of this Act, and shall have all the rights and obligations of a basic no fault insurer under this Act. This remedy shall be in addition to any other remedy that an injured person may have against such an owner.

5. An insurance policy which purports to provide coverage for basic no fault benefits or is sold with the representation that it fulfills the requirements of security as required by this Act is deemed to include all coverages required by this Act.

6. The motor vehicle registrar shall have the authority to supervise the enforcement of the compulsory security requirements of this Act, and to adopt the rules and regulations necessary in respect to the maintenance thereof, including reasonable requirements for proof of security before registering any vehicle under the applicable laws of this state.

SECTION 12. EFFECTIVE DATE.) The effective date of this Act shall be January 1, 1976.

SECTION 13. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$55,600.00, or so much thereof as may be necessary, to the motor vehicle registrar for the purpose of enforcing this Act for the biennium beginning July 1, 1975, and ending June 30, 1977."

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 KAUTZMANN, Chairman

Senate Bill No. 2304 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2313 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15, after the ending triple parentheses delete the word "thirty-two" and insert in lieu thereof the word "thirty"

On page 1, line 15, after the word "dollars" delete the rest of the line

On page 1, delete all of line 16

On page 1, line 17, delete the words "July 1, 1976"

On page 2, line 2, after the ending triple parentheses delete the word "thirty" and insert in lieu thereof the word "twenty-eight"

On page 2, line 2, after the word "dollars" delete the rest of the line

On page 2, delete all of line 3

On page 2, line 4, delete the words "beginning July 1, 1976"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass, and be re-

referred to the Committee on Appropriations.

SENATOR FREED, Chairman

Senate Bill No. 2313 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2314 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17, after the triple parentheses delete the word "fourteen" and insert in lieu thereof the word "twelve"

On page 1, line 19, after the triple parentheses delete the word "fourteen" and insert in lieu thereof the word "twelve"

On page 1, line 24, after the word "of" delete the numerals "\$58,200" and insert in lieu thereof the numerals "\$29,100"

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2314 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2315 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2315 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2355 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2355 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2375 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2375 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

Senate Bill No. 2376 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2377 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2377 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2380 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2380 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 be amended as follows:

On page 1, line 12, delete the word "or" and insert in lieu thereof the word "and", and following the first word "a" insert the words "sixty percent"

On page 1, line 13, delete the word "summarily"

On page 1, line 15, following the word "or" insert the words "has spending, borrowing, or eminent domain powers and"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2389 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2391 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, following the word "sales" insert the words "and use"

On page 1, line 2, after the word "governments" and before the period insert the following: ", and to provide that the provisions of this Act shall be temporary"

On page 1, line 15, delete the numerals "1976" and insert in lieu thereof the numerals "1975" and delete the word "five" and insert in lieu thereof the word "two"

On page 1, line 17, delete the word "five" and insert in lieu thereof the word "one" and following the word "sales" insert the words "and use"

On page 2, after line 21, insert the following new section:

"SECTION 5. PROVISIONS OF ACT TEMPORARY.) The provisions of this Act shall be effective during the period beginning July 1, 1975, and ending June 30, 1977, and thereafter shall be of no force and effect unless reenacted by the legislative assembly. It is the intent of the legislative assembly that between the forty-fourth and forty-fifth legislative sessions, the legislative council shall review the operation of the provisions of this Act, and make a report and recommendations thereon to the forty-fifth legislative assembly."

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 STROUP, Chairman

Senate Bill No. 2391 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2392 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2392 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2395 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 15, delete the word "one" and insert in lieu thereof the words "one-half"

On page 2, line 18, delete the word "two" and insert in lieu thereof the word "one"

On page 2, line 22, delete the word "three" and insert in lieu thereof the word "two"

On page 2, line 33, after the period insert the following sentence: "This territorial authority shall not authorize the application of zoning regulations to territory outside the corporate limits of land attached to a city by a strip of land not more than one hundred feet wide, nor shall this territorial authority authorize application of zoning regulations to territory outside the corporate limits of land included within such a strip of land."

On page 3, line 28, delete the word "one" and insert in lieu thereof the word "one-half"

On page 3, line 31, delete the word "two" and insert in lieu thereof the word "one"

On page 3, line 35, delete the word "three" and insert in lieu thereof the word "two"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2395 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2396 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2396 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business, and Labor to whom was referred Senate Bill No. 2398 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2398 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2402 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2402 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred Senate Bill No. 2415 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the word "exceeding" delete the words "five thousand" and insert in lieu thereof the words "twenty-five hundred"

On page 1, line 20, after the word "the" delete the words "supervisor of consumer" and insert in lieu thereof the word "commissioner"

On page 1, line 21, delete the word "credit"

On page 1, line 23, after the word "ADMINISTRATION.)" delete the words "The administrator shall"

On page 1, delete all of line 24

On page 2, line 1, delete the words "institutions in administering and enforcing this Act."

On page 2, line 4, after the word "to" delete the words "a deputy" and insert in lieu thereof the words "the supervisor of consumer credit"

On page 2, line 5, delete the words "Such deputy" and insert in lieu thereof the words "The supervisor of consumer credit"

On page 2, line 16, after the word "than" delete the words "five thousand" and insert in lieu thereof the words "twenty-five hundred"

On page 3, line 16, delete the words "an industrial" and insert in lieu thereof the words "a consumer finance"

On page 5, line 20, after the word "make" delete the word "industrial" and following the word "loans" insert the words "under this Act"

On page 6, line 22, after the word "make" delete the word "industrial"

On page 6, line 23, after the word "loans" insert the words "under this Act"

On page 7, line 19, after the word "all" delete the word "industrial"

On page 8, line 30, after the word "the" delete the word "industrial" and insert in lieu thereof the words "consumer finance"

On page 9, line 32, after the word "than" delete the words "five thousand" and insert in lieu thereof the words "twenty-five hundred"

On page 11, following line 5, insert the following new subsection: "5. No

licensee shall have outstanding to the same person at the same time a loan under this Act and also under the small loans act of 1959."

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2415 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2429 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 32, following the word "AUTHORIZED" insert the words "—DISSOLUTION OF DISTRICTS"

On page 2, line 35, delete the word "may" and insert in lieu thereof the word "shall"

On page 3, line 1, delete the words "sixty percent of the freeholders" and insert in lieu thereof the following: "twenty percent of the eligible voters, as determined by those voting for governor in that geographical area at the last gubernatorial election, in any territory equivalent in area to one township or more, submit the question to the voters at the next regularly scheduled primary or general election as to whether or not the voters of the area desire to establish a hospital district and whether they approve of the mill levy authorized by section 7 of this Act for the purpose of supporting such hospital district. If sixty percent of the voters voting in the election within the proposed district approve, the county commission or county commissions, as the case may be, shall, by resolution, create the hospital district comprising the entire area as described in the petition.

2. In the event the electors of a hospital district desire to dissolve such district, thirty percent of the eligible voters, determined as in subsection 1 of this section, may petition the board of directors of the hospital district to place the question of the continued existence of the hospital district before the electors of the district at the next regularly scheduled primary or general election. If sixty percent of the persons voting in such election do not approve of the continued operation of the hospital district, the board of directors shall notify the county commission or county commissions, as the case may be. The county commission or county commissions shall, upon receipt of such notice, by resolution order the dissolution of the hospital district. Mill levies previously authorized shall continue to be collected as authorized until the termination of the authority therefor."

On page 3, delete lines 2 through 5

On page 3, line 6, delete the number "2" and insert in lieu thereof the number "3"

On page 3, line 20, delete the number "3" and insert in lieu thereof the number "4"

On page 3, line 23, delete the words "sign such petition" and insert in lieu thereof the words "approve of the district"

On page 3, line 25, delete the words "by the"

On page 3, line 26, delete the words "county auditor"

On page 4, line 9, delete the following: "PERMANENT ORGANIZATION—"

On page 4, delete lines 16 and 17

On page 4, line 18, delete the words "of a" and insert in lieu thereof "who shall be on the board of directors of the hospital district. The", and in the same line, delete the word "consisting" and insert in lieu thereof the words "shall consist"

On page 8, line 4, delete the word "sixty" and insert in lieu thereof the word "twenty"

And renumber the lines accordingly.

And when so amended recommends the same be indefinitely postponed.

SENATOR SANDS, Chairman

Senate Bill No. 2429 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred Senate Bill No. 2443 has had the same under consideration and recommends that the same be amended as follows:

On page 1 line 13 after the word "including" delete the words "but not limited to"

On page 2 line 2 after the word "state" insert the following language: ". A bank which provides electronic funds transfer equipment and service to its customers, at premises separate from its main banking house or duly authorized paying and receiving station or facility approved by the state banking board, must make such equipment and service available for use by customers of any other bank upon the request of such other bank to share its use and the agreement of such other bank to share pro-rata all costs incurred in connection with its installation and operation"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

Senate Bill No. 2443 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2444 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2444 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2449 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

Senate Bill No. 2449 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 amended as follows:

On page 1, line 2 after the word "sections" delete "6-09-15,"

On page 1, line 20 after the word "state." delete "The legislative assembly further finds that it is"

On page 1, delete all of lines 21 through 24

On page 2, delete all of line 1

On page 2, line 2 delete "within the state."

On page 2, delete all of lines 5 through 35

On page 3, delete all of lines 1 through 13

On page 3, line 29 after the word "of" delete the word "three" and insert in lieu thereof the word "two"

On page 3, line 30 after the word "bank," insert "one person who is an officer of a federally chartered bank,"

On page 4, line 16 after the word "bank." delete the words "Such appointments shall be for two"

On page 4, line 17 delete the word "years." and insert in lieu thereof the following new language: "At the creation of the operations review board, the industrial commission shall appoint three members for a term of one year, three members for a term of two years, and three members for a term of three years. Thereafter all terms shall be for three years and shall be arranged so that three terms shall expire on the same date

yearly. No member of the board shall serve more than two terms."

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 KAUTZMANN, Chairman

Senate Bill No. 2453 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Bill No. 2455 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, after the word "districts" insert the words "; and providing an effective date"

On page 2, line 7, after the word "districts" insert the words ", with the exception of those annexed territories which lie within the city limits of the city in which the school is located"

On page 2 after line 7 insert the following section:

"SECTION 2. EFFECTIVE DATE.) The provisions of this act shall be effective on and after July 1, 1976."

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

Senate Bill No. 2455 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 2464 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14, after the ending triple parentheses delete the word "nineteen" and insert in lieu thereof the word "fifteen"

On page 1, line 15, after the word "dollars" delete the rest of the line

On page 1, delete all of line 16

On page 1, line 17, delete the numerals "1976,"

On page 1, line 18, after the ending triple parentheses delete the word "twenty" and insert in lieu thereof the word "sixteen"

On page 1, delete all of line 19

On page 1, line 20, delete the following: "dollars annually beginning July 1, 1976,"

On page 1, line 22, after the ending triple parentheses delete the word "twenty-" and insert in lieu thereof the word "nineteen"

On page 1, line 23, delete the word "three"

On page 2, delete the triple parentheses around the word "forty" and delete the word "thirty"

On page 2, line 2, delete the word "twenty-five" and insert in lieu thereof the word "twenty-three"

On page 2, line 2, after the word "dollars" delete the rest of the line

On page 2, delete all of line 3

On page 2, line 4, delete the numerals "1976," and on the same line delete the triple parentheses around the word "forty"

On page 2, line 5, delete the word "thirty"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

Senate Bill No. 2464 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2465 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

Senate Bill No. 2465 was placed on the sixth order of business on the calendar for the succeeding legislative day.



Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2470 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 19, delete the beginning triple parentheses after the word "of"

On page 2, line 19, place beginning and ending triple parentheses around the word "fourteen" and insert in lieu thereof the word "sixteen"

On page 2, line 20, following the word "twenty" insert "-four"

On page 2, line 20, delete the ending triple parentheses after the word "be" and delete the words "at least"

On page 2, line 21, delete the words "twenty-four thousand dollars, as"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2470 was placed on the sixth order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2471 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 LIPS, Chairman

Senate Bill No. 2480 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 FREED, Chairman

Senate Bill No. 2485 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred Senate Bill No. 2490 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3, delete the triple parentheses around the words "Thirty-seven" and in the same line delete the words "Twenty-six and six-tenths"

On page 2, line 10, delete the beginning triple parentheses

On page 2, line 11, delete the ending triple parentheses

On page 2, line 17, delete the beginning triple parentheses

On page 4, line 5, delete the ending triple parentheses and insert a period

On page 4, delete the lines 6 through 29

On page 4, line 30, delete the numeral "4." and insert in lieu thereof the numeral "3."; in the same line delete the words "and six-tenths"

On page 4, line 30, after the word "be" insert the following: "allocated in equal shares to each of the fifty-three counties and shall be"

On page 4, line 31, delete the word "state" and insert in lieu thereof the word "county"

On page 4, line 32, delete the word "treasury" and insert in lieu thereof the word "treasuries"

On page 4, line 35, delete the word "fund" and insert in lieu thereof the word "funds"

On page 5, line 1, delete the word "state" and insert in lieu thereof the word "county"

On page 5, line 5, delete the word "state" and insert in lieu thereof the word "county"

On page 5, line 11, delete the word "state" and insert in lieu thereof the word "county"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

Senate Bill No. 2490 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2496 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2496 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4031 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4031 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4043 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4043 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4044 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4044 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4045 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Concurrent Resolution No. 4045 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4046 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR SMYKOWSKI, Vice-Chairman

Senate Concurrent Resolution No. 4046 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4048 has had the same under consideration and recommends that the same do pass:

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4048 was placed on the eleventh order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4049 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolution Committee.

SENATOR NASSET, Chairman





24-30 of the North Dakota Century Code, relating to the rights of surface owners when severed coal and mineral interests are sold for nonpayment of taxes.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 506), the roll was called and there were ayes, 47; nays, 3; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2150. A Bill for an Act to amend and reenact sections 15-05-01 and 15-05-04 of the North Dakota Century Code, relating to leasing coal lands or coal in tracts under the control of the board of university and school lands for coal mining purposes and pasturage and meadow purposes; and to repeal sections 15-05-02 and 15-05-03, relating to rental for coal lands and regulations governing and the provision that the lease for coal mining purposes is not to interfere with the right to lease for pasture.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2152. A Bill for an Act to provide for authority for the board of university and school lands to invest permanent funds of the common schools in the construction of an office building; to establish the location of the office building; to provide a grant of land; to provide for the advertising and letting of construction bids; to provide for the rental of space to state agencies; to provide for a method of amortizing the capitol investment; and to provide for incidental authority in the board of university and school lands necessary to accomplish the purpose of this Act.

Which has been read.

Senator Smykowski moved that Senate Bill No. 2152 be amended as follows:

On page 1, line 1, after the words "A BILL", delete the remainder of the bill and insert the following in lieu thereof: "for an Act directing the legislative council to study and plan for construction of an office building on the capitol grounds; providing a statement of legislative intent concerning construction of such a building; providing an appropriation; and declaring an emergency.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

**SECTION 1. LEGISLATIVE INTENT.)** It is the intent of the legislative assembly to have legislation presented to the forty-fifth legislative assembly, for its consideration, authorizing construction of a state office building, and authorizing the board of university and school lands to invest moneys from the permanent fund of the common schools in the construction of such an office building.

**SECTION 2. LEGISLATIVE COUNCIL STUDY.)** The legislative council is hereby directed to study the exterior and interior dimensions and design of a state office building to be constructed on the capitol grounds. The council is also authorized to determine the most appropriate utilization of any space in present office buildings on the capitol grounds which may become available due to construction of a new office building or for other reasons. The council shall consider, among other things, which agencies should be housed in the new office building, the type of space needed by those agencies, the utilization of space vacated by those agencies, and whether that space should be redesigned or altered, and the most appropriate means for ensuring adequate interior environmental control in such altered or renovated space. The council shall consult with the capitol grounds planning commission during the course of its study. The council may secure the services of such architects and engineers to assist it in carrying out the study as it may deem necessary, and such architectural or engineering services may be jointly secured by the council and the capitol grounds planning commission. The council shall report its findings and recommendations, accompanied by any necessary legislation, to the forth-fifth legislative assembly. The director of institutions shall not permit state agencies presently occupying office space in the Bismarck area to relocate to other office space in the Bismarck area, except on a temporary or emergency basis and after consultation with the legislative council or its designee, until the study called for by this section has been completed.

**SECTION 3. APPROPRIATION.)** There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$30,000.00, or so much thereof as may be necessary, to the legislative council for carrying out the study and planning required by section 2 of this Act during the biennium beginning July 1, 1975, and ending June 30, 1977.

**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.

Senator Smykowski moved that the amendments be adopted, which motion failed, after a division vote.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 24; nays, 27; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED			● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSACK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		●

So the bill was declared lost.

Senate Bill No. 2162. A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the opening and closing of polls at all primary, general, and special elections.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 508), the roll was called and there were ayes, 45; nays, 6; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED			● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSACK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		●

So the bill passed and the title was agreed to.

**MOTION**

Senator Homuth moved that Senate Bill No. 2187 be laid over one legislative day, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2224. A Bill for an Act to create and enact a new section to chapter 23-13 of the North Dakota Century Code, to provide certain facilities for physically handicapped persons in public toilets in buildings or facilities constructed or remodeled after the effective date of the bill.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 508), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●

● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2301. A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code, to extend the definition of teacher to include section 15-47-38.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 509), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2326. 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 sales tax exemptions for all sales to hospitals, nursing homes, and intermediate care facilities licensed by the state health 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, 30; nays, 21; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2338. A Bill for an Act to create and enact section 54-06-14.1 of the North Dakota Century Code, relating to compensation for accumulated sick leave.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 334), the roll was called and there were ayes, 37; nays, 13; absent and not voting, 1.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2339. A Bill for an Act to amend and reenact sections 15-61-05 and 24-03-15 of the North Dakota Century Code, relating to disposition or exchange of state surplus property and to the sale of obsolescent highway equipment.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 509 and 510), the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2340. A Bill for an Act to amend and reenact section 47-18-01 of the North Dakota Century Code, relating to homestead exemption from judgments and execution.

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, 37; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill was declared lost.

**Senate Bill No. 2344.** A Bill for an Act to amend and reenact subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to a municipality's share of a federal aid highway project. Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 480), the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2354.** A Bill for an Act to create a constitutional revision commission and set forth its membership, powers, and duties; to provide an appropriation; and declaring an emergency. 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, 21; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause lost.

**Senate Bill No. 2390.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to counties issuing bonds to provide funds for solid waste disposal facilities; and to amend and reenact subsection 14 of section 11-11-14 of the North Dakota Century Code, relating to establishing a county garbage and trash collection system. Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI

● CHRISTENSEN, H #5	● JONES	● NOTHING	● SOLBERG
● CHRISTENSEN, L #3	● KAUTZMANN	● PYLE	● SIRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2403. A Bill for an Act to amend and reenact section 15-55-02.1 of the North Dakota Century Code relating to the issuance of refunding bonds 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, 42; nays, 9; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		●
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H #5			● JONES		●	● NOTHING		●	● SOLBERG		●
● CHRISTENSEN, L #3			● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED			● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C #14		●	● WENSTROM		●
● HOLAND			● MORGAN		●	● SCHULTZ, J #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		●

So the bill passed and the title was agreed to.

**MOTION**

Senator Lips moved that Senate Bill No. 2413 be re-referred to the Committee on Appropriations, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2414. A Bill for an Act to amend and reenact section 4-34-01 of the North Dakota Century Code, relating to the purposes of the Beef Promotion 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, 1; nays, 49; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER		●	● NAADEN		●	● SHABLOW		●
● BERUBE		●	● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H #5		●	● JONES		●	● NOTHING		●	● SOLBERG		●
● CHRISTENSEN, L #3		●	● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN		●	● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN		●	● THANE		●
● FRITZELL		●	● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN		●	● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD		●	● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER		●	● MELLAND		●	● SCHULTZ, C #14		●	● WENSTROM		●
● HOLAND		●	● MORGAN		●	● SCHULTZ, J #32		●	● WRIGHT		●
● HOMUTH		●	● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		●

So the bill was declared lost.

Senate Bill No. 2426. A Bill for an Act to amend and reenact section 39-

21-45.1 of the North Dakota Century Code, relating to modification of motor vehicles and providing an effective date.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 511), the roll was called and there were ayes, 46; nays, 4; absent and not voing, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5	•		• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER	•	
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### MOTION

Senator Stroup requested that Senate Bill No. 2031 be placed on the calendar for second reading and final passage at 3:00 P.M. tomorrow, which request was granted.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2427. A Bill for an Act to amend and reenact section 1-03-02.1 of the North Dakota Century Code, relating to bank holidays when they fall on Saturday.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 12; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5	•		• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE	•		• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED		•	• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER	•	
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2430. A Bill for an Act to amend and reenact subsection 6 of section 13-06-03, subsection 2 of section 54-10-01, and sections 54-10-13 and 54-10-14 of the North Dakota Century Code, to authorize licensed public accountants to adjust debts and perform audits for occupational and professional boards, county agencies 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, 24; nays, 27; absent and not voting, 0.



On page 1, delete lines 10 through 24

On page 2, delete lines 1 through 14, and insert the following in lieu thereof:

SECTION 1. AMENDMENT.) Section 39-06-42 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-06-42. PENALTY FOR DRIVING WHILE LICENSE SUSPENDED OR REVOKED — IMPOUNDMENT OF VEHICLE — AUTHORITY OF CITIES.) ((Any))

1. Except as provided in chapters 39-16 and 39-16.1, and in section 39-06.1-11, any person who drives a motor vehicle on any public highway of this state at a time when his license or privilege so to do is suspended or revoked shall be ((punished by imprisonment for not less than two days nor more than six months and there may be imposed in addition thereto a fine of not more than five hundred dollars))) guilty of a class B misdemeanor. In addition to any other punishment imposed, the court may order the motor vehicle owned and operated by the offender at the time of the offense to be impounded by the sheriff for the duration of the period of suspension or revocation, as the case may be, of the offender's driving license or privilege. The cost of the impoundment shall be borne "by" the offender, and if not paid within ten days after the end of the suspension or revocation period, the cost of impoundment shall become a lien against the previously impounded motor vehicle which shall be enforced by the sheriff as provided in section 35-01-29, with any money recovered being deposited in the county general fund.

2. A city may, by ordinance, authorize its municipal judge to order impoundment of vehicles in the manner provided in subsection 1 of this section."

On page 2, line 15, delete the numeral "3", and insert the numeral "2" in lieu thereof

On page 2, line 18, after the word "court", delete the remainder of the line and insert the word "may"

On page 2, delete lines 19 through 35

On page 3, delete lines 1 through 5

On page 3, line 6, after the word "vehicle" insert the words "owned and"

On page 3, line 11, delete the word "revocation", and insert the word "suspension" in lieu thereof; and in that same line, after the word "license" insert the words "or driving privilege by the licensing authority"

On page 3, line 14, delete the word "revocation" and insert the word "suspension" in lieu thereof

And renumber the lines and pages accordingly.

Senator Homuth moved that the amendments be adopted, which motion prevailed.

Senator Homuth moved that the rules be suspended, that Senate Bill No. 2445 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2445. A Bill for an Act to create and enact subsection 6 of section 39-06.1-10 and subsection 4 of section 39-08-01, and to amend and reenact paragraph 5 of subdivision b of subsection 3 of section 39-06.1-10, all of the North Dakota Century Code, relating to the penalties for driving while intoxicated.

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, 26; nays, 25; absent and not voting, 1.



**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WFNSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2452. A Bill for an Act to provide for the establishment of recreation service districts for the purpose of providing police protection, water and sewer, garbage removal services, public road construction and maintenance, in addition to that provided by the local governing body or other agency, and the improvement and control of the environmental quality of the recreation service district, to provide for elections and for a board of recreation service commissioners, and to provide for the levying of taxes and special assessments.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 512 and 513), the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WFNSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2454. A Bill for an Act to amend and reenact section 26-10-18 of the North Dakota Century Code, relating to avails of life 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, 9; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		



● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2473. A Bill for an Act to create and enact sections 27-08-43, 27-18-08, and 40-18-22 of the North Dakota Century Code, to require each judge of the county courts of increased jurisdiction, county justice courts, and municipal courts to attend and participate in educational sessions annually unless excused by the supreme court; to provide for referral to the commission on judicial qualifications any judge who fails to attend and participate in such educational sessions; and to repeal sections 12-61-07 and 12-61-08 of the North Dakota Century Code, relating to training of municipal judges and county justices.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 514), the roll was called and there were ayes, 42; nays, 8; absent and not voting, 1.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2484. A Bill for an Act to amend and reenact subsection 2 of section 39-17-07 of the North Dakota Century Code, relating to limitations on the amount payable from the unsatisfied judgment fund.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 5; absent and not voting, 1.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senate Bill No. 2495. A Bill for an Act calling for a legislative council study of the teachers' fund for retirement, including the methods of funding and administering such fund; and providing an appropriation.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 10; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON	●		● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES	●		● NETHING		● SOLBERG
● CHRISTENSEN, L. #9			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK	●	● TWETEN
● GOODMAN			● LONGMIRE			● SANDS	●	● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●	● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1285
- House Bill No. 1338
- House Bill No. 1378
- House Bill No. 1418
- House Bill No. 1426
- House Bill No. 1458
- House Bill No. 1460
- House Bill No. 1463
- House Bill No. 1464
- House Bill No. 1471
- House Bill No. 1482
- House Bill No. 1489
- House Bill No. 1496
- House Bill No. 1515
- House Bill No. 1543
- House Bill No. 1561
- House Bill No. 1562
- House Bill No. 1566
- House Bill No. 1572
- House Bill No. 1577
- House Bill No. 1580
- House Bill No. 1583
- House Bill No. 1591
- House Bill No. 1593
- House Concurrent Resolution No. 3024
- House Concurrent Resolution No. 3033

ROY GILBREATH, Chief Clerk

### FIRST READING OF HOUSE BILLS

House Bill No. 1006. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

House Bill No. 1009. A Bill for an Act making an appropriation for defraying the expenses of the motor vehicle department.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1011.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1254.** A Bill for an Act to provide notice and opportunity for hearing prior to cancellations, revocation, suspension or rescision of a motor vehicle registration or a certificate of title to a motor vehicle.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1322.** A Bill for an Act to amend and reenact subsection 1 of section 57-37-11 and subsections 2, 3, and 6 of section 57-37-24 of the North Dakota Century Code, relating to deduction of exemptions for estate tax purposes and to collection, distribution and refund of estate taxes; and providing an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1380.** A Bill for an Act to create and enact section 51-07-01.1 of the North Dakota Century Code, relating to franchise and other sales arrangements between retailers and distributors, manufacturers, and wholesalers; providing that such arrangements cannot be terminated except for good cause; and defining good cause.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1393.** A Bill for an Act to amend and reenact section 61-21-46 of the North Dakota Century Code, relating to the maximum levy for cleaning and repairing drains.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1424.** A Bill for an Act to create and enact section 26-19-07 of the North Dakota Century Code, relating to the filing of rates for hail insurance; and to amend and reenact section 26-19-01 and the initial language of section 26-29-02 of the North Dakota Century Code, relating to the effective date of hail insurance coverage and to the application of chapter 26-29 to hail insurance.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1546.** A Bill for an Act to provide for the licensure of audiologists and speech pathologists, and providing a penalty.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1570.** A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to the federal income tax as an adjustment to taxable income for individuals and fiduciaries; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1576.** A Bill for an Act to amend and reenact subsection 1 of section 39-16.1-07 of the North Dakota Century Code, relating to proof of financial responsibility upon certain revocations of drivers' licenses.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1595.** A Bill for an Act relating to the admissibility of certain evidence regarding the character of complaining witnesses in criminal prosecutions for gross sexual imposition or sexual imposition, and to certain procedures to be followed in such proceedings.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1606.** A Bill for an Act to provide penalties for failure of railroads to furnish grain loading cars after agreement to furnish such cars.

Which was read the first time and referred to the Committee on Transportation.

#### PERSONAL PRIVILEGE

Senator Wenstrom:

Mr. President, ladies and gentlemen of the Senate, I would like to call your attention to the fact that this afternoon we did see history made in this body. This was the first time since North Dakota became a state back in 1889 that the President of the Senate broke a tie and this is a memorial occasion and it is the first time in the history as I have said that the President of the Senate was privileged to vote on a bill and I just wanted to remind you of that. So often these things happen and we do not realize it at the time but Mr. President, I commend you, I am happy that it was your privilege to be the first to vote and the first lieutenant governor in the history of North Dakota to vote on a bill.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business and after the reading of Senate Bills Nos. 2007, 2031, 2069, 2084, 2117, 2143, 2159, 2234, 2235, 2236, 2238, 2262, 2368, 2376, 2377, 2380, 2392, 2398, 2428, 2449, 2471, 2480, 2496, SCR's 4023, 4037, 4043, 4045, 4046, 4048, 4054, that the Senate stand recessed subject to the call of the chair, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-FIRST DAY AFTER RECESS  
AND THIRTY-SECOND DAY

Bismarck, February 20, 1975

The Senate reconvened at the call of the chair, pursuant to recess taken, the President presiding.

FIRST READING OF  
SENATE CONCURRENT RESOLUTIONS

Senators Homuth, Fritzell, Gronhoyd introduced:

**Senate Concurrent Resolution No. 4059.** A concurrent resolution directing the Legislative Council to study the laws and practices relating to the buying, selling, renting, leasing, and servicing of trailer homes and trailer parks in North Dakota.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senator Homuth introduced:

**Senate Concurrent Resolution No. 4060.** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting the Model Consumer Credit Act in North Dakota.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Senators Longmire, Hoffner introduced:

**Senate Concurrent Resolution No. 4061.** A concurrent resolution for the amendment and reenactment of sections 90 and 104 of the Constitution of the state of North Dakota, relating to the selection of judges of the supreme and district courts of the state of North Dakota changing the method of initial selection from election at a general election to appointment by the judicial nominating commission.

Was read the first time and referred to the Committee on Judiciary.

Senators L. Christensen, Fritzell, Reiten introduced:

**Senate Concurrent Resolution No. 4062.** A concurrent resolution for a study by the Legislative Council of the planning programs, processes, and responsibilities at the state, regional, and local levels; and authorizing the Legislative Council to seek federal funds to help defray the cost of the study.

Was read the first time and referred to the Committee on Natural Resources.

## CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Bills Nos. 2002, 2036, 2059, 2100, 2204, 2222, 2231, 2233, 2389, 2395, 2415, 2429, 2443, 2455, 2464 and 2470 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2002 as recommended by the Committee on Appropriations as printed on pages 581 and 582 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2036 as recommended by the Committee on Industry, Business and Labor as printed on pages 583 and 584 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2059 as recommended by the Committee on Judiciary as printed on page 584 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2100 as recommended by the Committee on Finance and Taxation as printed on page 585 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to Senate Bill No. 2204 as recommended by the Committee on Education as printed on pages 585 and 586 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2222 as recommended by the Committee on Industry, Business and Labor as printed on page 586 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2231 as recommended by the Committee on Industry, Business and Labor as printed on page 586 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to Senate Bill No. 2233 as recommended by the Committee on Finance and Taxation as printed on pages 586 and 587 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2389 as recommended by the Committee on Political Subdivisions as printed on pages 589 and 590 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2395 as recommended by the Committee on Political Subdivisions as printed on pages 590 and 591 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2415 as recommended by the Committee on Industry, Business and Labor as printed on pages 591 and 592 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to Senate Bill No. 2429 as recommended by the Committee on Political Subdivisions as printed on pages 592 and 593 of the Senate Journal be adopted, and recommends Senate Bill 2429 be indefinitely postponed, which motion prevailed.

Senator Kautzmann moved that the amendments to Senate Bill No. 2443 as recommended by the Committee on Industry, Business and Labor as printed on page 593 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to Senate Bill No. 2455 as recommended by the Committee on Education as printed on page 594 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to Senate Bill No. 2464 as recommended by the Committee on Judiciary as printed on page 594 of the Senate Journal be adopted.

#### MOTION

Senator Lashkowitz requested a roll call vote on the adoption of the amendments to Senate Bill No. 2464, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments to Senate Bill 2464, the roll was called and there were 31, ayes; 20, nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE	●	●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5	●	●	JONES		●	NETHING		●	SOLBERG	●
●	CHRISTENSEN, L. #3	●	●	KAUTZMANN	●	●	PYLE		●	STRAND	
●	CONLIN	●	●	LARSON	●	●	RAIT		●	STRINDEN	●
●	ERDMAN	●	●	LASHKOWITZ	●	●	REDLIN	●	●	STROUP	
●	FREED	●	●	LEE		●	REITEN		●	THANE	
●	FRITZELL	●	●	LIPS	●	●	RINGSAK		●	TWETEN	
●	GOODMAN	●	●	LONGMIRE	●	●	SANDS		●	VOSPER	
●	GRONHOVD	●	●	MAHER	●	●	SANDNESS		●	WALSH	●
●	HOFFNER	●	●	MELLAND	●	●	SCHULTZ, C. #14		●	WENSTROM	●
●	HOLAND	●	●	MORGAN	●	●	SCHULTZ, J. #32		●	WRIGHT	
●	HOMUTH	●	●	MUTCH	●	●	SCHUSTER	●	●	MR. PRESIDENT	

The amendments to Senate Bill 2464 were adopted.

CONSIDERATION OF AMENDMENTS

Senator Sands moved that the amendments to Senate Bill No. 2470 as recommended by the Committee on Political Subdivisions as printed on page 595 of the Senate Journal be adopted, which motion prevailed.

MOTIONS

Senator Kautzmann moved that House Bill 1380 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Kautzmann moved that House Bill 1380 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

Senator Mutch moved that House Bill No. 1024 be returned to the Senate from the Committee on Transportation, which motion prevailed.

Senator Mutch moved that House Bill No. 1024 be re-referred to the Committee on Education, which motion prevailed.

Senator Jacobson moved that House Bill No. 1058 be returned to the Senate from the Committee on Judiciary, which motion prevailed.

Senator Jacobson moved that House Bill No. 1058 be re-referred to the Committee on Natural Resources, which motion prevailed.

Senator Smykowski moved that the Senate reconsider the action by which Senate Bill No. 2430 lost, which motion prevailed.

Senator Smykowski moved that Senate Bill No. 2430 be placed on the 11th Order for immediate consideration, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2430. A Bill for an Act to amend and reenact subsection 6 of section 13-06-03, subsection 2 of section 54-10-01, and sections 54-10-13 and 54-10-14 of the North Dakota Century Code, to authorize licensed public accountants to adjust debts and perform audits for occupational and professional boards, county agencies 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, 34; nays, 17; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	●	BARTH	●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE	●	●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5	●	●	JONES		●	NETHING		●	SOLBERG	●
●	CHRISTENSEN, L. #3	●	●	KAUTZMANN	●	●	PYLE		●	STRAND	
●	CONLIN	●	●	LARSON	●	●	RAIT		●	STRINDEN	●
●	ERDMAN	●	●	LASHKOWITZ	●	●	REDLIN	●	●	STROUP	
●	FREED	●	●	LEE		●	REITEN		●	THANE	
●	FRITZELL	●	●	LIPS	●	●	RINGSAK		●	TWETEN	
●	GOODMAN	●	●	LONGMIRE	●	●	SANDS		●	VOSPER	
●	GRONHOVD	●	●	MAHER	●	●	SANDNESS		●	WALSH	●
●	HOFFNER	●	●	MELLAND	●	●	SCHULTZ, C. #14		●	WENSTROM	●
●	HOLAND	●	●	MORGAN	●	●	SCHULTZ, J. #32		●	WRIGHT	
●	HOMUTH	●	●	MUTCH	●	●	SCHUSTER	●	●	MR. PRESIDENT	

So the bill passed and the title was agreed to.





HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2375 was indefinitely postponed.

**MOTION**

Senator Nething moved that the following bills on the 6th Order, Committee Reports for Indefinite Postponement, 2032, 2033, 2094, 2108, 2200, 2309; 2341, 2356 be placed in rotation on the bottom of that order, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Lips moved that the Committee Report on Senate Bill No. 2080, as printed on page 584 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2080, the roll was called and there were 28, ayes; 22, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	ISZLER		•	NAADEN				SHABLOW
		•	•	JACOBSON		•	NASSET				SMYKOWSKI
•				JONES	•		NETHING	•			SOLBERG
			•	KAUTZMANN		•	PYLE				STRAND
		•		LARSON	•		RAIT	•			STRINDEN
			•	LASHKOWITZ	•		REDLIN	•			STROUP
•			•	LEE			REITEN	•			THANE
		•		LIPS		•	RINGSAK				TWETEN
•			•	LONGMIRE			SANDS	•			VOSPER
		•		MAHER	•		SANDNESS				WALSH
			•	MELLAND		•	SCHULTZ, C. #14				WENSTROM
			•	MORGAN			SCHULTZ, J. #32	•			WRIGHT
		•	•	MUTCH			SCHUSTER	•			MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2080 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2164, as printed on page 585 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2164, the roll was called and there were 32, ayes; 18, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	ISZLER		•	NAADEN				SHABLOW
•			•	JACOBSON		•	NASSET				SMYKOWSKI
•				JONES	•		NETHING	•			SOLBERG
			•	KAUTZMANN		•	PYLE				STRAND
		•		LARSON	•		RAIT	•			STRINDEN
			•	LASHKOWITZ	•		REDLIN	•			STROUP
•			•	LEE			REITEN	•			THANE
		•		LIPS		•	RINGSAK				TWETEN
•			•	LONGMIRE			SANDS	•			VOSPER
		•		MAHER	•		SANDNESS				WALSH
			•	MELLAND		•	SCHULTZ, C. #14				WENSTROM
			•	MORGAN			SCHULTZ, J. #32	•			WRIGHT
		•	•	MUTCH			SCHUSTER	•			MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2164 was indefinitely postponed.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Natural Resources to whom was

referred House Bill No. 1056 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1056 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1057 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1057 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1061 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1061 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1073 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1073 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1079 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1079 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1088 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

House Bill No. 1088 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1089 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1089 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1091 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 5 after the word "citizens" delete the remainder of the line and insert in lieu thereof a period.

On page 1 delete lines 6 and 7.

On page 1, line 23 after the word "from" insert the following: "state,"

On page 2, delete all of lines 32 through 35.

Delete all of pages 3 and 4.

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

House Bill No. 1091 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1110 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1110 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1112 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1112 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1121 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1121 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1164 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1164 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1165 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1165 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1199 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1199 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 1204 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1204 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1216 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1216 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1225 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1225 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1226 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1226 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1251 has had the same under con-

sideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1251 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare and Veterans Affairs to whom was referred House Bill No. 1291 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1291 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1354 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1354 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1479 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1479 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1512 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

House Bill No. 1512 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3006 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Concurrent Resolution No. 3006 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3008 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Concurrent Resolution No. 3008 was placed on the 14th order of business on the calendar for the succeeding legislative day.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2031. A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the deposit of the proceeds of such tax in a special coal development fund in the state treasury; to provide for the allocation of moneys deposited in the coal development fund to impacted school districts, counties, cities, and state agencies; to provide for the creation of a coal development impact office in the office of the governor; to provide for a legislative council coal development review committee to approve or disapprove impact grants; to provide that certain sections of this Act shall be temporary; and to provide an appropriation.

Which has been read.

Senator Shablow moved that Senate Bill No. 2031 be amended as follows:

PROPOSED AMENDMENTS TO ENGROSSED  
SENATE BILL No. 2031

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" and delete the rest of the bill and insert in lieu thereof the following: "for an Act to provide for a severance tax upon coal, for procedures for the imposition, collection, and administration of such tax, and to provide a penalty; to provide for an energy conversion privilege tax for the privilege of operating coal development plants and certain water lines, pipelines and electrical energy transmission lines, for procedures for imposition, collection, and administration of such tax, for allocation of the proceeds of such tax, and to provide a penalty; to provide for a coal development impact commission with the authority to grant funds to political subdivisions incurring extraordinary expenses because of coal development and to provide procedures therefor; to create and enact a new subsection to section 57-39.2-04 and to create and enact a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to exemptions from retail sales and use taxes; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. SEVERANCE TAX UPON COAL — IMPOSITION — IN LIEU OF SALES AND USE TAXES — PAYMENT TO TAX COMMISSIONER.) There is hereby imposed upon all coal severed from the earth in this state, on or after July 1, 1975, for sale or for industrial purposes, a tax equal to thirty percent of the value of such coal. Such severance tax shall be in lieu of any retail sales and use taxes imposed by law on the sale or use of coal. Each coal mine owner or operator shall remit such tax on the coal mined in each calendar quarter year period within forty-five days after the end of that quarter to the state tax commissioner upon such reports and forms as the tax commissioner shall deem necessary. Two thousand pounds of coal shall constitute a ton for the purpose of determining the amount of tax.

SECTION 2. DETERMINATION OF VALUE OF COAL SEVERED.) For purposes of applying the tax rates provided in section 1 of this Act, the value of coal severed from the earth in this state shall be the average statewide sales price of such coal as determined from the sales prices of such coal at the points from which it is transported away from the mines. The average statewide sales price shall be determined by the state tax commissioner as herein provided.

If the contract sales price of any coal mined includes costs for transporting the coal away from the mine or any costs of processing the coal away from the mine, the contract sales price shall be reduced by such costs for purposes of determining the sales price of such coal at the point it is transported from the mine.

If the owner or operator of a coal mine consumes the coal mined or if any coal is sold for less than market value because the contract is not an arms-length agreement or if something other than money is received as part or full payment for the coal, the tax commissioner may impute a sales price for the coal at the point it is transported away from the mine.

In determining the sales price of any coal or the average statewide sales price of all coal at the point it is transported away from the mine, the tax commissioner shall be guided by the information in the reports filed with him pursuant to section 3 of this Act and by any other information relating to sales prices that is available to him.

Prior to the beginning of calendar year 1976 and each year thereafter, the state tax commissioner shall determine the average statewide sales price of coal that shall be used in the year 1976 or in each year thereafter for determining the amount of severance tax imposed by section 1 of this Act on coal mined during that year, and each owner or operator of a coal mine shall use that sales price for purposes of computing and paying the

severance tax and completing the reports required by section 3 of this Act for coal mined during that year.

For coal mined during the six-month period beginning July 1, 1975, the tax commissioner shall, as soon as he can reasonably do so, determine the average statewide sales price of coal mined during that period, and each owner or operator of a coal mine shall use that sales price for purposes of computing and paying the severance tax and completing the reports required by section 3 of this Act for coal mined during that six-month period.

As soon as the tax commissioner has determined the average statewide sales price to be used for purposes of imposing the severance tax on coal mined during any period, he shall notify all persons who he knows or believes are owners or operators of coal mines in this state of such average statewide sales price.

**SECTION 3. WHEN TAX DUE — WHEN DELINQUENT — REPORTS REQUIRED.)** The severance tax provided for in sections 1 through 11 of this Act for coal mined in a calendar quarter-year period shall be due within forty-five days after the end of that quarter, and, if not received by the forty-fifth day, shall become delinquent and shall be collected as herein provided. The tax commissioner, upon request and a proper showing of the necessity therefor, may grant an extension of time, not to exceed fifteen days, for paying the tax, and when such a request is granted the tax shall not be delinquent until the extended period has expired. The tax commissioner shall require a report to be filed quarterly by each owner or operator of a coal mine, in such form as the tax commissioner may specify, to list a full description of the mine, the number of tons of coal severed, the sales or contract price of the coal severed, the amount of tax due and remitted, and any other information deemed necessary by the tax commissioner for the proper administration of sections 1 through 11 of this Act.

**SECTION 4. POWERS OF STATE TAX COMMISSIONER.)** The state tax commissioner shall have power to require any persons engaged in the mining of coal and the agent or employee of such person, or purchaser of such coal, of the owner of any royalty interest therein to furnish any additional information deemed by the commissioner to be necessary for the purpose of correctly computing the amount of said tax, and to examine the books, records, and files of such person, and shall have the power to conduct hearings and compel the attendance of witnesses, the production of books, records, and papers of any person, and full authority to make any investigation or hold any inquest deemed necessary to a full and complete disclosure of the true facts as to the amount of production from any coal mine or of any company or other producer thereof, and as to the rendition thereof for taxing purposes.

**SECTION 5. TAX COMMISSIONER TO COMPUTE TAX ON INCORRECT RETURNS.)** The state tax commissioner shall have the power and authority to ascertain and determine whether or not any report or remittance filed with him as required by section 3 of this Act is correct, and if the owner or operator has made an untrue or incorrect report or remittance, the tax commissioner shall ascertain the correct amount of taxes due, and give immediate written notice to the owner or operator filing the incorrect return or remittance. Any coal mine operator or owner receiving notice from the tax commissioner that he has filed an incorrect return or remittance shall remit the tax assessed by the commissioner within fifteen days of such notice. Any owner or operator aggrieved by a decision of the tax commissioner may make application in writing within fifteen days of notification for a hearing which shall be granted not later than fifteen days after receipt of the application. The tax commissioner may accept or reject, in whole or in part, the con-

tentions of the owner or operator and upon conclusion of the hearing shall proceed to make a final determination of taxes due. Such taxes assessed by the commissioner shall become delinquent five days after the conclusion of the hearing, except in such cases where an owner or operator shall appeal such assessment to the district court of Burleigh County, in which case they shall become delinquent five days following final judicial determination.

**SECTION 6. PENALTY ON DELINQUENCY — FAILURE TO FILE REPORTS.)** Where the tax provided for in section 1 of this Act shall become delinquent, it shall, as a penalty for such delinquency, bear interest at the rate of twelve percent per annum. If the quarterly report is not filed within forty-five days after the end of any quarter and taxes due paid, the tax commissioner shall notify the delinquent owner or operator of such delinquency, and if such report and remittance are not filed within an additional fifteen days, the tax commissioner shall notify the public service commission, which shall forthwith suspend such owner's or operator's license or permit until such time as payment is received, or the issues settled to the satisfaction of the tax commissioner.

**SECTION 7. LIEN FOR TAX.)** The tax herein referred to shall, at all times, be and constitute a first and paramount lien against the owner's or operator's property as the case may be, both real and personal. In all cases where such tax is not paid, it may be recovered at the suit of the state, upon relation of the state tax commissioner, in any court of competent jurisdiction of the county where any such property, assets, and effects are located.

**SECTION 8. APPEAL FROM DECISION OF TAX COMMISSIONER.)** Any person aggrieved because of any action or decision of the tax commissioner under the provisions of sections 1 through 6 of this Act may appeal therefrom to the district court of Burleigh County.

**SECTION 9. RULES AND REGULATIONS — BOND.)** The tax commissioner is hereby authorized and empowered to prescribe and promulgate all necessary rules and regulations for the purpose of making and filing of all reports required hereunder and otherwise necessary to the enforcement of sections 1 through 8 of this Act, and may, at his option and discretion, require a sufficient bond from any coal mine operator or owner charged with the making and filing of reports and the payment of the taxes herein imposed, and said bond shall run to the state of North Dakota and shall be conditioned upon the making and filing of reports as required by law or regulation, and for the prompt payment, by the principal therein, of all taxes justly due the state by virtue of the provisions of this Act.

**SECTION 10. PENALTY.)** Any person intentionally violating any of the provisions of sections 1 through 6 of this Act is guilty of a class A misdemeanor.

**SECTION 11. ALLOCATION OF SEVERANCE TAX REVENUE.)** The revenues collected by the state tax commissioner pursuant to the provisions of sections 1 through 9 of this Act shall be paid to the state treasurer who shall quarterly allocate and distribute the proceeds as follows:

1. Fifty percent shall be placed in a separate and permanent state trust fund in the state treasury and the interest received from the investment of that fund shall be credited to and deposited in the general fund in the state treasury.

2. Forty percent shall be placed in the general fund in the state treasury.

3. Ten percent of the proceeds from coal mined in any county shall be allocated and paid to that county and the county treasurer shall apportion and distribute such proceeds as follows:

- a. Forty percent shall be credited to the county general fund.
- b. Ten percent shall be credited to the township in which a coal mine is operated; if coal mines are operated in two or more townships in the county, the total amount allocated for all such townships shall be apportioned to each such township in the proportion that the ratio of tons of coal mined in any such township is to the total tons mined in all such townships for the period for which the tax proceeds are distributed; if a coal mine is operated in an unorganized portion of a county, the share that would be apportioned to the township if the coal mine were in a township shall be credited to the general fund of the county.
- c. Twenty-five percent shall be credited to the county equalization fund.
- d. Twenty-five percent shall be apportioned and distributed to the incorporated cities in the county on the basis of the population of all of the incorporated cities situated within such county as determined by the last official regular or special federal census or the census taken in accordance with the provisions of chapter 40-02 in the case of a city incorporated subsequent to such census.

SECTION 12. DEFINITIONS.) As used in sections 12 through 26 of this Act:

1. "Coal development plant" means:
  - a. A facility for the processing or conversion of coal from its natural form into synthetic natural gas and shall include any and all property, except land, reasonably necessary for use in the operation of such facility; or
  - b. A facility for the processing or conversion of coal from its natural form into electrical power by any single electrical energy generating unit with a capacity of two hundred fifty megawatts or more and the construction of which began after January 1, 1975, and shall include any and all property, except land, reasonably necessary for use in the operation of such facility.
2. "Waterline" means any facility constructed for and used for supplying a coal development plant with the water required for its operation and shall include any and all property, except land, reasonably necessary for use in operation of such facility.
3. "Pipeline" means any facility used for transporting from a coal development plant to any other place the synthetic natural gas produced by such a plant and shall include any and all property reasonably necessary for use in operation of such facility, except that it shall not include land or any common carrier pipeline.
4. "Electrical energy transmission line" means any facility constructed for and used for transmitting from a coal development plant to any other place the electrical energy produced by such plant and shall include any and all property, except land, reasonably necessary for use in the operation of such facility.
5. "Synthetic natural gas" means methane and any admixed gaseous products produced by coal gasification.
6. "Coal gasification" means the production of methane or other commercial gas products from coal.
7. "Company" means any individual, estate, trust, corporation, cooperative corporation, or association.
8. "Tax commissioner" or "commissioner" means the North Dakota state tax commissioner.
9. "State board of equalization" or "state board" means the North Dakota state board of equalization.
10. "Value", "valuation", and "market value" mean the price property would bring in a fair market after fair and reasonable efforts have been made to find a purchaser who will give the highest price for it;



such terms shall not mean the assessed value at which property subject to ad valorem taxation may be assessed.

**SECTION 13. IMPOSITION OF TAX.)** An annual tax to be known as the "energy conversion privilege tax" is hereby imposed for the privilege of operating in this state a coal development plant, waterline, pipeline, or electrical energy transmission line as defined in section 12 of this Act. Such tax is hereby imposed on every company operating or owning a coal development plant, waterline, pipeline, or electrical energy transmission line in this state, including any such property under construction even though it is not in operation. The tax for each year shall be one and one-half percent of the value on January first of that year of the coal development plant, waterline, pipeline, or electrical energy transmission line.

**SECTION 14. PROPERTY CLASSIFIED AND EXEMPTED FROM TAXATION.)** Every coal development plant, waterline, pipeline, and electrical energy transmission line as defined in section 12 of this Act, whether in operation or under construction, is hereby classified as personal property and shall be exempt from all ad valorem or other taxes levied on property.

**SECTION 15. ANNUAL VALUATION BY STATE BOARD OF EQUALIZATION — JOINTLY OWNED PROPERTY.)** The state board of equalization, at its annual meeting in August of each year shall value, but shall not assess, each coal development plant, waterline, pipeline, and electrical energy transmission line in this state, as defined in section 12 of this Act, with reference to its value on January first of that year. When any such property subject to valuation under the provisions of this section is owned jointly by two or more companies, the state board may value such property to the company having the control, supervision, and maintenance thereof, or to the owning companies, in proportion to the values of their respective interests therein. Every company, in its report required under section 16 of this Act, shall set forth in detail property thus jointly owned so as to show specifically what interest each joint owner has therein. Notice to any company having control, supervision, and maintenance of such jointly owned property shall be notice to all companies interested therein. Whenever any property required to be valued by the state board under the provisions of this section is used partly for coal processing or conversion and partly for other purposes, either by the company or by others, all such property shall be valued by the state board.

**SECTION 16. REPORTS OF COMPANIES.)** Each company whose property is required to be valued under the provisions of section 15 of this Act annually, on or before the first day of May, under oath of the president or other chief executive officer, and the secretary or treasurer or auditor or superintendent of such company, shall make and file with the tax commissioner, in such form as the tax commissioner may prescribe, a report containing the following information, so far as applicable to the company making such report, as of January first of the year in which the report is furnished:

1. The name of the company;
2. The nature of the company, whether a person, association, or corporation, and under the laws of what state or country organized, the date of original organization, the date of reorganization, consolidation, or merger, with specific reference to laws authorizing the same;
3. Location of its principal office;
4. The name of the place where its books, papers, and accounts are kept;
5. The name and post-office address of the president, secretary, treasurer, auditor, superintendent, general manager, and all other general officers;

6. The name and post-office address of the chief officer or managing agent of the company in North Dakota and of all other general officers residing in this state;

7. The total number of shares of capital stock;

8. The par value of the shares of the capital stock for the whole system, showing separately the amount authorized, amount issued, amount outstanding, and dividends paid thereon;

9. If such capital stock has no market value, the actual value on the dates and for the periods designated by the tax commissioner of this state;

10. The funded debt of the company for the whole system and a detailed statement of all series of bonds, debentures, or other securities, forming a part of the funded debt, at par value, with the date of issue, maturity, rate of interest, and amount of interest for the preceding year;

11. The market value of each series of funded debt securities for the whole system on the dates and for the periods designated by the tax commissioner, and if the whole or a part of such funded debt has no market value, then the actual value thereof for such dates and periods as the tax commissioner may specify;

12. Such general description of the operative and non-operative real estate of the company in North Dakota as would be sufficient in a conveyance thereof, under a judicial decree, to vest in the grantee all title and interest in and to the said property;

13. A description of the personal property, including moneys and credits, held by the company as a whole system, and the part thereof apportioned to North Dakota;

14. The whole length of waterlines, pipelines, and electrical energy transmission lines of the system operated by the company and the length of the lines in North Dakota, whether operated as owner, lessee, or otherwise. The length of the line operated for the whole system and in North Dakota shall be separately reported;

15. The entire gross earnings of the company from operation, expenses of operation, net earnings and income from operation, and the income from other sources, for the whole system, and in North Dakota, for the years or period the tax commissioner may request or specify, not exceeding five years;

16. The location of the property of the company within this state by counties, municipalities, and districts, in such manner and in such detail as the tax commissioner shall prescribe; and

17. Such other facts and information as the tax commissioner may require in the form of returns prescribed by him or which the company may deem material upon the question of taxation of its property in this state.

**SECTION 17. PENALTY FOR FAILURE TO FURNISH REPORTS OR OTHER INFORMATION.)** In case any company refuses or neglects to make the reports required by section 16 of this Act, or refuses or neglects to furnish any information requested, the commissioner shall conduct an investigation to obtain sufficient information to discharge his duties with respect to the valuation of the property of such company. In case any company fails to make the report required under section 16 of this Act on or before the first day of May of any year, the state board shall add ten percent to the value of the property of the company for that year, but the commissioner, upon application, may grant extensions of time within which such returns shall be filed.

**SECTION 18. TENTATIVE VALUATION BY COMMISSIONER.)** The commissioner, on or before July fifteenth of each year, shall ascertain and determine the value of all property of any company whose property is required to be valued under the provisions of section 15 of this Act. Such

determination of value shall be made for the guidance of the state board in valuing such property at its annual meeting in August. In making such determination of value, the commissioner shall be governed by the provisions of sections 12 through 17 of this Act, and by such directions as may be given to him by the state board.

**SECTION 19. TENTATIVE VALUATION — NOTICE OF HEARING.)**

The commissioner shall give ten days' notice by mail to each company, or its representative in North Dakota, of the amount of tentative valuation, and shall appoint a time and place between the first Tuesday of August and the first day of September, at which each company shall be entitled to present evidence before the state board relating to the value of the property of the company.

**SECTION 20. GENERAL POWERS OF INVESTIGATION.)** In any matter material to the valuation of property as provided in sections 12 through 22 of this Act, the commissioner may exercise any and all of the powers conferred upon him by law. Every public officer required to do so shall make return to the commissioner, in such form as he shall prescribe, of all information he may call for. The property, records, books, accounts, and papers of any company whose property is required to be valued under sections 12 through 22 of this Act, upon order of the state board, shall be subject to visitation and examination by the commissioner, or by such person as he may designate for that purpose.

**SECTION 21. METHOD OF VALUATION.)** The property of each company valued for purposes of sections 12 through 24 of this Act shall be valued in the following manner:

1. For the purpose of determining the value of the property, the commissioner and the state board shall take into consideration the earning power of the property as shown by its gross earnings and net operating income, the actual or market value of its stocks and bonds, the value of its franchises, rights, and privileges granted under the laws of this state to do business in this state, and such other legally established evidences of value as shall enable the state board to make a just and equitable valuation;

2. In the case of a company which owns or operates properties partly within and partly without this state, the commissioner and state board shall value only the property within this state;

3. In determining the value of the portion within this state of an interconnected, or continuous system, the commissioner and state board may take into consideration the value of the entire system and of the part within this state, the mileage of the whole system and of the part within this state, the total operating earnings within and without this state, together with such other information, facts, and circumstances as will enable such officers to make a just and correct valuation.

4. The state board may take into consideration the reports, annual or otherwise, filed by any company whose property is required to be valued for purposes of sections 12 through 26 of this Act with the public service commission and other state agencies.

**SECTION 22. VALUATION BY STATE BOARD — NOTICE OF INCREASE.)** The state board may adopt the tentative valuation of the commissioner in whole or in part. The valuation made by the commissioner shall be considered merely findings of act of the executive officer of the board. The state board shall review such valuation at the time of its annual meeting in August of each year, and then shall make a final valuation of such property. It may increase or lower the entire valuation, or any valuation contained therein, or any item contained within the valuation of any company. Before the board may make an increase in the valuation of the property of any such company over the tentative valuation, notice shall be given to the company of any such

proposed increase, and a hearing granted thereon. A ten-day written notice shall be given to the company in such instance, either by mail addressed to the company, or personally served on a duly authorized agent of the company.

**SECTION 23. NOTICE OF FINAL VALUATION AND TAX — DUE DATE OF TAX — DELINQUENCY.)** Within fifteen days after the state board has made its final valuation of the property of any company required to be valued for purposes of sections 12 through 24 of this Act, the tax commissioner shall notify such company in writing of the amount of such valuation and the amount of energy conversion privilege tax imposed as provided in section 13 of this Act. The amount of such tax shall become due on the first day of January following the year for which it was imposed and shall be paid to the tax commissioner. If the tax is not paid on or before the first day of March following the due date, it shall bear interest at the rate of twelve percent per annum from the date of delinquency until paid.

**SECTION 24. ENFORCEMENT OF COLLECTION.)** The taxes imposed by section 13 of this Act shall be a perpetual paramount lien upon all the franchises and property, both real and personal, of every kind and nature belonging to the company from and after January first of the year for which the valuation is made, and no sale or transfer of such property, or of any part thereof, shall divest, or in any way affect, the lien for such taxes. No company on which such tax has been imposed shall be entitled to have a transfer of any of its said property by deed, bill of sale, other otherwise, entered, filed, or recorded upon the records of the register of deeds unless all such taxes then due from the said company first shall be paid and satisfied.

**SECTION 25. CORRECTION AND REVIEW OF VALUATIONS.)** The provisions of chapters 57-07 and 57-08 concerning corrections of valuations and review of valuations of public utility property, including notices, hearings, and appeals, shall apply to the valuations made and the taxes imposed pursuant to sections 12 through 23 of this Act insofar as the provisions of those chapters are not in conflict with the provisions of said sections.

**SECTION 26. ALLOCATION OF REVENUE FROM ENERGY CONVERSION PRIVILEGE TAX.)** All revenues collected by the tax commissioner pursuant to section 23 of this Act shall be paid to the state treasurer who shall allocate and distribute the proceeds as follows:

1. Eighty-five percent shall be placed in the general fund in the state treasury from which the legislative assembly shall appropriate such amounts as it determines may be required for disbursement to the counties and political subdivisions of this state by the coal development impact commission created by section 29 of this Act.

2. Fifteen percent of the proceeds of the energy conversion privilege tax collected with respect to the valuation of any coal development plant, waterline, pipeline, or electrical energy transmission line in any county shall be allocated and paid to that county and the county treasurer shall apportion and distribute such proceeds as follows:

a. Forty percent shall be credited to the county general fund.

b. Five percent shall be apportioned to the townships in the county in which property valued for energy conversion privilege tax purposes is located in the proportion that the ratio of the valuation of any such property in a township is to the valuation of all such property in the townships; if any such property is located in an unorganized portion of the county, the share that would be apportioned to a township if such property were located in a township shall be credited to the general fund

of the county. So that the county treasurer may properly apportion the proceeds as provided in this subdivision, the tax commissioner shall certify to him the valuation of all such property in each township in the county.

c. Twenty-five percent shall be credited to the county equalization fund.

d. Thirty percent shall be apportioned and distributed to the incorporated cities in the county on the basis of the population of all of the incorporated cities situated in the county as determined by the last official regular or special federal census or the census taken in accordance with the provisions of chapter 40-02 in the case of a city incorporated subsequent to such census.

SECTION 27. STATEMENT OF LEGISLATIVE INTENT.) It is the intent of the legislative assembly to provide reimbursement to the political subdivisions of this state for the purpose of meeting certain extraordinary operating and capital improvements expenditures necessitated by the impact, particularly population growth, resulting from coal development and the allied industries incidental to such development. The legislative assembly hereby declares and finds that such reimbursement is in the public interest and that it promotes the general welfare of the citizens of this state.

SECTION 28. DEFINITIONS.) As used in sections 27 through 32 of this Act, unless the context or subject matter otherwise requires:

1. "Coal development" shall mean the mining of coal and the industries directly related to the processing of coal, including, but not limited to, coal development plants, waterlines, pipelines, and electrical energy transmission lines as defined in section 12 of this Act.

2. "Impacted taxing district" shall mean a taxing district as defined in subsection 3 of this section which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the population growth incidental thereto.

3. "Taxing district" shall mean any political subdivision, including but not limited to any county, city, township, school district, park district, or any other subdivision of this state empowered by law to levy taxes.

SECTION 29. COAL DEVELOPMENT IMPACT COMMISSION.) The following persons shall constitute the coal development impact commission:

1. The governor or his designated representative, who shall also be the chairperson of the impact commission.

2. The state superintendent of public instruction.

3. The president of the league of North Dakota cities.

4. The president of the state association of county commissioners.

5. The chairperson of the budget section or division of the legislative council.

6. The state tax commissioner.

7. The state health officer.

The members of the commission shall select one of the members to act as secretary of the commission.

SECTION 30. POWERS AND DUTIES OF COAL DEVELOPMENT IMPACT COMMISSION.) The coal development impact commission shall:

1. Develop a plan for the assistance, through financial grants for services and facilities, of counties, cities, school districts, and other political subdivisions in a coal development impact area and provide guidelines for the state planning division to evaluate applications of political subdivisions for grants.

2. Advise, study, recommend, and report to the legislative assembly on the impact to the state and the political subdivisions of the state resulting from coal development.

3. Establish procedures and prescribe proper forms for use by political subdivisions in making application for funds for impact assistance as provided for in section 31 of this Act.

4. Review applications for grants filed with the state planning division by counties, cities, school districts, and other political subdivisions and approve or disapprove, in whole or part, the recommendations of such division. All grants approved by the impact commission shall be within the appropriations made for such purposes. In determining the amount of impact grants for which a political subdivision is eligible, the amount of any funds apportioned and distributed by the state treasurer for such political subdivision pursuant to sections 11 and 26 of this Act shall be considered.

SECTION 31. APPLICATIONS FOR IMPACT GRANTS.) The governing body of any taxing district in this state which can demonstrate actual or anticipated extraordinary expenditures caused by coal development may make application for a grant to provide reimbursement for such expenditures as provided by sections 27 through 30 of this Act. Such applications shall be filed with the state planning division.

SECTION 32. POWERS AND DUTIES OF STATE PLANNING DIVISION.) The state planning division shall receive all applications from political subdivisions for coal development impact grants. If an application is incomplete or improperly prepared, it shall be returned to the political subdivision for completion or correction.

In order to complete its review of any application, the state planning division may examine the books and records of the political subdivision and obtain any additional information from the political subdivision that it believes is necessary. Other state departments or agencies having special knowledge or expertise in matters relating to an application shall, when requested by the state planning division, advise the division and furnish to it information it requires for completing its review of the application.

The state planning division shall be governed in the performance of its powers and duties under this section by the guidelines provided for that purpose by the coal development impact commission.

SECTION 33.) A new subsection to section 57-39.2-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Gross receipts from the sales of coal and electricity.

SECTION 34.) A new subsection to section 57-40.2-04 of the North Dakota Century Code is hereby created and enacted to read as follows:  
Coal and electricity.

SECTION 35. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$6,000,000.00, or so much thereof as may be necessary, for payment of impact grants approved by the coal development impact commission as provided in this Act, for the biennium beginning July 1, 1975, and ending June 30, 1977.

SECTION 36. SAVINGS CLAUSE.) If any section, subsection, subdivision, sentence, or clause of this Act is for any reason held to be unconstitutional, such decisions shall not affect the validity of the remaining portion of the Act."

And renumber the lines accordingly.

Senator Shablow moved that the amendments be adopted.

Senator Hoffner requested a roll call vote on the motion to adopt the amendments, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the amendments, the roll was called and there were 17, ayes; 34, nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FRED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR PRESIDENT		

The amendments lost.

Senator Lips moved that Senate Bill No. 2031 be amended as follows:

On page 7, line 31, delete the words "state treasurer" and insert in lieu thereof the words "coal development impact office"

On page 7, delete line 32

On page 7, line 33, delete the partial word "mittee"

And renumber the lines accordingly.

Senator Lips moved that the amendments be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2031 be deemed property re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

MOTIONS

Senators Melland and Rait requested to be excused from voting on Senate Bill No. 2031 due to a conflict of interest.

Senator Nething moved that those Senators having a conflict of interest in Senate Bill No. 2031 be permitted to vote, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2031. A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the deposit of the proceeds of such tax in a special coal development fund in the state treasury; to provide for the allocation of moneys deposited in the coal development fund to impacted school districts, counties, cities, and state agencies; to provide for the creation of a coal development impact office in the office of the governor; to provide for a legislative council coal development review committee to approve or disapprove impact grants; to provide that certain sections of this Act shall be temporary; and to provide an appropriation.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 532-536), the roll was called and there were ayes, 31; nays, 20; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FRED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		

HOFFNER	•	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
HOLAND	•	• MORGAN	• SCHULTZ, J. #37	• WRIGHT
HOMUTH	•	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

### PERSONAL PRIVILEGE

Senator Hoffner: Mr. President I rise on a point of personal privilege and request that my remarks be printed in the Journal. We have just passed Senate Bill No. 2031 which was referred to committee January 7th, reported out of Committee Feb. 18th and now today is the 31st Legislative day & the Legislative Assembly has again violated Rule 44 which in fact requires that no bill or resolution except an appropriation measure may be held in committee more than 21 legislative days after it is referred to the committee unless an extension of time is granted by the Senate. I say let's live by our rules, that's why we have them.

The development of our coal resources has been with our state for many years.

We felt the pressure of really developing our coal resources two years ago in these very same Chambers when a time consuming, weak piece of legislation was passed and fortunately vetoed by Governor Arthur A. Link regarding a severance tax.

The energy crisis and the need for a fair and equitable severance tax has been before us for at least two years. It has not crept up on us since the session started.

The proposal that was just passed was exposed to the media on February 14, 1975. Today is February 20th. Less than a week has elapsed.

We are now in the 32nd day of the session, over half of the way through and the Assembly has had less than a week to examine this most crucial piece of legislation.

We as a body have had two years to draft legislation in this area and yet here we are today — one day before the cross-over deadline — debating for the first major time the Majority's coal tax package.

If we want, this legislation can be on the Governor's desk in 10 days.

I think it only fair to give the Governor sufficient time to carry out his constitutional duties regarding legislation. If he disagrees with this plan there should be sufficient time allowed by us as a legislative body to iron out the differences between the legislative and executive branches of government.

### EXPLANATION OF VOTE

Senator Sands:

Position paper on energy by Senator Ernest M. Sands, 7th district. The Democrat and Republican leadership have given to you their position papers on the energy problems in the state of North Dakota.

I would like to give a position paper for one lone taxpayer, even though I know it will be a very small cry in the wilderness.

One senator has asked me how I could stand living by those coal mines and power plants around my community.

It is true, we have had for about fifty years one of the largest open strip mining operations in the country. It is true, that we have had a power plant west of our community and the first prototype of the new giant plants east of our community. But, until I read the papers and was questioned by this senator, I was unaware of any problem or handicap that we were forced to endure.

It has been my opinion for about twenty years that these were very good industries, and we considered them an asset to our community life.

Some people seem to fear these coal miners and think of them as some type of Gorilla. Really, they are good loyal citizens, many are local farmers, and let us remember the take-home pay of a coal miner is in the 15-20 thousand dollar range.



The coal company has never mistreated us, but have volunteered to help at anytime we needed it and have even given us financial assistance a time or two.

Now, let us consider all this loose talk about impact!

The Coal Miners moved from the Coal Mine property to our city in about 1949. This was impact as we had to furnish schools for them, too. The Coal Mine is located in Ward County, and we are in McHenry County so all the tax money on the Coal Mine went to Minot. The necessary school buildings were built, and these miners have paid their share. We were and still are happy to have these miners as part of our community. When the Power Plant was under construction in the fifties, we had impact of many workers for about two years. They were welcomed, and we enjoyed the construction workers and their families during their stay. Whatever impact they cause to our community was paid for many, many times over by the business they did with our community.

Then the Missile Sites came in. This was real impact! We have a population of 1300, and at one time we had more Missile Workers than citizens. Again, they more than paid their way! Let's remember that these construction men make far superior wages to anyone in normal occupations. Also do not forget that they leave a healthy hunk of it with the State of North Dakota.

The energy proposals are to tax from twenty-five cents a ton to thirty percent of the value of a ton of coal. The revenue would go to an impact office and grants would be issued to cover impact costs, or  $\frac{1}{2}$  the revenue would be placed in a trust fund, 10 percent to be returned to communities, and the balance to the general fund. Now isn't this just great? The propagandists tell these people what a horrible problem they will have, and that the State will help them by taxing the coal. 80 percent of the people do not trust elected politicians according to the polls, and I am confident it would be 100 percent if the same question was asked about bureaucrats. But, we Sugar Daddy's here in the Legislature are going to protect them by putting their money under the control of either Politicians or Bureaucrats. Any Senator that has been here before knows full well that there isn't anything sacred in any fund if there is any money in it.

The Ecologists sputter and stammer all over the place about the Fly Ash and SO<sub>2</sub> coming out of these smoke stacks of the poser plants. According to a person from Basin Electric they haven't found a trace of SO<sub>2</sub> when collecting and checking air samples around their plant down here. I live by a Basin Electric Plant, and I have never heard a complaint about the Fly Ash or this so-called SO<sub>2</sub>. The farmers around this plant have had excellent crops, and do not report any difficulties or problems with the emissions from the power plant. (Furthermore, this power plant does not have any emission control devices on its stacks either.)

It is in the best interests of our country to reclaim the land after it has been mined, and I believe this should be the responsibility of the Coal Company. I believe it is our responsibility as legislators to place strict reclamation law in the century code. But, I do not believe that we have to give two million dollars to some experts from Chicago to accomplish this task. Furthermore, I doubt that these out of state experts would be responsible for anything after they took our two million dollars.

I believe the Coal Companies will comply with our laws, and I am quite certain that it will not cost 10 percent of what it will cost if the Government of North Dakota does it.

It is my considered opinion that this is a well orchestrated Rip-Off of the consumers of Electricity and Gas and Coal.

These So-Called Big, Bad, Burly Corporations are not going to pay these taxes.

The consumers of Electricity and Gas will pay every cent of it!

Now, that I have criticized the energy proposals of the Majority and Minority parties, I will present my energy proposal so they can tear it apart at your leisure.

I propose that we leave the taxing powers in the hands of the local governments that will be affected. These officials will take what is needed to build the roads, the streets, the water systems, and the schools.

I propose that we legislate strict reclamation laws, and that we give the public service commission the authority and the manpower to enforce these laws.

Then I propose that we impose enough export tax on the kilowatts of electricity and the cubic feet of gas to satisfy the gluttonous appetite for more tax money of the State of North Dakota.

My proposals will provide the areas that will be affected with the authority and ability to protect themselves and improve their property and communities.

My proposal will give the State of North Dakota the authority and the powers to enforce the reclaiming of the land.

My proposal will save the consumers of Electricity, Gas, and Coal within the State of N. Dak. from this sinister, underhanded, back-door increase in their taxes.

I urge the Senators of the State of North Dakota to stop and think before we place these unwarranted and unnecessary taxes, establish these committees, Bureaus and Councils in the laws of the state and on the backs of our already over-taxed people. Please consider just how much your opinion on the energy situation has been influenced by the continual propaganda blast that we have endured for the last six months or year. Think about what the real reason is for all of this! This may be the biggest plum for taxes in the history of our state!

Senator Stroup moved that Senator Sands' remarks be printed in the Journal, which motion prevailed.

#### PERSONAL PRIVILEGE

Senator J. Schultz:

Mr. President: I rise on a point of personal privilege, being the senator from District 7 used my name. The reason that he did, was in a discussion we had a few days ago. I was referring to the Federal Power Commission and on the exporting of energy converted as electricity and gas. The Federal Power Commission are the people who control those particular taxes and we in North Dakota, according to testimony we have received during the interim study, says that this is not possible. So, that is why the senator used my name.

#### MOTION

Senator Nething moved that the Senate be on the 6th Order, (B) pursuant to his previous motion, which motion prevailed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2033, as printed on page 536 of the Senate Journal be adopted.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Stroup moved that the Committee Report on Senate Bill No. 2032, as printed on page 536 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2032, the roll was called and there were 43 ayes; 5 nays; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES	●		● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN		●	● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN	●	● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER	●		● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUT	●		● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2032 was indefinitely postponed.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2033, the roll was called and there were 49 ayes; 0 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUT			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2033 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2094, as printed on page 537 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2094, the roll was called and there were 49 ayes; 0 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUT			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2094 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2108, as printed on page 537 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2108, the roll was called and there were 46 ayes; 3 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2108 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2200, as printed on page 538 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2200, the roll was called and there were 50 ayes; 0 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2200 was indefinitely postponed. Senator Stroup moved that the Committee Report on Senate Bill No. 2309, as printed on page 549 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on Senate Bill No. 2309, the roll was called and there were 34 ayes; 15 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		●
● BERUBE		●	● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES	●		● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT		●	● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED		●	● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD		●	● MAHER		●	● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER		●	MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2309 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2311, as printed on page 549 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2341, the roll was called and there were 32 ayes; 19 nays; absent and not voting, 0.

NORTH DAKOTA SENATE										
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
		●	●	●	●	●	●	●		
●	BARTH	●	●	ISZLER	●	●	NAADEN	●	●	SHABLOW
●	BERUBE	●	●	JACOBSON	●	●	NASSET	●	●	SMYKOWSKI
●	CHRISTENSEN, H #5	●	●	JONES	●	●	NOTHING	●	●	SOLBERG
●	CHRISTENSEN, L #3	●	●	KAUTZMANN	●	●	PYLE	●	●	STRAND
●	CONLIN	●	●	LARSON	●	●	RAIT	●	●	STRINDEN
●	ERDMAN	●	●	LASHKOWITZ	●	●	REDLIN	●	●	STROUP
●	FREED	●	●	LEE	●	●	REITEN	●	●	THANE
●	FRITZELL	●	●	LIPS	●	●	RINGSACK	●	●	TWETEN
●	GOODMAN	●	●	LONGMIRE	●	●	SANDS	●	●	VOSPER
●	GRONHOVD	●	●	MAHER	●	●	SANDNESS	●	●	WALSH
●	HOFFNER	●	●	MELLAND	●	●	SCHULTZ, C #14	●	●	WENSTROM
●	HOLAND	●	●	MORGAN	●	●	SCHULTZ, J #32	●	●	WRIGHT
●	HOMUTH	●	●	MUTCH	●	●	SCHUSTER	●	●	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2341 was indefinitely postponed.

Senator Stroup moved that the Committee Report on Senate Bill No. 2356, as printed on page 549 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2356, the roll was called and there were 48 ayes; 3 nays; absent and not voting, 0.

NORTH DAKOTA SENATE										
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●	BARTH	●	●	ISZLER	●	●	NAADEN	●	●	SHABLOW
●	BERUBE	●	●	JACOBSON	●	●	NASSET	●	●	SMYKOWSKI
●	CHRISTENSEN, H #5	●	●	JONES	●	●	NOTHING	●	●	SOLBERG
●	CHRISTENSEN, L #3	●	●	KAUTZMANN	●	●	PYLE	●	●	STRAND
●	CONLIN	●	●	LARSON	●	●	RAIT	●	●	STRINDEN
●	ERDMAN	●	●	LASHKOWITZ	●	●	REDLIN	●	●	STROUP
●	FREED	●	●	LEE	●	●	REITEN	●	●	THANE
●	FRITZELL	●	●	LIPS	●	●	RINGSACK	●	●	TWETEN
●	GOODMAN	●	●	LONGMIRE	●	●	SANDS	●	●	VOSPER
●	GRONHOVD	●	●	MAHER	●	●	SANDNESS	●	●	WALSH
●	HOFFNER	●	●	MELLAND	●	●	SCHULTZ, C #14	●	●	WENSTROM
●	HOLAND	●	●	MORGAN	●	●	SCHULTZ, J #32	●	●	WRIGHT
●	HOMUTH	●	●	MUTCH	●	●	SCHUSTER	●	●	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2356 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2225, as printed on page 586 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2225, the roll was called and there were 47 ayes; 3 nays; absent and not voting, 1.

NORTH DAKOTA SENATE										
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●	BARTH	●	●	ISZLER	●	●	NAADEN	●	●	SHABLOW
●	BERUBE	●	●	JACOBSON	●	●	NASSET	●	●	SMYKOWSKI
●	CHRISTENSEN, H #5	●	●	JONES	●	●	NOTHING	●	●	SOLBERG
●	CHRISTENSEN, L #3	●	●	KAUTZMANN	●	●	PYLE	●	●	STRAND
●	CONLIN	●	●	LARSON	●	●	RAIT	●	●	STRINDEN
●	ERDMAN	●	●	LASHKOWITZ	●	●	REDLIN	●	●	STROUP
●	FREED	●	●	LEE	●	●	REITEN	●	●	THANE
●	FRITZELL	●	●	LIPS	●	●	RINGSACK	●	●	TWETEN
●	GOODMAN	●	●	LONGMIRE	●	●	SANDS	●	●	VOSPER
●	GRONHOVD	●	●	MAHER	●	●	SANDNESS	●	●	WALSH
●	HOFFNER	●	●	MELLAND	●	●	SCHULTZ, C #14	●	●	WENSTROM
●	HOLAND	●	●	MORGAN	●	●	SCHULTZ, J #32	●	●	WRIGHT
●	HOMUTH	●	●	MUTCH	●	●	SCHUSTER	●	●	MR. PRESIDENT



● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2355 was indefinitely postponed.

Senator Sands moved that the Committee Report on Senate Bill No. 2396, as printed on page 591 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2396, the roll was called and there were 37 ayes; 13 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2396 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on Senate Bill No. 2402, as printed on page 591 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2402, the roll was called and there were 48 ayes; 0 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2402 was indefinitely postponed.

Senator Lips moved that the Committee Report on Senate Bill No. 2444, as printed on page 593 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2444, the roll was called and there were 23 ayes; 27 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN		●	● SHABLOW		●
● BERUBE			● JACOBSON		●	● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES		●	● NETHING			● SOLBERG		●
● CHRISTENSEN, L #3		●	● KAUTZMANN		●	● PYLE			● STRAND		●
● CONLIN			● LARSON		●	● RAIT			● STROUP		●
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD		●	● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		●
● HOLAND		●	● MORGAN			● SCHULTZ, J #32			● WRIGHT		●
● HOMUTH		●	● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion failed, and Senate Bill No. 2444 was placed on the 11th Order of Business for the next succeeding legislative day.

Senator Stroup moved that the Committee Report on Senate Bill No. 2465, as printed on page 594 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2465, the roll was called and there were 45 ayes; 5 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON		●	● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES		●	● NETHING			● SOLBERG		●
● CHRISTENSEN, L #3		●	● KAUTZMANN		●	● PYLE			● STRAND		●
● CONLIN			● LARSON		●	● RAIT			● STROUP		●
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS		●	● VOSPER		●
● GRONHOVD		●	● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		●
● HOLAND		●	● MORGAN			● SCHULTZ, J #32			● WRIGHT		●
● HOMUTH		●	● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2465 was indefinitely postponed.

Senator Freed moved that the Committee Report on Senate Bill No. 2485, as printed on page 595 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2485, the roll was called and there were 47 ayes; 0 nays; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON		●	● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES		●	● NETHING			● SOLBERG		●
● CHRISTENSEN, L #3		●	● KAUTZMANN		●	● PYLE			● STRAND		●
● CONLIN			● LARSON		●	● RAIT			● STROUP		●
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS		●	● VOSPER		●
● GRONHOVD		●	● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		●
● HOLAND		●	● MORGAN			● SCHULTZ, J #32			● WRIGHT		●
● HOMUTH		●	● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Bill No. 2485 was indefinitely postponed.

**MOTION**

Senator Nething moved that Senate Concurrent Resolution No. 4031 be laid over until the 33rd legislative day, which motion prevailed.



Senator Nasset moved that the Committee Report on Senate Concurrent Resolution No. 4044, as printed on page 596 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4044, the roll was called and there were 47 ayes; 1 nays; absent and not voting, 3.

REGULAR SESSION			NORTH DAKOTA SENATE						1975 LEGISLATURE		
			ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND			• MORGAN			• SCHULTZ, J. #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4044 was indefinitely postponed.

**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 11, delete the figure "316, 157" and insert in lieu thereof the figure "333,649"

On page 2, line 17, delete the figure "387,557" and insert in lieu thereof the figure "405,049"

On page 2, line 25, delete the figure "83,714" and insert in lieu thereof the figure "80,634"

On page 2, line 29, delete the figure "128,714" and insert in lieu thereof the figure "125,634"

On page 2, line 32, delete the figure "78,714" and insert in lieu thereof the figure "75,634"

On page 2, line 35, delete the figure "763,503" and insert in lieu thereof the figure "804,932"

On page 3, line 1, delete the figure "122,000" and insert in lieu thereof the figure "149,000"

On page 3, line 4, delete the figure "902,503" and insert in lieu thereof the figure "970,932"

On page 3, line 7, delete the figure "219,561" and insert in lieu thereof the figure "211,031"

On page 3, line 13, delete the figure "361,975" and insert in lieu thereof the figure "353,445"

On page 3, line 16, delete the figure "1,229,268" and insert in lieu thereof the figure "1,288,977"

On page 3, line 21, delete the figure "1,713, 345" and insert in lieu thereof the figure "1,773,063"

On page 3, line 22, delete the figure "289,815" and insert in lieu thereof the figure "161,200"

On page 3, line 23, delete the figure "1,423,539" and insert in lieu thereof the figure "1,611,863"

On page 3, line 26, delete the figure "3,065,026" and insert in lieu thereof the figure "2,948,144"

On page 3, line 34, delete the figure "4,385,005" and insert in lieu thereof the figure "4,268,123"

On page 4, line 2, delete the figure "2,617,465" and insert in lieu thereof the figure "2,753,211"

On page 4, line 7, delete the figure "3,825,914" and insert in lieu thereof the figure "3,961,660"

On page 4, line 8, delete the figure "2,712,854" and insert in lieu thereof the figure "2,800,445"

On page 4, line 9, delete the figure "1,113,060" and insert in lieu thereof the figure "1,161,215"

On page 4, line 13, delete the figure "129,645" and insert in lieu thereof the figure "153,649"

On page 4, line 18, delete the figure "303,969" and insert in lieu thereof the figure "327,973"

On page 4, line 21, delete the figure "469,714" and insert in lieu thereof the figure "450,022"

On page 4, line 26, delete the figure "555,106" and insert in lieu thereof the figure "535,414"

On page 4, line 29, delete the figure "142,237" and insert in lieu thereof the figure "145,753"

On page 4, line 35, delete the figure "215,906" and insert in lieu thereof the figure "219,422"

On page 5, line 3, delete the figure "1,122,322" and insert in lieu thereof the figure "1,228,790"

On page 5, line 4, delete the figure "180,406" and insert in lieu thereof the figure "190,806"

On page 5, line 5, delete the figure "64,806" and insert in lieu thereof the figure "92,806"

On page 5, line 6, delete the figure "66,160" and insert in lieu thereof the figure "100,907"

On page 5, line 9, delete the figure "1,451,896" and insert in lieu thereof the figure "1,631,511"

On page 5, line 17, delete the figure "574,472" and insert in lieu thereof the figure "494,319"

On page 5, line 18, delete the figure "197,963" and insert in lieu thereof the figure "229,163"

On page 5, line 19, delete the figure "62,972" and insert in lieu thereof the figure "61,972"

On page 5, line 20, delete the figure "13,995" and insert in lieu thereof the figure "12,230"

On page 5, line 21, delete the figure "849,402" and insert in lieu thereof the figure "797,684"

On page 5, line 22, delete the figure "62,736" and insert in lieu thereof the figure "18,000"

On page 5, line 23, delete the figure "786,666" and insert in lieu thereof the figure "779,684"

On page 5, after line 23, insert "(The commissioner of agriculture shall appoint a coordinator of marketing and information services from the staff of the North Dakota cooperative extension service for the purpose of gathering and disseminating statistical information on agricultural problems of the state, and to engage in marketing services of agricultural products.)"

On page 6, line 1, delete the numerals "13,000" and insert in lieu thereof the numerals "22,000"

On page 6, line 3, delete the numerals "14,000" and insert in lieu thereof the numerals "18,000"

On page 6, line 4, delete the numerals "14,500" and insert in lieu thereof the numerals "21,000"

On page 6, line 5, delete the numerals "13,000" and insert in lieu thereof the numerals "21,000"

On page 6, line 6, delete the numerals "13,000" and insert in lieu thereof the numerals "21,000"

On page 6, line 7, delete the numerals "14,000" and insert in lieu thereof the numerals "18,000"

On page 6, line 8, delete the numerals "14,000" and insert in lieu thereof the numerals "18,000"

On page 6, line 9, delete the numerals "14,000" and insert in lieu thereof thz numerals "18,000"

On page 6, line 10, delete the numerals "14,000" and insert in lieu thereof the numerals "18,000"

On page 6, line 11, delete the numerals "14,000" and insert in lieu thereof the numerals "18,000"

On page 6, line 12, delete the numerals "13,000" and insert in lieu thereof the numerals "17,000"

On page 6, line 14, delete the numerals "366,000" and insert in lieu thereof the numerals "501,000"

On page 6, line 22, delete the numerals "366,000.00" and insert in lieu thereof the numerals "501,000.00"

On page 6, line 33, delete the figure "12,833,042" and insert in lieu thereof the figure "13,318,407"

On page 6, line 34, delete the figure "3,419,374" and insert in lieu thereof the figure "3,357,618"

On page 7, line 1, delete the figure "16,252,416" and insert in lieu thereof the figure "16,676,025"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

Salaries and wages were decreased in the appropriations for the secretary of state-microfilm unit, state treasurer, tax commissioner, commissioner of insurance, and commissioner of agriculture to reflect five percent salary increases for each year of the biennium. The appropriation to the secretary of state for salaries and wages was adjusted to provide five percent salary increases for each year of the biennium and to provide funds for the addition of two secretaries. The attorney general's appropriation for salaries and wages was adjusted to reflect five percent salary increases for each year of the biennium for present positions and to provide funds for three positions presently vacant. Funds were deleted from the attorney general's appropriation for one additional attorney position. The federal funds appropriated to the attorney general and commissioner of agriculture were adjusted to reflect the correct federal-state matching formula. The appropriations for the state auditor, department of public instruction, surplus property division, labor commissioner, and public service commission were increased to reflect salary levels provided in House Bill No. 1016 and five percent salary increases for each year of the biennium.

The appropriation for fees and services for the state auditor and the commissioner of agriculture were adjusted to reflect 15 cents per mile for travel and \$25.00 per diem allowance.

The public service commission's appropriation was increased to provide funding for a secretary-librarian, attorney, reclamation specialist, and other related energy development costs.

The funding for the position included in the executive budget for a coordinator of marketing and information services was deleted from the commissioner of agriculture appropriation. The commissioner of agriculture is directed to appoint a person from the staff of the extension division to carry out these duties.

The amounts provided by this Act for the state officers' expense payments were increased to provide the following level of remuneration for the state's elected officials:

Governor	\$40,000
Attorney General	34,000
Tax commissioner	33,000
Superintendent of Public Instruction	33,000
Other elected officials listed in this bill	29,000

SENATOR LIPS, Chairman

Senate Bill No. 2001 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2034 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2034 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2050 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2050 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2262 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2275 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2275 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2095 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 7, delete the following: "providing an appropriation,"

On page 20, delete lines 32 through 35

On page 21, delete line 1

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To remove the appropriation inasmuch as funds have been provided for in the general appropriation for the public service commission.

SENATOR LIPS, Chairman

Senate Bill No. 2095 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2097 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 21, after the second semicolon insert "and"

On page 2, line 22, delete the following: "; and declaring an emergency"

On page 74, line 16, delete the numeral "1977" and insert in lieu thereof the numeral "1978"

On page 74, delete lines 17 through 19

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To delay full implementation for one additional year.

SENATOR LIPS, Chairman

Senate Bill No. 2097 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2286 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

Senate Bill No. 2286 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2289 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

Senate Bill No. 2289 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2304 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2307 has had the same under consideration and recommends that the same be amended as follows:

On the engrossed bill, on page 1, line 14, after the word "health" insert the following: "or other departments of state"

On page 1, delete lines 20 through 22

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To provide funding and provide for possible transfer.

SENATOR LIPS, Chairman

Senate Bill No. 2307 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2313 has had the same under consideration and recommends that the same be amended as follows:

In addition to the amendments printed on page 588 of the Senate Journal, insert the following amendments:

On page 1, line 5, after the word "judges" insert the words "; providing an appropriation; and declaring an emergency"

On page 2, after line 10, insert the following sections:

"SECTION 4. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$29,100.00, or so much thereof as may be necessary, to carry out the provisions of this Act.

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 pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To allow judges increases in salaries to be effective upon the governor's signing of the bill.

SENATOR LIPS, Chairman

Senate Bill No. 2313 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2314 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2314 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2360 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, after the word "assessor" add a period and delete the following: ", and provid."

On page 1, delete all of lines 5 through 9

On page 3, delete all of lines 20 through 35

On page 4, delete all of lines 1 through 25

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To remove the appropriation which would have provided state aid to cities and counties irrespective of need.

SENATOR LIPS, Chairman

Senate Bill No. 2360 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2364 has had the same under consideration and recommends that the same be amended as follows:

On page 2 of the engrossed bill, line 13, after the second word "of", insert the word "agency,"

On page 2 of the engrossed bill, delete line 18

On page 2 of the engrossed bill, line 20, delete the word "interested" and insert the word "interest" in lieu thereof

On page 3 of the engrossed bill, following line 5, insert the following language:

"Except as otherwise herein provided, an employee's one hundred percent vesting fund interest plus credited earnings thereon shall be vested, and nonforfeitable, when the employee reaches the age of sixty-five, or is permanently disabled; and an employee's one hundred percent vesting fund interest shall be vested in the beneficiary of the employee in case of the employee's death. At the age of sixty-five, or less as may be determined by the board, all interest vested in an employee shall be available to him for payment of retirement benefits as may be provided for under this chapter, provided that a judge of the supreme or district court who does not make application for retirement under this chapter on or prior to his seventy-third birthday shall have all interest in the "vesting fund" divested, and shall be thereafter eligible only for return of the amounts contributed from his salary, plus credited earnings thereon. Amounts forfeited under the vesting fund interest shall be paid into respective administrative expense and benefit funds."

And renumber the pages and lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To correct technical errors.

SENATOR LIPS, Chairman

Senate Bill No. 2364 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2391 has had the same under consideration and

recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

Senate Bill No. 2391 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2413 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

Senate Bill No. 2413 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2435 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, following the word "BILL", delete the remainder of the line and delete the remainder of the bill and insert in lieu thereof the following:

"for an Act to control the size of state government and the number of persons employed by the state, and to file quarterly reports.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the size of state government expenditures be controlled through the anticipation and most expeditious use of federal and other special fund revenues by each state agency, department, and institution. It is the further intent of the legislature that each agency, department, and institution of the executive branch of government of the state shall not employ personnel which would require funds in excess of amounts approved in appropriation acts of the legislative assembly for such agency, department, or institution except in those instances where an emergency exists or where circumstances not anticipated by the legislature call for personnel to be employed to meet the needs of such emergency or circumstances.

SECTION 2. QUARTERLY REPORTS.) Each state agency, department, and institution of the executive branch of government shall file a written report quarterly with the executive office of the budget outlining the number of employees, vacant positions, and the source of funds used to employ persons for vacant positions when such positions are filled. The executive office of the budget shall present quarterly to the legislative council committee on budget a report on the information relevant to this Act filed with such office."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

Is to clarify legislative intent to the various agencies of government.

SENATOR LIPS, Chairman

Senate Bill No. 2435 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2453 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

Senate Bill No. 2453 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2467 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

Senate Bill No. 2467 was placed on the 11th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 2479 has had the same under consideration and recommends that the same be amended as follows:

On page 4, line 8, delete the word "compnay" and insert in lieu thereof the word "company"

On page 6, line 4, delete the word "to" where it last appears and insert in lieu thereof the word "or"

On page 7, line 7, delete the semicolon and the word "and" and insert a period in lieu thereof

On page 7, delete lines 8-17 inclusive

On page 11, line 6, delete the word "the" and insert in lieu thereof the word "all"

On page 11, line 24, delete the word "of" and insert in lieu thereof the word "or"

On page 14, line 25, insert a comma after the word "limitations"

On page 16, line 2, delete the word "amendement" and insert in lieu thereof the word "amendment"

On page 18, line 20, delete the words "an offense" and insert in lieu thereof the words "a felony"

On page 27, line 19, delete the word "SECITON" and insert in lieu thereof the word "SECTION"

On page 33, line 14, delete "\$90,000" and insert in lieu thereof "\$62,100"

On page 33, line 15, delete "30,000" and insert in lieu thereof "20,000"

On page 33, line 16, delete "6,000" and insert in lieu thereof "5000"

On page 33, line 17, delete "7,000" and insert in lieu thereof "1,500"

On page 33, line 19, delete "\$133,000" and insert in lieu thereof "\$88,600"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

The reduction in the appropriation was to reduce salaries and wages by \$28,000 thereby removing one position. Fees and services were reduced because of the deletion of the one position. Supplies was reduced by \$1,000 because of an over statement of the amount needed. Equipment was reduced by \$5,500 because just one additional chair and desk is needed.

SENATOR LIPS, Chairman

Senate Bill No. 2479 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Senator Nething moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-SECOND DAY

Bismarck, February 20, 1975

The Senate convened at 2:00 P.M., pursuant to recess taken, the President presiding.

Prayer by Reverend S.J. Joannau, Seventh Day Adventist Church, Bismarck, was read by the President:

"Our Heavenly Father, in the quietness of these moments we invoke Thy blessing upon this group of Senators. We pray dear Lord, that as a result of their work of today, peace, prosperity and justice will continue to reign in North Dakota. May Thy divine will be felt as they plan for the future of this State, We pray for the Governor, and every legislator





So the bill passed and the title was agreed to, and the emergency clause so carried.

**Senate Bill No. 2069.** A Bill for an Act to create and enact sections 39-10-01.1, 39-10-07.3, and 39-10-43.1 of the North Dakota Century Code, relating to required obedience to traffic laws, interference with official traffic-control devices or railroad signs or signals, and moving heavy equipment at railroad grade crossings; to amend and reenact section 24-01-14, subsection 1 of section 39-01-01, sections 39-01-08, 39-07-05, 39-08-03, 39-08-08, 39-08-17, 39-08-18, 39-09-01, 39-09-02, 39-09-03, 39-09-04, 39-09-09, 39-10-01, 39-10-02, 39-10-04, 39-10-06, 39-10-07, 39-10-11, 39-10-12, 39-10-13, 39-10-18, 39-10-19, 39-10-22, 39-10-23, 39-10-24, 39-10-25, 39-10-28, 39-10-30, 39-10-39, 39-10-41, 39-10-42, 39-10-45, 39-10-46, 39-10-51, 39-10-52, 39-10-54.1, 39-10-55, 39-10-56, 39-10-57, 39-10-58, and 39-13-03 of the North Dakota Century Code, relating to determination of speed, definitions within Title 39, insurance on vehicles owned by the state and political subdivisions of the state, applicability of chapters 39-08 through 39-13, the penalty for reckless driving, duty of driver upon striking fixtures upon a highway, reporting of traffic convictions, open bottle law, care required in operating a vehicle, speed limitations, local authorities setting speed limitations, speed limits on bridges, causeways, and viaducts, minimum speed limits, provisions of chapter referring to vehicles upon the highways, obedience to police officers, obedience to and required traffic-control devices, pedestrian control signals, flashing signals, overtaking a vehicle on the left, overtaking on the right, following too closely, driving on divided highways, vehicle approaching or entering intersection, vehicle turning left, vehicle entering stop or yield intersection, vehicle entering highway from private road or turning left to enter private road, pedestrian right-of-way in crosswalks, drivers to exercise due care, signals and signal lamps, obedience to signal indicating approach of train, all vehicles to stop at certain railroad crossings, emerging from alley, driveway, or building, overtaking and passing school bus, unattended motor vehicles, limitations on backing, opening and closing vehicle doors, driving on mountain highways, coasting prohibited, following fire apparatus prohibited, crossing fire hose, enforceability of local parking regulations where signs are not legible or not in proper position; and to repeal sections 39-07-04 and 39-09-08 of the North Dakota Century Code, relating to powers of local authorities and regulation of speed control signs.

Which has been read.

Senator Solberg moved that Senate Bill No. 2069 be amended as follows:

On page 13 of the engrossed bill, line 23, insert triple parentheses around the word "wait" and insert in lieu thereof the following: "'don't walk' "

Senator Solberg moved that the amendments be adopted, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Bill No. 2069 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 2069.** A Bill for an Act to create and enact sections 39-10-01.1, 39-10-07.3, and 39-10-43.1 of the North Dakota Century Code, relating to required obedience to traffic laws, interference with official traffic-control devices or railroad signs or signals, and moving heavy equipment at railroad grade crossings; to amend and reenact section 24-01-14, subsection 1 of section 39-01-01, sections 39-01-08, 39-07-05, 39-08-03, 39-08-08, 39-08-17, 39-08-18, 39-09-01, 39-09-02, 39-09-03, 39-09-04, 39-09-09, 39-10-01, 39-10-02, 39-10-04, 39-10-06, 39-10-07, 39-10-11, 39-10-12, 39-10-13, 39-10-18, 39-



Senator Freed moved that the amendments be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2084 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2084.** A Bill for an Act to require that mineral interests which have been severed from the surface be filed for record; to provide a method of filing and verifying ownership of severed mineral interests, forfeiture for failure to refile, publication of the requirements of this Act, and a filing fee; to repeal subsection 2 of section 11-18-03 of the North Dakota Century Code; and providing for an appropriation.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 505 and 506), the roll was called and there were ayes, 40; nays, 10; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING		●	● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN	●		● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED	●		● LEF			● REITEN			● THANE		
● FRITZELL	●		● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN	●		● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2117.** A Bill for an Act to amend and reenact section 11-15-03.1 of the North Dakota Century Code, relating to the salary of county sheriff.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 537), the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEF			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**Senate Bill No. 2143.** A Bill for an Act to amend and reenact section 65-01-11 of the North Dakota Century Code, relating to burden of proof in compensation matters, official death certificates, and heart attacks and

strokes; to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to the rule-making power of the workmen's compensation bureau; to amend and reenact section 65-02-11 of the North Dakota Century Code, relating to rules of evidence, investigations, and examination of witnesses, and the cost of expert witnesses; to amend and reenact section 65-02-12 of the North Dakota Century Code, relating to hearings by one member of the workmen's compensation bureau and approval by majority of the bureau; to amend and reenact section 65-04-22 of the North Dakota Century Code, relating to time when premium is in default; to amend and reenact section 65-04-23 of the North Dakota Century Code, relating to penalties for default in premium; to amend and reenact section 65-04-24 of the North Dakota Century Code, relating to collection of premium; to amend and reenact section 65-04-25 of the North Dakota Century Code, relating to collection of premium from a nonresident employer; to amend and reenact section 65-04-31 of the North Dakota Century Code, relating to the investment of the fund; to amend and reenact section 65-05-12 of the North Dakota Century Code, relating to permanent partial disability; to amend and reenact section 65-05-14 of the North Dakota Century Code, relating to compensation paid for the loss of use of a member; to amend and reenact section 65-09-02 of the North Dakota Century Code, relating to application for compensation, hearing, and time for filing; and to amend and reenact section 65-09-03 of the North Dakota Century Code, relating to awards, notice to interested parties, and judgment.

Which has been read.

Senator Lashkowitz moved that Senate Bill No. 2143 be amended as follows:

On page 2, line 28 following the word "by" delete the word "unusual"

Senator Lashkowitz moved that the amendments be adopted, which motion failed.

Senator Longmire moved that Senate Bill No. 2143 be amended as follows:

On page 2, delete lines 26, 27 and 28

Senator Longmire moved that the amendments be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2143 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2143. A Bill for an Act to amend and reenact section 65-01-11 of the North Dakota Century Code, relating to burden of proof in compensation matters, official death certificates, and heart attacks and strokes; to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to the rule-making power of the workmen's compensation bureau; to amend and reenact section 65-02-11 of the North Dakota Century Code, relating to rules of evidence, investigations, and examination of witnesses, and the cost of expert witnesses; to amend and reenact section 65-02-12 of the North Dakota Century Code, relating to hearings by one member of the workmen's compensation bureau and approval by majority of the bureau; to amend and reenact section 65-04-22 of the North Dakota Century Code, relating to time when premium is in default; to amend and reenact section 65-04-23 of the North Dakota Century Code, relating to penalties for default in premium; to amend and reenact section 65-04-24 of the North Dakota Century Code, relating to collection of premium; to amend and reenact section 65-04-25 of the North Dakota Century Code, relating to collection of premium from a nonresident employer; to amend and reenact section 65-04-31 of the North

Dakota Century Code, relating to the investment of the fund; to amend and reenact section 65-05-12 of the North Dakota Century Code, relating to permanent partial disability; to amend and reenact section 65-05-14 of the North Dakota Century Code, relating to compensation paid for the loss of use of a member; to amend and reenact section 65-09-02 of the North Dakota Century Code, relating to application for compensation, hearing, and time for filing; and to amend and reenact section 65-09-03 of the North Dakota Century Code, relating to awards, notice to interested parties, and judgment.

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, 6; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5	●		● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED		●	● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Lips moved that Senate Bill No. 2007 be reprinted not to exceed 300 copies, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2159. A Bill for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to public buildings and facilities accessible to the physically handicapped.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 538), the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER	●	
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senate Bill No. 2187. A Bill for an Act to create and enact two new sections to the North Dakota Century Code, relating to injunctions and reciprocity regarding plumbers; and to amend and reenact sections 43-

18-01, 43-18-02, 43-18-03, 43-18-04, 43-18-05, 43-18-08, 43-18-10, 43-18-11, 43-18-13, 43-18-15, 43-18-16, 43-18-17, 43-18-21, and 43-18-23, of the North Dakota Century Code, relating to the plumbing board.

Which has been read.

Senator Nothing moved that the Senate reconsider the action by which the amendments to Senate Bill No. 2187 were adopted, which motion prevailed.

Senator Homuth moved that Senate Bill No. 2187 be amended as follows:

On page 1, line 1, after the words "A BILL", delete the remainder of the line and the remainder of the bill, and insert in lieu thereof the following: "for an Act to create and enact two new sections to chapter 43-18 of the North Dakota Century Code, relating to injunctions and reciprocity regarding plumbers; and to amend and reenact sections 43-18-01, 43-18-02, 43-18-03, 43-18-04, 43-18-05, 43-18-08(3), 43-18-10, 43-18-11, 43-18-13, 43-18-15, 43-18-16, 43-18-17, 43-18-21, 43-18-23, and 43-18-24 of the North Dakota Century Code, relating to the plumbing board.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 43-18-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-01. DEFINITIONS.) In this chapter, unless the context or subject matter otherwise requires:

1. "Master plumber" shall mean a person skilled in the planning, supervision, and the practical installation, alteration, and repair of plumbing, and familiar with the laws, rules, and regulations governing the same;

2. "Journeyman plumber" shall mean any person, other than a master plumber, who, as his principal occupation, is engaged in the practical installation, alteration, and repair of plumbing;

3. "Plumber's apprentice" shall mean any person other than a journeyman or a master plumber, who, as his principal occupation, is engaged in learning and assisting in the installation, alteration, and repair of plumbing and drainage, under the immediate and personal supervision of either a master or a journeyman plumber;

4. "Plumbing" shall mean the act of installing in buildings the pipes, fixtures, and other facilitating apparatus for bringing water into, and using the same in buildings, and for removing liquids and water-carried wastes therefrom; and

5. "Board" shall mean the state board of plumbing.

SECTION 2. AMENDMENT.) Section 43-18-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-02. STATE BOARD OF PLUMBING—MEMBERS—APPOINTMENT—QUALIFICATIONS.) The state board of plumbing shall consist of the ((state health officer)) chief sanitary engineer, or the head of any division of the state department of health who may be named by the ((state health officer)) chief sanitary engineer to act in his stead, and ((two)) four persons appointed by the governor. ((Both)) All of the appointed members shall have been residents of this state for at least five years immediately preceding their appointment, and one of them shall be a master plumber with at least five years of experience in North Dakota, ((and the other)) one shall be a journeyman plumber with at least five years of experience in North Dakota, one shall be a registered professional engineer practicing mechanical engineering in North Dakota, and one shall be a representative of the consuming public.

SECTION 3. AMENDMENT.) Section 43-18-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-03. STATE BOARD OF PLUMBING—MEMBERS—TERMS OF OFFICE—VACANCIES—HOW FILLED.) Each appointed member of

the board shall qualify by taking the oath of office required of civil officers and shall hold office for a term of four years and until his successor is appointed and qualified. The terms of office of the appointed members shall be so arranged that one term only shall expire on the thirtieth day of June of each ((odd-numbered)) year. The four members appointed by the governor to the first board shall be appointed within thirty days after this Act becomes effective to serve for the following terms: one master plumber for one year, one journeyman plumber for two years, one mechanical engineer for three years, and a representative of the consuming public for four years. A vacancy on the board caused by the death, resignation, or expiration of the term of any appointed member shall be filled for the unexpired term by appointment by the governor from the class of ((plumbers)) members to which the deceased or retiring member belonged.

SECTION 4. AMENDMENT.) Section 43-18-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-04. OFFICE AND OFFICERS OF BOARD.) The members of the board shall elect from their number a president, a vice president, and a treasurer, and they shall select a secretary, but the office of secretary and treasurer may be held by the same person. The secretary or secretary-treasurer need not be a member of the board but shall be a licensed plumber. The board shall have its headquarters at the state ((capitol)) capital.

SECTION 5. AMENDMENT.) Section 43-18-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-05. MEMBERS OF BOARD AND EMPLOYEES—COMPENSATION.) Each appointed member of the board shall receive ((five)) twenty dollars per day for each day actually engaged in the performance of his duties under this chapter, and all members of the board, and all employees thereof, shall receive their ((actual)) traveling expenses incurred in the performance of their duties. Allowances for traveling expenses shall be as provided by law for state officials and employees. All such compensation and expense shall be paid out of the state plumbing board fund. The compensation provided for in this section shall not be paid to any member of the board who receives salary or other compensation as a regular employee of the state or any of its political subdivisions or any institution of industry operated by the state.

SECTION 6. AMENDMENT.) Subsection 3 of section 43-18-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Prescribe rules and regulations not inconsistent with the provisions of this chapter for the examination, regulation, and licensing of plumbers, either as master plumbers, journeyman plumbers, ((or both)) plumbers' apprentices, or any of such classifications.

SECTION 7. AMENDMENT.) Section 43-18-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-10. FIRM ENGAGED IN INSTALLING PLUMBING TO EMPLOY MASTER PLUMBER—EXCEPTIONS.) No person, firm, or corporation shall engage in the business of installing plumbing and shall not install plumbing in connection with the dealing in and selling of plumbing materials and supplies in any incorporated city ((or village)) of this state having a system of waterworks or sewerage, unless at all times a registered and licensed master plumber, who is responsible for the proper installation thereof, is in charge of such work. There shall not be more than five plumbers' apprentices under the immediate and personal supervision of either a master plumber or journeyman plumber employed on any installation, alteration, or repair project.



SECTION 8. AMENDMENT.) Section 43-18-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-11. LICENSE REQUIRED—EXCEPTION FOR HOMEOWNER AND FULL-TIME EMPLOYEE.) No person, firm, or corporation shall engage in the business of a master plumber ((or)), journeyman plumber, or plumber's apprentice in any incorporated city ((or village)) of this state having a system of waterworks or sewerage unless registered and licensed to do so by the board. Anyone not so licensed may do plumbing work which complies with the provisions of the minimum standards prescribed by the board on premises or that part of premises owned and actually occupied by him as his residence, or on premises where he is employed in full-time maintenance work, unless otherwise forbidden to do so by a local ordinance.

SECTION 9. AMENDMENT.) Section 43-18-13 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-13. LICENSE—HOW OBTAINED—FEE.) Any person qualified under the rules of the board who desires to take the examination to become a registered and licensed plumber shall make application to the board therefor and pay to the treasurer of the board the examination fee. Such fee shall ((be sixty)) not exceed one hundred dollars for a master plumber's certificate and license and ((twenty)) fifty dollars for a journeyman plumber's certificate and license. The board, when the condition of its fund permits and when in its judgment it is deemed advisable, may reduce the amount of the examination fees, but it may not increase the same above the amount hereinbefore specified. Any such change shall be adopted by the board to take effect on the first day of January following its action and shall apply to all examination fees in the classes specified in the ruling. The applicant shall present himself at the next regular meeting of the board for examination of applicants. If upon examination the applicant is found by the board to be qualified as a master plumber or journeyman plumber, or both, it shall issue to him a certificate of registration and license which shall entitle him to do the work and be a plumber as specified in the license. A master plumber's and journeyman plumber's license may be issued to one and the same person, and the holder of a master plumber's license may be granted a journeyman plumber's license without the payment of the journeyman's fee. All certificates and licenses shall be numbered consecutively and shall not be transferable, and no person shall work under the license issued to another person.

SECTION 10. AMENDMENT.) Section 43-18-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-15. TEMPORARY LICENSE — WHEN ISSUED.) The board, upon the payment of the regular examination fee, may issue a temporary permit to engage in the business of master plumber or journeyman plumber, or both, to any person who furnishes satisfactory evidence of his qualifications. ((Such certificate shall be effective until the next examination of plumbers is held. If such certificate holder fails to appear for the next examination, except for sickness certified to by a physician or other accepted excuse presented at the time, or in the case of his failure to pass the examination, the permit shall become void and the fee forfeited)) Such permits shall be revocable permits and shall be effective to December thirty-first of the year in which they are issued. No person shall be issued such temporary permits for longer than four years.

SECTION 11. AMENDMENT.) Section 43-18-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-16. PLUMBER LICENSED BY BOARD MAY PRACTICE AT ANY PLACE IN STATE — EXCEPTION.) A plumber registered and

licensed by the board to engage in the business of master plumber ((or)), journeyman plumber, or plumber's apprentice may engage in or work at the business of plumbing at any place in this state, except in cities ((or villages)) that have adopted ordinances requiring a municipal license or registration in addition to the state license before permitting any plumber to work in such municipality.

SECTION 12. AMENDMENT.) Section 43-18-17 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-17. RENEWAL OF LICENSE — FEE.) A certificate and license issued under the provisions of this chapter shall be valid for only one year and shall expire on the thirty-first day of December of the year in which it was issued. The certificate shall be renewed by the board upon application made within thirty days after the expiration thereof and on the payment of ((the)) a sum ((of sixty)) not to exceed one hundred dollars for a master plumber's certificate and license, and the sum of ((twenty)) fifty dollars for a journeyman plumber's certificate and license. The board, when the condition of its fund permits and when in its judgment it is deemed advisable, may reduce the amount of the renewal fees, but it may not increase the same above the amount hereinbefore specified. Any such change shall be adopted by the board to take effect on the first day of January following its action and shall apply to all renewals in the classes specified in the ruling.

SECTION 13. AMENDMENT.) Section 43-18-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-21. ((APPRENTICES)) APPRENTICESHIP.) ((Any person may serve as an apprentice in the trade of a registered and licensed plumber doing business in this state.))

1. Every apprentice plumber shall within thirty days after beginning his apprenticeship register with the state plumbing board on a registration application form which will be supplied by the board, showing date of beginning apprenticeship, age, schooling, previous experience, employer, and such other information as the board may require, except that a person who is working in a school-work program need not register.

2. Each applicant for registration as an apprentice must have reached the age of eighteen years. The board may accept registration of persons beginning a course in plumbing at an accredited school and from any persons who furnish satisfactory evidence to the board that they were actually employed as an apprentice plumber prior to July 1, 1975.

3. An apprentice shall serve a term of seven thousand six hundred hours. When the applicant furnishes proof of previous practical experience in the trade, or is a graduate of a course in plumbing in an accredited school, the board may grant him hourly credit toward his term of apprenticeship. Graduates of the plumbing course of an accredited school having at least a nine-month (one thousand twenty hours) course in plumbing may receive the following number of hours credit for each hour of the course according to the graduating grade average they received:

- a. A average — two hours;
- b. B average — one and three-quarters hours;
- c. C average — one and one-half hours; and
- d. D average — one hour.

4. A master plumber employing a registered apprentice shall report to the board any changes made in relation to continued employment of such apprentice. It shall be the employer's duty and responsibility not to permit an apprentice to perform work unless he is under the direct supervision and in the immediate presence of either a master or jour-

neyman plumber. Between five thousand seven hundred and seven thousand six hundred hours of apprenticeship training a registered apprentice, employed by a master plumber, may work by himself, or in cities of one thousand population or less and in all rural areas, such a registered apprentice may work in his own employ.

A registration certificate issued under the provisions of this section shall be valid for only one year and shall expire on the thirty-first day of December of the year in which it was issued. The certificate shall be renewed by the board upon application made within thirty days after the expiration thereof and on payment of the sum set by the board, but not to exceed twenty dollars for the first year, thirty dollars for the second year, forty dollars for the third year, and fifty dollars for the fourth year of apprenticeship. This certificate of registration shall be the license required to be employed as a plumber's apprentice in this state.

SECTION 14. AMENDMENT.) Section 43-18-23 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-23. WORKING AS PLUMBER WITHOUT LICENSE ((— PENALTY)).) (((Any))) It shall be unlawful for any person ((who, for compensation, works)) to work, for compensation, as a master plumber ((or)), journeyman plumber, or plumber's apprentice without being registered and licensed as a plumber in such classification ((, shall be punished by a fine of not less than ten dollars nor more than fifty dollars, or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment for each offense. Each day of violation of this chapter shall be a separate offense)).

SECTION 15. AMENDMENT.) Section 43-18-24 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-18-24. VIOLATION OF CHAPTER — PENALTY.) Any person who violates any of the provisions of this chapter or of the state plumbing code, or who fails to do any act required by said code, shall be ((punished by imprisonment in the county jail for not more than three months, or by a fine of not more than one hundred dollars, or by both such fine and imprisonment. Additional penalties may be imposed by cities or villages for violation of municipal ordinances governing the business of plumbing and the installation of plumbing apparatus)) guilty of an infraction.

SECTION 16.) A new section of chapter 43-18 of the North Dakota Century Code is hereby created and enacted to read as follows:

INJUNCTION.) In addition to the criminal penalty provided in section 43-18-24, the civil remedy of injunction shall be available to plumbing inspectors to restrain and enjoin violations of any provisions of this chapter. Any person claiming to be injured in person or property because of violations of this chapter may bring a civil action for damages.

SECTION 17.) A new section to chapter 43-18 of the North Dakota Century Code is hereby created and enacted to read as follows:

RECIPROCITY WITH OTHER STATES.) The board may register, without examination, upon payment of the required fee, nonresident applicants registered under the laws of other states having requirements for regulating plumbers which the board determines are substantially equivalent to the requirements of this state in those instances where such other state grants similar privileges to North Dakota residents licensed under this chapter."

And renumber the pages and lines accordingly.

Senator Homuth moved that the amendments be adopted, which motion prevailed.

Senator Homuth moved that the rules be suspended, that Senate Bill No. 2187 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2187. A Bill for an Act to create and enact two new sections to the North Dakota Century Code, relating to injunctions and reciprocity regarding plumbers; and to amend and reenact sections 43-18-01, 43-18-02, 43-18-03, 43-18-04, 43-18-05, 43-18-08, 43-18-10, 43-18-11, 43-18-13, 43-18-15, 43-18-16, 43-18-17, 43-18-21, and 43-18-23, of the North Dakota Century Code, relating to the plumbing board.

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, 29; nays, 20; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H #5			• JONES		•	• NETHING		•	• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		•	• STRAND		
• CONLIN			• LARSON		•	• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		•
• FREED		•	• LEE			• REITEN			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK		•	• TWETEN		•
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS		•	• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		•
• HOMUTH			• MUTCH			• SCHUSTER			• MR PRESIDENT		•

So the bill passed and the title was agreed to.

## MOTION

Senator Kautzmann moved that Senate Bill No. 2187 be reprinted not to exceed 300 copies, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2234. A Bill for an Act to amend and reenact subsection 4 of section 52-01-01 of the North Dakota Century Code, relating to definition of disqualification for unemployment compensation benefits.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES		•	• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		•
• FREED		•	• LEE			• REITEN			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK		•	• TWETEN		•
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		•
• HOMUTH			• MUTCH			• SCHUSTER			• MR PRESIDENT		•

So the bill passed and the title was agreed to.

Senate Bill No. 2235. A Bill for an Act to create and enact subdivision j of subsection 11 of section 52-01-01, a new subsection of section 52-01-01, and section 52-01-02.1 of the North Dakota Century Code, relating to definition of employer, agricultural labor and keeping records by agricultural employing units for farm unemployment compensation

coverage, and to amend and reenact subsection 12 of section 52-01-01 and subdivision a of subsection 15 of section 52-01-01 of the North Dakota Century Code, relating to the unemployment compensation definition of employee and exclusion from employment for farm coverage 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, 25; nays, 24; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5	●	●	JONES	●	●	NETHING	●	●	SOLBERG	●
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE	●	●	STRAND	●
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	●
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	●
●	FREED		●	LEE	●	●	REITEN		●	THANE	●
●	FRITZELL	●	●	LIPS		●	RINGSAK	●	●	TWETEN	●
●	GOODMAN		●	LONGMIRE		●	SANDS	●	●	VOSPER	●
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	●
●	HOFFNER		●	MELLAND		●	SCHULTZ C. #14		●	WENSTROM	●
●	HOLLAND		●	MORGAN	●	●	SCHULTZ, J. #32	●	●	WRIGHT	●
●	HOMUTH		●	MUTCH	●	●	SCHUSTER		●	MR. PRESIDENT	●

So the bill lost.

**MOTION**

Senator Solberg moved that Senate Bills 2069 and 2070 be re-printed not to exceed 300 copies, which motion prevailed.

**MESSAGE TO THE HOUSE**  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

- Senate Bill No. 2039
- Senate Bill No. 2070
- Senate Bill No. 2088
- Senate Bill No. 2093
- Senate Bill No. 2150
- Senate Bill No. 2162
- Senate Bill No. 2224
- Senate Bill No. 2301
- Senate Bill No. 2326
- Senate Bill No. 2335
- Senate Bill No. 2338
- Senate Bill No. 2339
- Senate Bill No. 2344
- Senate Bill No. 2354
- Senate Bill No. 2390
- Senate Bill No. 2403
- Senate Bill No. 2426
- Senate Bill No. 2427
- Senate Bill No. 2434
- Senate Bill No. 2446
- Senate Bill No. 2447
- Senate Bill No. 2452
- Senate Bill No. 2454
- Senate Bill No. 2473
- Senate Bill No. 2484
- Senate Bill No. 2495

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1002  
 House Bill No. 1013  
 House Bill No. 1022  
 House Bill No. 1060  
 House Bill No. 1239  
 House Bill No. 1323  
 House Bill No. 1364  
 House Bill No. 1388  
 House Bill No. 1411  
 House Bill No. 1469  
 House Bill No. 1475  
 House Bill No. 1492  
 House Bill No. 1495  
 House Bill No. 1509  
 House Bill No. 1526  
 House Bill No. 1532  
 House Bill No. 1578  
 House Bill No. 1597  
 House Bill No. 1609  
 House Concurrent Resolution No. 3036  
 House Concurrent Resolution No. 3042  
 House Concurrent Resolution No. 3044  
 House Concurrent Resolution No. 3046  
 House Concurrent Resolution No. 3053

ROY GILBREATH, Chief Clerk

## FIRST READING OF HOUSE BILLS

**House Bill No. 1285.** A Bill for an Act to amend and reenact subsection 5 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county officers.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1338.** A Bill for an Act to create a new section to chapter 11-18 of the North Dakota Century Code, to provide a fee for recording instruments with the register of deeds based upon the number of sections described in an instrument which describes land in which the mineral acres have been severed from the surface estate.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1378.** A Bill for an Act to amend and reenact section 39-12-05.1 of the North Dakota Century Code, relating to weight limitations for vehicles on designated highways.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1418.** A Bill for an Act to provide for the construction and operation of county nursing homes by county nursing home authorities.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1426.** A Bill for an Act to create a new section to chapter 11-09 of the North Dakota Century Code, relating to the formation of a county manager form of county government.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1458.** A Bill for an Act to provide an appropriation of federal funds for the restoration of Oxford House at the university of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1460.** A Bill for an Act to create and enact a new section to chapter 40-45 and a new section to chapter 40-46 of the North Dakota Century Code, relating to cost of living increases or decreases through the police pension fund and the city employees' pension fund.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1463.** A Bill for an Act to amend and reenact subsection 1 of section 43-17-02 of the North Dakota Century Code, relating to persons exempt from provisions of chapter.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1464.** A Bill for an Act to provide that all dead end roads and roads having ninety degree turns on the state or county road systems have an approach or safety road.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1471.** A Bill for an Act to amend and reenact subsection 8 of section 57-40.3-01 and section 57-40.3-07 of the North Dakota Century Code, relating to the exemption from the motor vehicle excise tax for motor vehicles, the registration of which is transferred because of business reorganizations.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1482.** A Bill for an Act to amend and reenact section 43-17-31 of the North Dakota Century Code, relating to refusal to license or revocation of a physician's license by the state board of medical examiners, and appeal therefrom.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1489.** A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the North Dakota Century Code, relating to trade-in value allowed.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1496.** A Bill for an Act to provide for an identification card; and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1515.** A Bill for an Act to create and enact new sections to chapter 50-24.1 of the North Dakota Century Code, relating to the provision of remedial eye care, recovery from estates of medical assistance recipients, and inapplicability of statute of limitations to claims; to amend and reenact section 50-24.1-02 of the North Dakota Century Code, relating to persons eligible for the receipt of medical assistance; and to repeal section 50-09-05 of the North Dakota Century Code, relating to durational residency requirements for the receipt of aid to dependent children.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1543.** A Bill for an Act to create and enact new sections to chapter 50-22 and to amend and reenact sections 50-22-01, 50-22-02, and 50-22-05 of the North Dakota Century Code, relating to registration of

charitable organizations, professional fund raising counsel, and professional solicitors; and providing a penalty.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1561.** A Bill for an Act to create and enact a new subsection to section 19-03.1-37 of the North Dakota Century Code, relating to burden of proof — liabilities.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1562.** A Bill for an Act to amend and reenact section 39-20-07 of the North Dakota Century Code, relating to interpretation of chemical tests.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1566.** 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 persons permitted to enter or remain on licensed premises while alcoholic beverages are being sold.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1572.** A Bill for an Act to create and enact section 40-46-09.1 of the North Dakota Century Code, relating to service credit for employment with a city recreation commission for purposes of receipt of a city employee's pension.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1577.** A Bill for an Act to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old age and survivor insurance system.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1580.** A Bill for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, to prohibit retail alcoholic beverage licensees from accepting goods, chattels, or other personal property in exchange for alcoholic beverages, and providing a penalty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1583.** A Bill for an Act to create and enact section 21-03-06.1 of the North Dakota Century Code, relating to bond issues and the purposes thereof; and to amend and reenact subdivision f of subsection 2 of section 21-03-06 and subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to bond issues, the purposes thereof, and the exceptions to the election requirement therefor.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1591.** A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a tax exemption for paraplegic persons; and to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, relating to an exemption for paraplegic veterans.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1593.** A Bill for an Act to amend and reenact section 57-02-26 of the North Dakota Century Code, relating to taxation of certain property to lessee or equitable owner.



Which was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution No. 3024.** A concurrent resolution urging all state agencies and departments to implement the metric system of measurement wherever possible.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Concurrent Resolution No. 3033.** A concurrent resolution urging the Governor to close deer hunting season during 1975.

Which was read the first time and referred to the Committee on Natural Resources.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business and after the reading of Senate Bills Nos. 2002, 2034, 2036, 2050, 2059, 2100, 2204, 2222, 2231, 2233, 2275, 2286, 2289, 2304, 2389, 2395, 2413, 2415, 2443, 2444, 2453, 2455, 2464, 2467 and 2470, that the Senate recess until 11:00 A.M., February 21, 1975 which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-SECOND DAY AFTER RECESS  
AND THIRTY-THIRD DAY

Bismarck, February 21, 1975

The Senate convened at 11:00 A.M., pursuant to recess taken, the President presiding.

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

February 19, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on February 17, 1975, Governor Link signed Senate Bill 2110.

Sincerely yours,  
Murray G. Sagsveen  
Legislative Assistant

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. 2034  
Senate Bill No. 2036  
Senate Bill No. 2059  
Senate Bill No. 2100  
Senate Bill No. 2204  
Senate Bill No. 2231  
Senate Bill No. 2233  
Senate Bill No. 2262  
Senate Bill No. 2275  
Senate Bill No. 2289  
Senate Bill No. 2304  
Senate Bill No. 2368  
Senate Bill No. 2389  
Senate Bill No. 2391  
Senate Bill No. 2395  
Senate Bill No. 2415  
Senate Bill No. 2428  
Senate Bill No. 2429  
Senate Bill No. 2443  
Senate Bill No. 2453  
Senate Bill No. 2455  
Senate Bill No. 2464

Senate Bill No. 2470

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Walsh moved that the report be adopted, which motion prevailed.

#### REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2222

And find the same correctly Re-engrossed.

SENATOR STRAND, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Bills Nos. 2001, 2095, 2097, 2307, 2313, 2360, 2364, 2435, 2479 and House Bill No. 1091 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2001 as recommended by the Committee on Appropriations as printed on pages 643-646 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2095 as recommended by the Committee on Appropriations as printed on page 646 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2097 as recommended by the Committee on Appropriations as printed on pages 646 and 647 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2307 as recommended by the Committee on Appropriations as printed on page 647 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2313 as recommended by the Committee on Appropriations as printed on page 647 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that Senate Bill No. 2313 be further amended as follows:

“On page 1, line 15, after the triple parentheses delete the word “thirty” and insert in lieu thereof the word “thirty-two”

On page 2, line 2, after the triple parentheses delete the word “twenty-eight” and insert in lieu thereof the word “thirty”

And renumber the lines accordingly”.

Senator Lips moved that the amendments be adopted.

Senator Lashkowitz requested a roll call vote on the motion to adopt the amendments to Senate Bill No. 2313, which request was granted.

#### ROLL CALL

The question being on the adoption of the proposed amendments to Senate Bill 2313 the roll was called and there were 30, ayes; 18, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			ISZLER	●		NAADEN	●		SHABLOW	●	
●			JACOBSON	●		NASSET	●		SMYKOWSKI	●	
●			JONES	●		NETHING	●		SOLBERG	●	
●			KAUTZMANN	●		PYLE	●		STRAND	●	
●			LARSON	●		RAIT	●		STRINDEN	●	
●			LASHKOWITZ	●		REDLIN	●		STROUP	●	
●			LEE	●		REITEN	●		THANE	●	
●			LIPS	●		RINGSACK	●		TWETEN	●	
●			LONGMIRE	●		SANDS	●		VOSPER	●	
●			MAHER	●		SANDNESS	●		WALSH	●	
●			MELLAND	●		SCHULTZ, C. #14	●		WENSTROM	●	
●			MORGAN	●		SCHULTZ, J. #32	●		WRIGHT	●	
●			MUTCH	●		SCHUSTER	●		MR. PRESIDENT	●	

So the amendments were adopted.

**PERSONAL PRIVILEGE**

Senator C. Schultz: Mr. President, I rise on a point of personal privilege, to explain why I voted against the amendments. I am not against it. If we can't afford the extra judge, I don't feel we can afford the extra money.

Senator Lips moved that the amendments to Senate Bill No. 2360 as recommended by the Committee on Appropriations as printed on page 648 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2364 as recommended by the Committee on Appropriations as printed on page 648 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2435 as recommended by the Committee on Appropriations as printed on page 649 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2479 as recommended by the Committee on Appropriations as printed on page 650 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Lips moved that the Committee Report on Senate Bill No. 2262, as printed on page 646 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2262, the roll was called and there were 20, ayes; 30, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	ISZIER			•	NAADEN	•		SHABLOW
		•	•	JACOBSON			•	NASSET			SMYKOWSKI
		•	•	JONES			•	NETHING		•	SOLBERG
	H # 5	•	•	KAUTZMANN			•	PYLE			STRAND
	L # 3	•	•	LARSON	•		•	RAIT		•	STRINDEN
•			•	LASHKOWITZ			•	REDLIN			STROUP
•		•	•	LEE	•		•	REITEN	•		THANE
•			•	LIPS			•	RINGSAK	•		TWETEN
•			•	LONGMIRE	•		•	SANDS	•		VOSPER
•		•	•	MAHER			•	SANDNESS	•		WALSH
•			•	MELAND			•	SCHULTZ, C # 14	•	•	WENSTROM
•		•	•	MORGAN			•	SCHULTZ, J # 37	•		WRIGHT
•			•	MUTCH	•		•	SCHUSTER	•		MR. PRESIDENT

The motion failed, and Senate Bill No. 2262 was placed on the 11th Order of Business for the next succeeding legislative day.

Senator Lips moved that the Committee Report on Senate Bill No. 2314, as printed on page 648 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2314, the roll was called and there were 47, ayes; 1, nay; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZIER			•	NAADEN			SHABLOW
•			•	JACOBSON			•	NASSET			SMYKOWSKI
•	H # 5		•	JONES			•	NETHING		•	SOLBERG
•	L # 3		•	KAUTZMANN			•	PYLE			STRAND
•			•	LARSON			•	RAIT		•	STRINDEN
•			•	LASHKOWITZ	•		•	REDLIN			STROUP
•			•	LEE			•	REITEN			THANE
•			•	LIPS			•	RINGSAK			TWETEN

● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Bill No. 2314 was indefinitely postponed.

Senator Lips moved that the Committee Report on Senate Bill No. 2391, as printed on pages 648 and 649 of the Senate Journal be adopted.

Senator Goodman moved that Senate Bill No. 2391 be amended as follows:

On page 1, line 15 of the amendment, delete the word "two" and insert in lieu thereof the word "one"

Senator Goodman moved that the amendment be adopted, which motion lost.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2391, the roll was called and there were 17, ayes; 34, nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion failed, and Senate Bill No. 2391 was placed on the 11th Order of Business for the next succeeding legislative day.

Senator Sands moved that the Committee Report on Senate Bill No. 2429, as printed on pages 592 and 593 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Bill No. 2429, the roll was called and there were 20 ayes; 31 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion failed, and Senate Bill No. 2429 was placed on the 11th Order of Business for the next succeeding legislative day.

**MOTION**

Senator Nething moved that Senate Concurrent Resolution No. 4031 be brought from the 33rd legislative day to the 32nd legislative day, which motion prevailed.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGAIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2034 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2036. A Bill for an Act to create and enact subsection 22 of section 65-01-02 of the North Dakota Century Code, relating to the definition of weekly wage of the claimant; and to amend and reenact subsection 21 of section 65-01-02 and section 65-05-09 of the North Dakota Century Code, relating to the definition of average weekly wage in the state and the weekly and aggregate workmen's compensation paid for temporary or permanent disability.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 583 and 584), the roll was called and there were ayes, 46; nays, 3; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGAIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2036 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**MOTION**

Senator Barth moved that Senate Bill No. 2444 be placed at the head of the calendar, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2444. A Bill for an Act to create and enact chapter 4-30.1 of the North Dakota Century Code, relating to the establishment of central milk testing, creation of a state milk testing board, the basing of all payments for raw milk on the tests thereby made, acquisition of the necessary facilities and equipment therefor, location of the facilities, fees to be charged for tests and providing an appropriation 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, 30; nays, 21; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE	•		• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL	•		• LIPS			• RINGSAK		• TWETEN
• GOODMAN	•		• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2444 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2050. A Bill for an Act to provide for energy conversion facility and transmission facility siting authority by the public service commission; providing a penalty; providing an appropriation; and declaring an emergency.

Which has been read.

Senator Naaden moved that Senate Bill No. 2050 be amended as follows:

On page 7, line 30 of the engrossed bill, after the semicolon delete the word "and"

On page 7, line 31 of the engrossed bill, after the period insert the following: "A statement that the owner or occupier of land which will be subject to a power transmission line easement acquired for a transmission facility will receive annual payments for the easement and for any damages occasioned by the construction and maintenance of the transmission facility; and h."

And renumber the lines accordingly.

Senator Naaden moved that the amendments be adopted, which motion lost.

Senators Melland and Rait requested that they be excused from voting due to a conflict of interest.

Senator Nething moved that the Senators be permitted to vote, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 503 & 504), the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2050 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-THIRD DAY

Bismarck, February 21, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Hensel E. Hendrickson, Pastor, Trinity Evangelical Lutheran Church, Bismarck.

"Our Heavenly Father,

We thank you for the blessings of living in this great state.

It occurs to one standing here in this Senate that this could conceivably be the most prayed for group in the state over the last 40 days.

We learn much from prayer. Sometimes prayer teaches us that we have to give up to get up. Sometimes prayer teaches us that it is better to tackle problems heart first than head first.

We learn sometimes that it is not the eloquence of the prayer or a speech but the place from within that the words come from — that is important.

In this great room — widen our views — deepen our faith.

In your name we pray — Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-first day after recess, and recommends that the same be corrected as follows: On page 588, line 43, delete "2415" and insert in lieu thereof "2304"

On page 608, line 48, delete "after a roll call"

On page 608, line 49, delete "vote."

On page 605, line 17, correct the word "which"

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Goodman, Hoffner, Longmire introduced:

**Senate Concurrent Resolution No. 4063.** A concurrent resolution directing the Legislative Council to study the organizational and negotiation rights of public employees, and to reexamine Title 34 of the North Dakota Century Code, relating to labor managements relationships.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Redlin, Strand introduced:

**Senate Concurrent Resolution No. 4064.** A concurrent resolution directing the Legislative Council to conduct a comprehensive study of driver and traffic safety education in North Dakota schools to determine whether legislation is necessary for expanding and improving this program.

Was read the first time and referred to the Committee on Education.  
Senator Maher introduced:

**Senate Concurrent Resolution No. 4065.** A concurrent resolution directing the Legislative Council to study the priorities of land use in coal mining areas and to study methods by which the State could designate certain areas of the State in which strip mining would not be allowed.

Was read the first time and referred to the Committee on Natural Resources.

Senators Nething, Pyle, Hoffner, Barth introduced:

**Senate Concurrent Resolution No. 4066.** A concurrent resolution recognizing the value of the Legislative Internship Program and commending its participants.

Was read the first time.

#### MOTION

Senator Nething moved that the rules be suspended, that Senate Concurrent Resolution No. 4066 be allowed to be introduced other than by the Delayed Bills Committee, that it not be printed as a resolution, not referred to a committee, but read in its entirety and printed in the Journal and placed on the calendar for second reading and final adoption, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION No. 4066

1 A concurrent resolution recognizing the value of the  
2 Legislative Internship Program and commending its participants.

3

4 WHEREAS, the Legislative Intern program has been  
5 functioning as an integral part of the legislative process  
6 in the State of North Dakota since its inception during  
7 the Forty-first Legislative Assembly; and

8 WHEREAS, the Forty-fourth Legislative Assembly continues  
9 to participate in this academic program whereby fourteen  
10 outstanding undergraduate, graduate, and law student en-  
11 rolled at the University of North Dakota and North Dakota  
12 State University are selected by their parent institution  
13 to serve the majority and minority caucuses, the standing  
14 committees of the Senate and House of Representatives,  
15 and the Legislative Assembly in the capacity of Legislative  
16 Interns; and

17 WHEREAS, during the course of the session, the Legislative  
18 Assembly has recognized the academic value of the Legislative  
19 Internship Program and the opportunity it affords to these  
20 undergraduate, graduate, and law students to observe the  
21 legislative process, as well as the opportunity for the  
22 majority and minority caucuses, the standing committees of  
23 the Senate and House of Representatives and the Legislative  
24 Assembly to avail themselves of the energy, talents,

#### PAGE TWO

1 enthusiasm, and ability of the Legislative Interns; and

2 WHEREAS, the Forty-fourth Legislative Assembly is  
3 cognizant of the meritorious contribution and abilities  
4 of the Legislative Interns and the way in which they have  
5 conducted themselves, especially their courteous and  
6 respectful manner and ability to refrain from entering  
7 into the policymaking role in their association with the  
8 majority and minority caucuses and the standing committees  
9 of the Legislative Assembly;

10 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF  
10a THE  
11 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTEN-  
11a TIVES CON-

## 12 CURRING THEREIN:

13 That the services performed by Barbara Gletne, Paulette  
 14 Hansen, James Haskins, Mark Johnson, Thomas Kuchera, Duane  
 15 Lillehaug, Alice Olson, Kim Pennington, Mary Price, Arly  
 16 Richau, Douglas Stine, Robert Udland, Gary Wiebe, and Keith  
 17 Wolberg as Legislative Interns for the Forty-fourth Legislative  
 18 Assembly is hereby recognized, and that they be commended for  
 19 the outstanding diligence, ability, talent, enthusiasm, and  
 20 courteousness that they have exhibited throughout all their  
 21 association with the Legislative Assembly; and  
 22 BE IT FURTHER RESOLVED, that copies of this resolution  
 23 be forwarded by the Secretary of State to the president of  
 24 the University of North Dakota, the dean of the School of Law  
 25 of the University of North Dakota, the chairman of the Depart-  
 26 ment of Political Science at the University of North Dakota,  
 27 the president of North Dakota State University, and to each of  
 28 the fourteen Legislative Interns.

SECOND READING OF  
 A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4066. A concurrent resolution recognizing the value of the Legislative Internship Program and commending its participants.

Was read the second time.

The question being on the final adoption of the resolution.

Senator Nething moved that the resolution be adopted, which motion prevailed and Senate Concurrent Resolution No. 4066 was adopted.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senators Goodman, Nething, L. Christensen, Hoffner introduced:

Senate Concurrent Resolution No. 4067. A concurrent resolution directing the Legislative Council to study the present criminal prosecutorial system and any feasible alternatives thereto to include a statewide system providing for full-time criminal prosecution.

Was read the first time and referred to the Committee on Judiciary.

Senator Thane introduced:

Senate Concurrent Resolution No. 4068. A concurrent resolution directing the Legislative Council to study the feasibility of establishing a system of governmental compensation for victims of crimes.

Was read the first time and referred to the Committee on Judiciary.

Senators J. Schultz, Melland, Hoffner introduced:

Senate Concurrent Resolution No. 4069. A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees.

Was read the first time and referred to the Committee on State and Federal Government.

Senators Lashkowitz, Redlin, Schuster introduced:

Senate Concurrent Resolution No. 4070. A concurrent resolution directing the Legislative Council to study and review the administration, operations, and functions, including an investigation and review of the rule-making powers and the regulatory powers and procedures, of the Public Service Commission.

Was read the first time and referred to the Committee on State and Federal Government.

**MOTIONS**

Senator Nething moved that Senate Bill No. 2031 be reprinted not to exceed 300 copies, which motion prevailed.

Senator Fritzell moved that Senate Bill No. 2050 be reprinted not to exceed 300 copies, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2059. A Bill for an Act to provide for legislative intent, to provide the authority to cancel coal leases by either party, to provide for a maximum term of years in a coal lease, to require that the advance royalty provision of a lease be acknowledged specially in order to be valid, to require percentage royalties in future leases and imply a percentage royalty term, to require the tax commissioner to annually determine the average price per ton of coal, to prohibit the waiver by the parties of any of the terms of this Act, and to declare an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 584), the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

Senator Nething moved that the vote by which Senate Bill No. 2059 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2100. 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 minimum tax assessable for the business privilege tax.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 585), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2100 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**MOTION**

Senator Freed moved that Senate Bill No. 2100 be reprinted not to exceed 300 copies, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2204. A Bill for an Act to amend and reenact Section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 585 & 586), the roll was called and there were ayes, 46; nays, 4; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE			● STRAND		●
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		●
● FREED			● LEE		●	● REITEN			● THANE		●
● FRITZELL			● LIPS		●	● RINGSACK			● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS			● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		●
● HOFFNER			● MELAND		●	● SCHULTZ, C. #14			● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		●

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2204 was passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**MOTION**

Senator Nething moved that Senate Bill No. 2204 be reprinted not to exceed 300 copies, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2222. A Bill for an Act to require health insurance coverage for persons suffering from mental illness, alcoholism, and drug addiction.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 586), the roll was called and there were ayes, 45; nays, 6; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		

• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.  
 Senator Nething moved that the vote by which Senate Bill No. 2222 was passed, be reconsidered and the motion to reconsider be laid on the table.  
 Which motion prevailed.

**MOTION**

Senator Thane moved that Senate Bill No. 2002 be reprinted not to exceed 300 copies, which motion prevailed.  
 Senator Kautzmann moved that Senate Bill No. 2222 be reprinted not to exceed 300 copies, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2231. A Bill for an Act to amend and reenact section 52-04-11 of the North Dakota Century Code, relating to interest and penalties for failure to pay contributions and file reports for unemployment compensation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 586), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAAEDEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT	•		• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.  
 Senator Nething moved that the vote by which Senate Bill No. 2231 was passed, be reconsidered and the motion to reconsider be laid on the table.  
 Which motion prevailed.

Senate Bill No. 2233. 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 nonresident exemptions and providing for an exemption for the sale of clothing to residents of Minnesota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 586 and 587), the roll was called and there were ayes, 22; nays, 28; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAAEDEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		

● CHRISTENSEN, L #3	KAUTZMANN ●	PYLE ●	STRAND ●
● CONLIN	LARSON ●	RAIT ●	STRINDEN ●
● ERDMAN	LASHKOWITZ ●	REDLIN ●	STROUP ●
● FREED	LEF ●	REITEN ●	THANE ●
● FRITZELL	LIPS ●	RINGSAK ●	TWETEN ●
● GOODMAN	LONGMIRE ●	SANDS ●	VOSPER ●
● GRONHOVD	MAHER ●	SANDNESS ●	WALSH ●
● HOFFNER	MELLAND ●	SCHULTZ, C #14	WENSTROM ●
● HOLLAND	MORGAN ●	SCHULTZ, J #37	● WRIGHT
● HOMUTH	MUTCH ●	● SCHUSTER	MR. PRESIDENT

So the bill was declared lost.

Senator Nething moved that the vote by which Senate Bill No. 2233 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Bill No. 2236.** A Bill for an Act to amend and reenact subdivision e of subsection 15 of section 52-01-01 of the North Dakota Century Code, relating to an exclusion from the definition of "Employment" of services performed by a child in the employ of his father or mother for unemployment compensation purposes.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE ●			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND ●		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEF			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

Senator Nething moved that the vote by which Senate Bill No. 2236 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Bill No. 2238.** A Bill for an Act to amend and reenact section 52-04-05, subsection 1 of section 52-04-06, and subsection 3 of section 52-04-06 of the North Dakota Century Code, relating to the standard rate of contributions, to variations in the rate of contributions and the rate of contributions of deficit accounts, for unemployment compensation, to repeal subsection 4 of section 52-04-06 of the North Dakota Century Code, relating to the unemployment compensation rate of an employer with a variable payroll, to amend and reenact subsection 2 of section 52-05-03 of the North Dakota Century Code, relating to the unemployment compensation contributions rate for voluntary coverage, to amend and reenact subdivision b of subsection 1 of section 52-06-04 of the North Dakota Century Code, relating to schedule of unemployment compensation benefits.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE ●			● JACOBSON			● NASSET			● SMYKOWSKI		



● CHRISTENSEN, H #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HGLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2238 was passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

#### MOTION

Senator Wenstrom moved that the Senate reconsider the action by which Senate Bill No. 2235 lost, which motion lost.

#### PERSONAL PRIVILEGE

Senator Tweten: Mr. President, I rise on a point of personal privilege.

The Senator who made the motion alerted to the fact that the bill that we just finally laid to rest, hopefully finally, was from a study and I quickly looked through my book and I think that the gentleman was in error. I can not find any reference to that study in this billbook. The legislative council handbook that was passed out to us before we came down here and I do not think that that bill came from there, but it came from a department of the State or Federal government whichever you want to term the department of the Employment Security Bureau and I have drafted and am having drafted a rule change which will deny the right of a department to introduce bills into our body here without any senator even knowing the content of the bill then to have the title so deceptive as to not alert a single individual to the real content of that bill and that is what that title of that bill did, and if you want to read the title and you want to look at the sponsor, you will know that I am telling the truth.

Senator Wenstrom:

Mr. President, I am totally in error. I glanced at the bill and I automatically took it to be a Legislative Council bill and I do wish to offer my apologies to the Senate. I was in error in that statement. However, that does not prohibit me as being on the winning side as when this bill was considered yesterday to move to reconsider and I do apologize for that one statement that I did make and said that this bill was a bill as a result of a Legislative Council study.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2262. A Bill for an Act to amend and reenact sections 25-04-04, 25-04-05, 25-09-02, 25-09-02.2, 25-09-03, 25-09-04, 25-09-05, 25-09-06, 25-09-07, 25-09-08, 25-09-09, and subsection 2 of section 25-09-10 of the North Dakota Century Code, to delete provisions for the charging of expenses for care and treatment of patients of the Grafton state school against the patients, their responsible relatives, or their guardians or estates; and to repeal sections 25-09-03.1 and 25-09-04.1 of the North Dakota Century Code, relating to claims against estates of resident responsible relatives and the liability of nonresident patients and responsible relatives of patients of the Grafton state school.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 18; nays, 32; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			●	●	●	●	●	●	●	●	●
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	●
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	●
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	●
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND	●
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	●
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	●
●	FREED		●	LEE		●	REITEN		●	THANE	●
●	FRITZELL		●	LIPS		●	RINGSACK		●	TWETEN	●
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	●
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	●
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14	●	●	WENSTROM	●
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #37		●	WRIGHT	●
●	HOMUTH		●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	●

So the bill was declared lost.

Senator Nething moved that the vote by which Senate Bill No. 2262 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2275. A Bill for an Act to provide for the creation of a commission on judicial qualifications for the discipline, removal, and retirement of judges; to amend and reenact section 44-11-01 of the North Dakota Century Code, relating to the removal of certain officers by the governor; providing penalties; and providing an appropriation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 541 & 542), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	●
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	●
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	●
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND	●
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	●
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	●
●	FREED		●	LEE		●	REITEN		●	THANE	●
●	FRITZELL		●	LIPS		●	RINGSACK		●	TWETEN	●
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	●
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	●
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	●
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #37		●	WRIGHT	●
●	HOMUTH		●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	●

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2275 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MOTION

Senator Longmire moved that Senate Bill No. 2275 be reprinted not to exceed 300 copies, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2286. A Bill for an Act to provide an appropriation for the construction of a new administration building at the Grafton state school.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 10; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN	•	
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE	•		• REITEN			• THANE		
• FRITZELL	•		• LIPS		•	• RINGSAK			• TWETEN		•
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND	•		• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND	•		• MORGAN			• SCHULTZ, J. #32	•		• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2286 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2289. A Bill for an Act to provide compensation for victims of violent crimes; for the administration of the Act by the workmen's compensation bureau; providing a penalty, and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 542-549) the roll was called and there were ayes, 38; nays, 12; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		•	• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN	•	
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE	•		• REITEN			• THANE		
• FRITZELL			• LIPS		•	• RINGSAK			• TWETEN		
• GOODMAN	•		• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND	•		• SCHULTZ, C. #14	•		• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32	•		• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2289 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2304. A Bill for an Act to provide a North Dakota no-fault motor vehicle reparations Act, to provide for basic required insurance, and to provide for the administration of this Act.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 587 & 588), the roll was called and there were ayes, 42; nays, 9; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES		•	• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		

● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.  
 Senator Nething moved that the vote by which Senate Bill No. 2304 was passed be reconsidered and the motion to reconsider be laid on the table.  
 Which motion prevailed.

MOTION

Senator Nething moved that Senate Bills Nos. 2289 and 2304 be reprinted not to exceed 300 copies, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2368. A Bill for an Act to provide for registration as a lobbyist; to provide for the reporting of income and expenses of lobbyists; to provide for a penalty; and to repeal chapter 54-05 of the North Dakota Century Code, relating to legislative lobbying.

Which has been read.

Senator Smykowski moved that Senate Bill No. 2368 be amended as follows:

On page 1, line 19 insert the following new language after the word "person": "except a legislator or a private citizen appearing on his own behalf and except employees of the state or its political subdivisions.

On page 1, line 19 insert a comma after the word "who"

Renumber the lines and pages accordingly.

Senator Smykowski moved that the amendments be adopted, which motion prevailed.

Senator Smykowski moved that the rules be suspended, that Senate Bill No. 2368 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

Senate Bill No. 2368. A Bill for an Act to provide for registration as a lobbyist; to provide for the reporting of income and expenses of lobbyists; to provide for a penalty; and to repeal chapter 54-05 of the North Dakota Century Code, relating to legislative lobbying.

Was read the second time.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 549 & 550), the roll was called and there were ayes, 28; nays, 23; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAAOEN	●		● SHABLOW		●
● BERUBE		●	● JACOBSON	●		● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING	●		● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN	●		● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STROUP		●
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● THANE		●
● FREED		●	● LEE			● REITEN			● TWETEN		●
● FRITZELL			● LIPS			● RINGSACK			● VOSPER		●
● GOODMAN		●	● LONGMIRE	●		● SANDS			● WALSH		●
● GRONHOVD			● MAHER			● SANDNESS			● WENSTROM		●
● HOFFNER			● MELLAND	●		● SCHULTZ, C. #14			● WRIGHT		●
● HOLAND			● MORGAN	●		● SCHULTZ, J. #37			MR. PRESIDENT		
● HOMUTH			● MUTCH	●		● SCHUSTER					

So the bill passed and the title was agreed to.  
 Senator Nething moved that the vote by which Senate Bill No. 2368 was passed be reconsidered and the motion to reconsider be laid on the table.  
 Which motion prevailed.



Senator Nething moved that all those Senators having a conflict of interest on this bill be permitted to vote, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 14; nays, 36; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5	●		● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN	●		● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED	●		● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN	●		● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill lost.

Senator Nething moved that the vote by which Senate Bill No. 2380 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2389. A Bill for an Act to create and enact a new section to chapter 40-01 of the North Dakota Century Code, relating to summary removal of members of a city appointive agency, board, or commission acting in an advisory or policy decisionmaking capacity.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ pages 589 and 590), the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN	●		● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2389 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2391. A Bill for an Act to provide for the sharing of state income and sales tax revenues with county and municipal governments.

Which has been read.

Senator Goodman moved that Senate Bill No. 2391 be amended as follows:

On page 1, line 15 of the engrossed bill, delete the word "two" and insert in lieu thereof the word "one"

Senator Goodman moved that the amendments be adopted, which motion failed.

Senator Goodman moved that, Senate Bill No. 2391 be amended as follows: On page 1, line 17 of the engrossed bill, delete the word "one" and insert in lieu thereof the word "two"

Senator Goodman moved that the amendments be adopted, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Bill No. 2391 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2391. A Bill for an Act to provide for the sharing of state income and sales tax revenues with county and municipal governments. 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, 36; nays, 15; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER	•		• NAADEN	•		• SHABLOW		
• BERUBE			• JACOBSON	•		• NASSET	•		• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES	•		• NETHING	•		• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN	•		• PYLE	•		• STRAND		
• CONLIN			• LARSON	•		• RAIT	•		• STRINDEN	•	
• ERDMAN			• LASHKOWITZ	•		• REDLIN	•		• STROUP	•	
• FREED	•		• LEE	•		• REITEN	•		• THANE	•	
• FRITZELL			• LIPS	•		• RINGSAK	•		• TWETEN	•	
• GOODMAN			• LONGMIRE	•		• SANDS	•		• VOSPER	•	
• GRONHOVD			• MAHER	•		• SANDNESS	•		• WALSH	•	
• HOFFNER			• MELLAND	•		• SCHULTZ, C #14	•		• WENSTROM	•	
• HOLAND			• MORGAN	•		• SCHULTZ, J #37	•		• WRIGHT	•	
• HOMUTH			• MUTCH	•		• SCHUSTER	•		• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2391 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2392. A Bill for an Act to create and enact section 40-57-21 of the North Dakota Century Code, to provide an alternative form of procedures and transactions in order to accomplish the financing of projects which need not be owned by municipalities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER	•		• NAADEN	•		• SHABLOW		
• BERUBE			• JACOBSON	•		• NASSET	•		• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES	•		• NETHING	•		• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN	•		• PYLE	•		• STRAND		
• CONLIN			• LARSON	•		• RAIT	•		• STRINDEN	•	
• ERDMAN			• LASHKOWITZ	•		• REDLIN	•		• STROUP	•	
• FREED			• LEE	•		• REITEN	•		• THANE	•	
• FRITZELL	•		• LIPS	•		• RINGSAK	•		• TWETEN	•	
• GOODMAN			• LONGMIRE	•		• SANDS	•		• VOSPER	•	
• GRONHOVD			• MAHER	•		• SANDNESS	•		• WALSH	•	
• HOFFNER			• MELLAND	•		• SCHULTZ, C #14	•		• WENSTROM	•	
• HOLAND			• MORGAN	•		• SCHULTZ, J #37	•		• WRIGHT	•	
• HOMUTH			• MUTCH	•		• SCHUSTER	•		• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2392 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2395. A Bill for an Act to create and enact a new section to chapter 40-47 of the North Dakota Century Code, relating to the authority of a city to enact zoning regulations; and to amend and reenact sections 11-33-20 and 40-48-18 of the North Dakota Century Code, relating to the authority of a county to enact zoning regulations within certain limits and the authority of a city to enact subdivision regulations.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ pages 590 and 591), the roll was called and there were ayes, 38; nays, 13; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	ISZLER		●	NAADEN		●		SHABLOW
		●		JACOBSON	●	●	NASSET				SMYKOWSKI
●			●	JONES		●	NETHING	●			SOLBERG
●			●	KAUTZMANN		●	PYLE		●		STRAND
●			●	LARSON	●	●	RAIT		●		STRINDEN
●			●	LASHKOWITZ		●	REDLIN		●		STROUP
●			●	LEE		●	REITEN				THANE
●			●	LIPS		●	RINGSAK	●			TWETEN
●			●	LONGMIRE	●	●	SANDS		●		VOSPER
●			●	MAHER		●	SANDNESS		●		WALSH
●			●	MELLAND		●	SCHULTZ, C. #14		●		WENSTROM
●			●	MORGAN	●	●	SCHULTZ, J. #32		●		WRIGHT
●			●	MUTCH	●	●	SCHUSTER				MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2395 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2398. A Bill for an Act to amend and reenact sections 6-09.2-01, 6-09.2-02, subsections 2, 4, and 6 of section 6-09.2-03, subsections 1, 3, 4, and 6 of section 6-09.2-04, section 6-09.2-05, subsection 1 of section 6-09.2-06, and the initial language of section 6-09.2-07 of the North Dakota Century Code, relating to an agricultural development mortgage insurance program in 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, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●		SHABLOW
●			●	JACOBSON		●	NASSET		●		SMYKOWSKI
●			●	JONES		●	NETHING	●			SOLBERG
●			●	KAUTZMANN		●	PYLE		●		STRAND
●			●	LARSON	●	●	RAIT		●		STRINDEN
●			●	LASHKOWITZ		●	REDLIN		●		STROUP
●			●	LEE	●	●	REITEN		●		THANE
●			●	LIPS		●	RINGSAK	●			TWETEN
●			●	LONGMIRE		●	SANDS		●		VOSPER
●			●	MAHER		●	SANDNESS		●		WALSH
●			●	MELLAND		●	SCHULTZ, C. #14		●		WENSTROM
●			●	MORGAN	●	●	SCHULTZ, J. #32		●		WRIGHT
●			●	MUTCH	●	●	SCHUSTER				MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2398 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.





So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2415 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2428. A Bill for an Act to create and enact a new section to chapter 61-16 and a new section to chapter 61-21 of the North Dakota Century Code, relating to the authority of a water management district board and a board of drainage commissioners to cause a non-complying drain to be closed; to amend and reenact section 61-01-22 of the North Dakota Century Code, relating to acquiring a drainage permit; and to repeal subsection 3 of section 61-21-39 of the North Dakota Century Code, relating to the authority of a board of drainage commissioners to close a non-complying drain; and to provide a penalty.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 551), the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	
●	FREED		●	LEE		●	REITEN		●	THANE	●
●	FRITZELL		●	LIPS		●	RINGSAK	●	●	TWETEN	●
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #37		●	WRIGHT	
●	HOMUTH		●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2428 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2429. A Bill for an Act to provide for the formation of hospital districts, to authorize counties to levy taxes for the support and maintenance of the hospital districts, and declaring an emergency.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH	●	●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	●
●	FREED		●	LEE		●	REITEN		●	THANE	
●	FRITZELL	●	●	LIPS		●	RINGSAK		●	TWETEN	●
●	GOODMAN	●	●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD		●	MAHER	●	●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #37	●	●	WRIGHT	
●	HOMUTH		●	MUTCH	●	●	SCHUSTER		●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2429 was



So the bill passed and the title was agreed to.  
 Senator Nething moved that the vote by which Senate Bill No. 2449 was passed, be reconsidered and the motion to reconsider be laid on the table.  
 Which motion prevailed.

#### MOTION

Senator Nething moved that Senate Bills Nos. 2001, 2095, 2097, 2307, 2313, 2435 and 2479 be deemed properly engrossed, and placed on the calendar, which motion prevailed.

Senator Nething moved that Senate Bills Nos. 2360 and 2364 be deemed properly re-engrossed, and placed on the calendar, which motion prevailed.

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1001  
 House Bill No. 1004  
 House Bill No. 1005  
 House Bill No. 1008  
 House Bill No. 1010  
 House Bill No. 1015  
 House Bill No. 1062  
 House Bill No. 1075  
 House Bill No. 1077  
 House Bill No. 1102  
 House Bill No. 1103  
 House Bill No. 1113  
 House Bill No. 1255  
 House Bill No. 1266  
 House Bill No. 1305  
 House Bill No. 1348  
 House Bill No. 1403  
 House Bill No. 1409  
 House Bill No. 1413  
 House Bill No. 1430

ROY GILBREATH, Chief Clerk

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1002.** A Bill for an Act making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1013.** A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1022.** A Bill for an Act to create and enact section 15-40.1-16.1 of the North Dakota Century Code, relating to transportation aid for cooperative vocational education programs; and to amend and reenact sections 15-40.1-16 and 15-40.1-17 of the North Dakota Century Code, to provide transportation aid to school districts for transporting pupils.

Which was read the first time and referred to the Committee on Education.

**House Bill No. 1060.** A Bill for an Act to create and enact section 2-07-01.1, subsections 8 and 9 of section 2-07-02, sections 2-07-02.1, 2-07-02.2, 2-07-02.3, 2-07-02.4, 2-07-02.5, 2-07-03.1, 2-07-03.2, 2-07-03.3, 2-07-03.4, 2-07-04.1, 2-07-04.2, 2-07-04.3, 2-07-05.1, 2-07-05.2, 2-07-06.8, 2-07-09.1, 2-07-10.1, and 2-07-11.1, of the North Dakota Century Code, relating to a state policy on weather modification; definitions; a state weather modification board; issuance, revocation, suspension, and modification of licenses and permits required for weather modification operations; operating districts and committees; creation of weather modification authorities; liability of controllers; state matching funds; to amend and reenact section 2-07-01, subsection 7 of section 2-07-02, sections 2-07-03, 2-07-04, 2-07-05, subsection 3 of section 2-07-06.1, sections 2-07-06.3, 2-07-08, 2-07-09, 2-07-10, 2-07-11, and 2-07-13 of the North Dakota Century Code, relating to definitions; licenses for weather modification operations; duties of the state aeronautics commission; the creation of county weather modification authorities; financing of county and state weather modification operations; to provide for an appropriations; to provide a penalty; and to provide an effective date.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1239.** A Bill for an Act to amend and reenact subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for corporations; and to provide an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1323.** 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 counties and cities.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1364.** A Bill for an Act to amend and reenact sections 4-30-18 and 64-02-13 of the North Dakota Century Code, relating to the transfer of responsibility for inspection and testing of farm milk tank equipment from the department of weights and measures of the public service commission to the state dairy department.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1388.** A Bill for an Act to create and enact a new section to chapter 40-61 of the North Dakota Century Code, relating to the termination of a municipal parking authority.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1411.** A Bill for an Act to create and enact a new subsection to section 54-12-01 of the North Dakota Century Code, relating to the prosecutorial duties of the attorney general.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1469.** A Bill for an Act to create and enact a new section to chapter 10-21 of the North Dakota Century Code, relating to involuntary dissolution of a corporation by the secretary of state; to amend and reenact sections 10-21-13 and 10-21-14 of the North Dakota Century Code, relating to involuntary dissolution of a corporation by court decree in an action filed by the attorney general and to notifying the attorney general of all corporations which failed to file annual reports; and to repeal

section 10-23-03.1 of the North Dakota Century Code, relating to corporations that fail to file annual reports.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1475.** A Bill for an Act to provide for the licensing of food vending machines and the revocation of such licenses by the state laboratories department, to provide for the promulgation of rules and regulations, and to provide for the inspection of vending machines.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1492.** A Bill for an Act to authorize the designation of areas for smoking or nonsmoking of tobacco products in publicly owned buildings, and to provide a penalty.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1495.** A Bill for an Act to create and enact a new section to chapter 40-11 and a new section to chapter 58-03 of the North Dakota Century Code, relating to sale of real property by municipalities and townships; and to amend and reenact section 40-11-04 of the North Dakota Century Code, relating to a municipal ordinance required for transferring property.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1509.** A Bill for an Act to amend and reenact section 24-08-10 of the North Dakota Century Code, relating to allowing counties or municipalities to assist in constructing bridges.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1526.** A Bill for an Act to amend and reenact subdivision i of subsection 1 of section 57-38-01.2 and subdivision g of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to the limitation of the amount of dividends received by a taxpayer that will be exempt from North Dakota income tax; and providing for an effective date.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1532.** A Bill for an Act to create and enact section 23-18-1-01 of the North Dakota Century Code, relating to the authorization to establish tax-supported county clinic associations; and to amend and reenact sections 23-18-02, 23-18-04, 23-18-05, 23-18-06, 23-18-07, and 23-18-08 of the North Dakota Century Code, relating to the form of ballot used to authorize a county hospital association, the handling of the tax revenue of the mill levy for a county hospital association, the disbursement of county hospital association funds, authorization of receipt of donations for such association, the sale or disposal of the hospital building of the hospital association, and the limitation on the number of county hospital associations organized under chapter 23-18, and providing for an emergency.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1578.** A Bill for an Act to provide for the creation of municipal steam heating authorities.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1597.** A Bill for an Act to amend and reenact section 57-23-02 of the North Dakota Century Code, relating to publication of notice of equalization meetings; and to repeal sections 51-05-01, 51-05-02, 51-05-03,

51-05-04, 57-02-42, 57-02-43, 57-02-44, 57-02-45, 57-02-46, and 57-02-49 of the North Dakota Century Code, relating to notice to county treasurer of personal property sold at public auction, to exemption of personal property in transit.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1609.** A Bill for an Act to provide that individuals, estates, and trusts shall not be required to restore to income for state income tax purposes any refund of their 1974 federal income tax liability that the Congress of the United States may authorize for stimulating the economy of the nation.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution No. 3036.** A concurrent resolution urging Congress to enact legislation authorizing payment in lieu of taxes to counties in which lands are acquired for the Garrison Diversion Unit.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Concurrent Resolution No. 3042.** A concurrent resolution urging Congress to provide full funding for the school lunch program.

Which was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution No. 3044.** A concurrent resolution urging Congress to enact legislation which would provide for taxation of certain federal properties within the states at the same rate which such lands would be taxed if those lands were owned by private citizens.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Concurrent Resolution No. 3046.** A concurrent resolution urging the United States Postal Service to change its instructions for rural route extensions so that all rural homes receive mail at the end of their driveways.

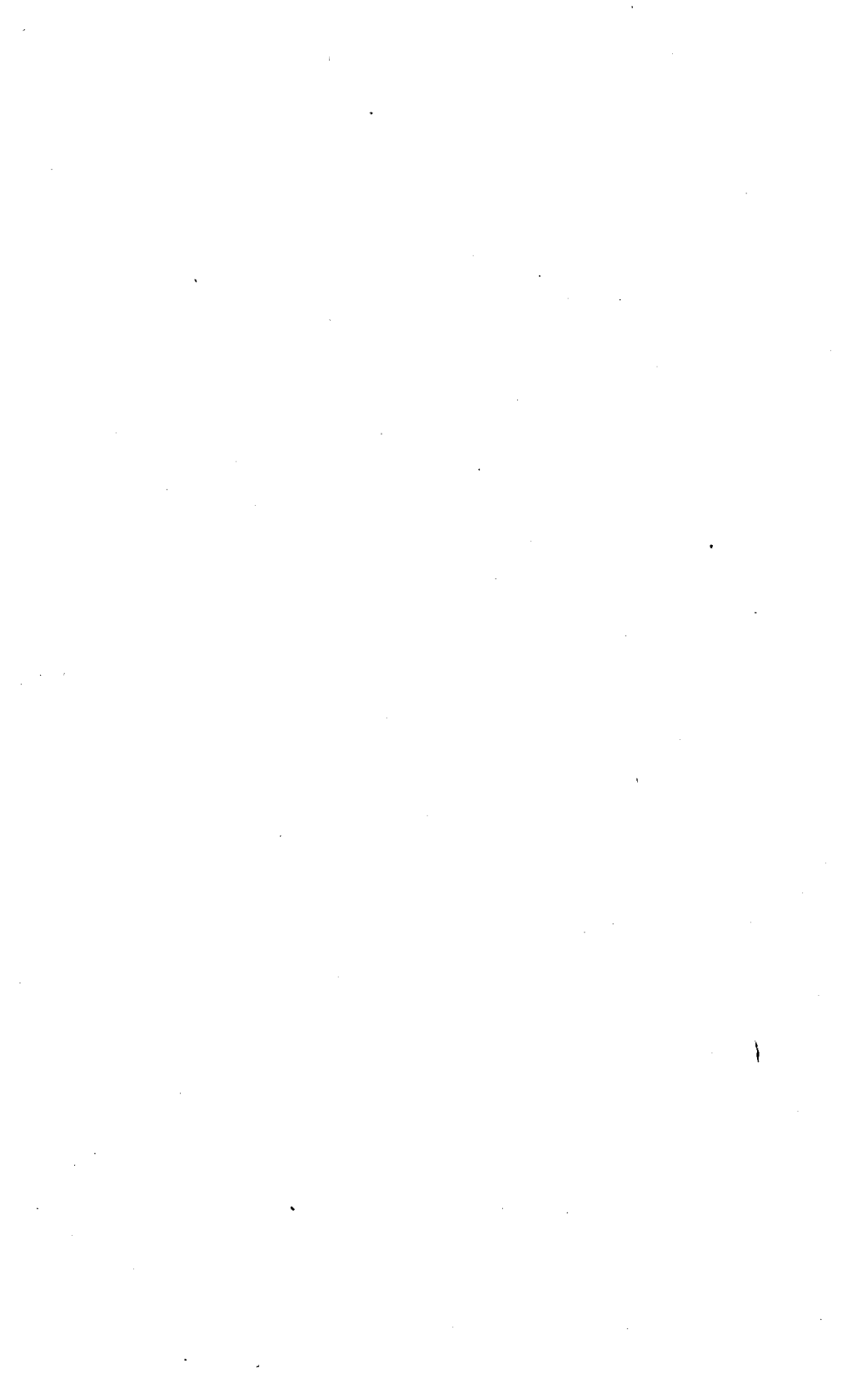
Which was read the first time and referred to the Committee on Agriculture.

**House Concurrent Resolution No. 3053.** A concurrent resolution urging Congress to raise the national speed limit to 65 miles per hour.

Which was read the first time and referred to the Committee on Transportation.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business that the Senate recess until 9:00 A.M., February 22, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





THIRTY-THIRD DAY AFTER RECESS

The Senate convened at 9:00 A.M., pursuant to recess taken, President Pro-Tempore Melland presiding.

MESSAGE FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

- House Bill No. 1397
- House Bill No. 1443
- House Bill No. 1484
- House Bill No. 1497
- House Bill No. 1506
- House Bill No. 1514
- House Bill No. 1517
- House Bill No. 1518
- House Bill No. 1528
- House Bill No. 1530
- House Bill No. 1534
- House Bill No. 1539
- House Bill No. 1541
- House Bill No. 1549
- House Bill No. 1587
- House Bill No. 1602

- House Concurrent Resolution No. 3039
- House Concurrent Resolution No. 3040
- House Concurrent Resolution No. 3050
- House Concurrent Resolution No. 3056

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

Senate Bill No. 2001. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the State of North Dakota.

Which has been read.

Senate Sands moved that the question be divided on Senate Bill No. 2001, which motion prevailed.

ROLL CALL

The question being on the final passage of subdivision 1 of Senate Bill No. 2001, the roll was called and there were 36 ayes; 14 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	BARTH			ISZLER	•		NAADEN	•	•	SHABLOW	

● BERUBE	● JACOBSON	● NASSET	● SMYKOWSKI
● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAM	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So Subdivision 1 of Senate Bill No. 2001 was passed.

**PERSONAL PRIVILEGE**

Senator Lashkowitz: Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal.

"I have nothing but total respect for my distinguished colleagues from the 7th District's request for information. I welcome information. But I would like to note that last week I submitted three proposed rule changes to this body which will be duly considered I understand the first of next week and I think that until we have these rule changes we have a committee system which is institutionalized here and must be respected and I would perhaps add that I will be requesting that a bill of this magnitude involving expenditures that perhaps a rule be considered requiring that there be a filing of a minority report so that we can make a proper evaluation on the facts. I would think that it would be incumbent upon ourselves to make some of these rule changes so that we can information before us of a factual nature. I can assure you that unless I'm sure of anything of a factual nature that I will support the proposed budgets for the constitutional officers of this state as recommended by the Appropriations Committee."

**PERSONAL PRIVILEGE**

Senator Lee: Mr. President, I rise on a point of personal privilege.

Mr. President, members of the Senate, I don't like to be picky and I don't like to be negative. I am going to have to vote against this bill because the people in my district are very much opposed to the increases that we are giving in government. I come from a district that has a lot of beef producers, a lot of milk producers, a lot of retired people. And these people are all taxpayers and they're very upset and very unhappy that we are continually raising costs of government with the declining population in the state. So this is my position. I wish that I could explain it to them. If I could I maybe could vote yes.

Senator Hoffner moved that the question be divided on Senate Bill No. 2001, which motion prevailed.

**ROLL CALL**

The question being on the final passage of Subdivision 8 of Senate Bill No. 2001, the roll was called and there were 42 ayes; 8 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE		●	● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

So Subdivision 8 of Senate Bill No. 2001 was passed.

Senator Strinden moved that the question be divided on Senate Bill No. 2001, which motion prevailed.

**ROLL CALL**

The question being on the final passage of Subdivision 9 of Senate Bill No. 2001, the roll was called and there were 37 ayes; 13 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So Subdivision 9 of Senate Bill No. 2001 was passed.

Senator Strinden moved that the question be divided on Senate Bill No. 2001, which motion prevailed.

**ROLL CALL**

The question being on the final passage of Subdivision 10 of Senate Bill No. 2001, the roll was called and there were 38 ayes; 12 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So Subdivision 10 of Senate Bill No. 2001 was passed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 643-646) except Subdivisions 1, 8, 9 and 10, the roll was called and there were ayes, 39; nays, 11; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2001 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

#### PERSONAL PRIVILEGES

Senator C. Schultz: Mr. President, members of the Senate, now that we have disposed of this little rascal, maybe I'm speaking for myself, but for the benefit of the members that are not on the Appropriations Committee I realize it gets rather confusing on these budgets. But everyone that has ever asked me for any information, breakdown on anything, I have most gladly given them. But I will say this, that I have probably had more requests for information from people that are not in the Senate chamber, from the public than I have from anyone in this chamber. Speaking for myself, if you ask me ahead of time on any of these budgets I most certainly will dig the information out for you and I am sure the other Senators would also. It's almost an impossibility to stand up here and give you a breakdown on every department as to salaries. So keep that consideration. We've got some "biggies" if you'll excuse the expression, coming over from the other side if you think these are big. If you want some information on salaries and who gets paid what, come on down. If none of the other twelve guys will give you the information, I will.

Senator Lips: I rise on a point of personal privilege. I second the Senator's motion from the 14th District. No I know you didn't but your information that you furnished the Senate. You're welcome down there anytime you want to come down there and if you want to know anything about a budget you come down and ask. We'll give you all the information that we're furnished.

Senator Lashkowitz: Mr. President, in testifying my vote on this important measure ladies and gentlemen, it's my personal philosophy that we often times get what we pay for. This country is going through a wrecking experience in which we have lost a lot of confidence in public officials. I think that we must elevate the level of government by attracting the most competent qualified men and women to the public service. You can only do this sometimes by adequately and fully compensating them so that their duties can be discharged without the intrusion of any external influences. And therefore I think it is in the public interest that 2001 be supported by this body.

Senator Nething: Mr. President, a point of personal privilege. Mr. President, ladies and gentlemen of the Senate, in response to the good Senator from the 21st District it wasn't the fact that we are not paying those people enough money. Lord knows when you look at the money that those people that were involved were getting paid you can't say money does it. It's integrity that gets the job done and perhaps if those people worked for the same five dollars a day that this body does and the House does, integrity is going to shine way away above of what salaries will.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2095. A Bill for an Act to amend and reenact sections 38-14-01, 38-14-02, 38-14-03, 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-07, and 38-14-12 of the North Dakota Century Code, relating to policy, definitions, licensing of mining operations, notice of intention to mine, duties of the operator, limitations in granting permits, bond of the operator, providing an appropriation, and providing a penalty.

Which has been read.

Senator Shablow moved that Senate Bill No. 2095 be amended as follows:

On page 11, line 17 delete the triple parentheses around the word "two and delete the word "five"

On page 11, line 18, delete the triple parentheses around the word "two" and delete the word "five"

Senator Shablow moved that the amendments be adopted, which motion failed.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 646), the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #9			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROHNHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2095 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### PERSONAL PRIVILEGE

Senator Shablow: Mr. President, on my amendment I realized as soon as the lady Senator from the 18th District got up that I was whipped because she's got you scared. I'll have you know that the sweater she's wearing is a trophy that she won honestly and fairly by beating a bunch of men and so I was a little leary when she got up.

### MOTIONS

Senator Lips moved that Senate Bill No. 2001 be reprinted not to exceed 300 copies, which motion prevailed.

Senator Nething moved that Senate Bill No. 2095 be reprinted not to exceed 300 copies, which motion prevailed.

Senator Nething moved that Senate Bill No. 2467 be placed behind Senate Bill No. 2097 on the calendar, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 2097.** A Bill for an Act to create and enact chapter 54-55 and sections 4-19-01.1, 4-19-01.2, 20.1-02-03.1, 38-14-02.1, 53-07-01.1, 55-08-03.1, subsections 6 and 7 of section 61-02-02, sections 61-02-02.1, 61-02-76, 61-02-77, 61-02-78, and 61-03-04.1 of the North Dakota Century Code, establishing a department of natural resources; providing for the duties and authority of the commissioner of natural resources, and the department's operation, personnel, powers and duties; establishing divisions of such department with existing agencies; substituting the commissioner of natural resources for the state forester, the state game and fish commissioner, the reclamation division of the public service commission, the state outdoor recreation agency, the director of the state park service, the state engineer, and the state water conservation commission; creating a water management advisory board and providing for meetings, duties, and compensation of the board; to amend



Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 481), the roll was called and there were ayes, 37; nays, 14; absent and not voting, 0.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		●	●	ISZLER			●	NAADEN			●	SHABLOW
		●	●	JACOBSON			●	NASSET			●	SMYKOWSKI
●			●	JONES			●	NETHING			●	SOLBERG
●		●	●	KAUTZMANN			●	PYLE			●	STRAND
●		●	●	LARSON			●	RAIT		●	●	STRINDEN
●		●	●	LASHKOWITZ			●	REDLIN			●	STROUP
●		●	●	LEE			●	REITEN			●	THANE
●		●	●	LIPS			●	RINGSAK			●	TWETEN
●		●	●	LONGMIRE			●	SANDS			●	VOSPER
●		●	●	MAHER		●	●	SANDNESS			●	WALSH
●		●	●	MELLAND			●	SCHULTZ, C. #14			●	WENSTROM
●		●	●	MORGAN			●	SCHULTZ, J. #32			●	WRIGHT
●		●	●	MUTCH		●	●	SCHUSTER			●	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2467 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2307. A Bill for an Act to amend and reenact section 23-01-10 of the North Dakota Century Code, relating to the location of the state department of health.

Which has been read.

Senator Nething moved that Senate Bill No. 2307 be amended as follows:

On line 12, after the words "Grand Forks" add the words "or Jamestown"

On line 15, after the words "Grand Forks" add the words "or Jamestown"

Senator Lashkowitz moved to amend the amendments as follows:

On line 12, after the words "Grand Forks" delete the word "or"

On line 12, following the word "Jamestown" insert, "Fargo" and West Fargo"

On line 15, after the words "Grand Forks," delete the word "or"

On line 15, following the word "Jamestown" insert, "Fargo and West Fargo"

Senator Lashkowitz moved that the amendments to the amendment be adopted, which motion failed.

Senator Nething moved that the amendments to Senate Bill No. 2307 be adopted, which motion failed.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 647), the roll was called and there were ayes, 16; nays, 34; absent and not voting, 1.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		●	●	ISZLER			●	NAADEN			●	SHABLOW
		●	●	JACOBSON			●	NASSET			●	SMYKOWSKI
●			●	JONES			●	NETHING			●	SOLBERG
●		●	●	KAUTZMANN			●	PYLE			●	STRAND
●		●	●	LARSON			●	RAIT		●	●	STRINDEN
●		●	●	LASHKOWITZ			●	REDLIN			●	STROUP
●		●	●	LEE			●	REITEN			●	THANE
●		●	●	LIPS			●	RINGSAK			●	TWETEN
●		●	●	LONGMIRE			●	SANDS			●	VOSPER

GRONHOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

So the bill was declared lost.

Senator Nething moved that the vote by which Senate Bill No. 2307 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Bill No. 2313.** A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts, and to repeal section 27-02-02.1 relating to additional compensation for the supreme and district court judges.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 647) the roll was called and there were yeas, 28; nays 22; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			ISZLER	●		NAADEN	●		●		SHABLOW
●			JACOBSON	●		NASSET	●		●		SMYKOWSKI
●			JONES	●		NETHING	●		●		SOLBERG
●			KAUTZMANN	●		PYLE	●		●		STRAND
●			LARSON	●		RAIT	●		●		STRINDEN
●			LASHKOWITZ	●		REDLIN	●		●		STROUP
●			LEE	●		REITEN	●		●		THANE
●			LIPS	●		RINGSACK	●		●		TWETEN
●			LONGMIRE	●		SANDS	●		●		VOSPER
●			MAHER	●		SANDNESS	●		●		WALSH
●			MELLAND	●		SCHULTZ, C. #14	●		●		WENSTROM
●			MORGAN	●		SCHULTZ, J. #32	●		●		WRIGHT
●			MUTCH	●		SCHUSTER	●		●		MR. PRESIDENT

So the bill lost for a lack of a constitutional majority.

Senator Freed moved that the Senate reconsider the action by which Senate Bill 2313 lost.

Which motion prevailed.

**Senate Bill No. 2313.** A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts, and to repeal section 27-02-02.1 relating to additional compensation for the supreme and district court judges.

Which has been read.

Senator Freed moved that Senate Bill No. 2313 be amended as follows:

“On page 1, line 15, after the triple parentheses delete the word “thirty-two” and insert in lieu thereof the word “thirty”.

On page 2, line 2, after the triple parentheses delete the word “thirty” and insert in lieu thereof the word “twenty-eight”.

Senator Freed moved that the amendments be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2313 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF SECOND BILLS

**Senate Bill No. 2313.** A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts, and to repeal section 27-02-02.1 relating to additional compensation for the supreme and district court judges.



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, 6; absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE		●	● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE		●	● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

Senator Nething moved that the vote by which Senate Bill No. 2313 was passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**PERSONAL PRIVILEGES**

Senator Longmire:

Mr. President: I certainly voted for some increases on the way we have this bill now, I can only speak for myself as one Senator of this body, however, but I feel ashamed that we have degraded in this vote here the judiciary of this state to the point that we feel that even the judges of the Supreme Court are not equal to any ever-elected state officials in this state, and this is the first vote that I leave this body in this session in which I am ashamed that we have not recognized one of the three main branches of our state and appreciate the sacrifices they make and yet are not willing to pay them as much as we are paying some of the people that have no qualifications whatsoever from the standpoint of the respective jobs that they are employed in. I feel ashamed that we have taken that action.

Senator Lashkowitz: I rise on a point of personal privilege.

I totally concur with the distinguished Senator from the 18th District and his comments. The judiciary is no party in character, it is regarded generally as being above politics in the partisan sense. Each one of us depends upon the judiciary for the protection of the way of life. I don't know of any bill that was before the Senate Committee on Judiciary that had a substantial and impressive array of witnesses as did the bill which we just considered. It has been my position throughout the entire discussion that we have a moral responsibility to make the judiciary as independent as possible and that their salaries should be at such a level that they need not be dependent on outside income and investments. It has been my philosophy and I don't intend to retreat from it the one slightest bit.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2360. A Bill for an Act to amend and reenact sections 11-10.1-01 and 11-10.1-05 of the North Dakota Century Code, relating to qualifications, duties and terms of office of county director of tax equalization and city assessor, and providing for a reimbursement to the counties for a portion of the salaries of the county directors of tax equalization, and for reimbursement to qualifying cities for a portion of the salaries of city assessors; and providing for an appropriation.



● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2364 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2435. A Bill for an Act to limit the number of persons employed by the state to the number of employee positions approved by the legislature, and to file quarterly reports.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 649) the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2435 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2451. A Bill for an Act to provide an appropriation to the North Dakota heritage commission for the construction of a heritage center.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 442 & 443) the roll was called and there were ayes, 35; nays, 15; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2451 was passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**PERSONAL PRIVILEGE**

Senator Lashkowitz: Mr. President, I rise on a point of personal privilege and request my remarks be printed in the Journal.

Senator Lashkowitz:

I would like to briefly explain my vote. I greatly respect the heritage of this great state and the efforts of those who are trying to build this undertaking, however, in view of the fact that some of the basic needs that we considered have not been funded, as some were mentioned, and in view of the fact that this budget is reaching very enormous proportions, I felt that my priorities required that I vote as I did vote. Thank you.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2453. A Bill for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09-15, 6-09.1-02, 6-09.1-03 and 54-17-11 of the North Dakota Century Code, to create an operations review board for the Bank of North Dakota and encourage deposits by banks in state.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 593 & 594) the roll was called and there were ayes, 41; nays, 8; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER	•		• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2453 was passed, be reconsidered and the motion be reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2455. A Bill for an Act to amend and reenact section 15-53.1-07 of the North Dakota Century Code, to require transportation services in territory annexed to school districts.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ page 594) the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		•
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		

• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J #37	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2455 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2464. A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to 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, (SJ page 594) the roll was called and there were ayes, 43; nays, 4; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE	•		• REITEN	•		• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLLAND			• MORGAN		•	• SCHULTZ, J #37			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2464 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2470. A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the annual salary of the county treasurer, register of deeds, county judge, and state's attorney. Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 595) the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE	•		• REITEN	•		• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J #37			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2470 was passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2471. A Bill for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to the attorney general drug control cash fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE	●		● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2471 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Bill No. 2479. A Bill for an Act regulating the offer, sale, and purchase of franchises; providing penalties; and providing an appropriation.

Which has been read.

Senator Longmire moved that Senate Bill No. 2479 be amended as follows:

On page 2, line 21 of the printed bill place beginning triple parentheses before the word "For"

On page 3, line 6, place ending triple parentheses after the period.

On page 3, line 7, place triple parentheses around "c."

Senator Longmire moved that the amendments be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2479 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2479. A Bill for an Act regulating the offer, sale, and purchase of franchises; providing penalties; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 650), the roll was called and there were ayes, 44; nays, 5; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2479 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2480. A Bill for an Act to amend and reenact section 15-10-19 of the North Dakota Century Code, relating to the definition of a nonresident student for tuition purposes.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 5; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●	● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●	● STRAND
● CONLIN			● LARSON	●		● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE	●		● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●	● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2480 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2496. A Bill for an Act to create and enact section 54-27-10.1 of the North Dakota Century Code, and to amend and reenact section 54-27-10 of the North Dakota Century Code, relating to the availability of appropriations.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 7; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●	● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE	●		● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●	● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2496 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Concurrent Resolution No. 4014.** A concurrent resolution for the amendment of section 45 of the Constitution of the state of North Dakota, relating to compensation of members of the Legislative Assembly and providing an independent commission to set legislative pay and compensation.

Which has been read.

### ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 36; nays, 14; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●	● NAADEN	●	● SHABLOW	●
● BERUBE			● JACOBSON		● NASSET		● SMYKOWSKI	●
● CHRISTENSEN, H. #5			● JONES	●	● NETHING	●	● SOLBERG	●
● CHRISTENSEN, L. #3			● KAUTZMANN	●	● PYLE	●	● STRAND	●
● CONLIN			● LARSON	●	● RAIT	●	● STRINDEN	●
● ERDMAN			● LASHKOWITZ	●	● REDLIN	●	● STROUP	●
● FREED			● LEE	●	● REITEN	●	● THANE	●
● FRITZELL			● LIPS	●	● RINGSAK	●	● TWETEN	●
● GOODMAN			● LONGMIRE	●	● SANDS	●	● VOSPER	●
● GRONHOVD			● MAHER	●	● SANDNESS	●	● WALSH	●
● HOFFNER			● MELLAND	●	● SCHULTZ, C. #14	●	● WENSTROM	●
● HOLLAND			● MORGAN	●	● SCHULTZ, J. #32	●	● WRIGHT	●
● HOMUTH			● MUTCH	●	● SCHUSTER	●	● MR. PRESIDENT	●

Senate Concurrent Resolution No. 4014 was adopted.

Senator Nething moved that the vote by which Senate Concurrent Resolution No. 4014 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Concurrent Resolution No. 4023.** A concurrent resolution for the amendment of sections 53 and 56, and the repeal of section 55, of the Constitution of the State of North Dakota, relating to commencement of the terms of office of legislators, and to the length and status of legislative sessions.

Which has been read.

### ROLL CALL

The question being on the final passage of the resolution, the roll was called and there were ayes, 21; nays, 29; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●	● NAADEN	●	● SHABLOW	●
● BERUBE			● JACOBSON		● NASSET		● SMYKOWSKI	●
● CHRISTENSEN, H. #5			● JONES	●	● NETHING	●	● SOLBERG	●
● CHRISTENSEN, L. #3			● KAUTZMANN	●	● PYLE	●	● STRAND	●
● CONLIN			● LARSON	●	● RAIT	●	● STRINDEN	●
● ERDMAN			● LASHKOWITZ	●	● REDLIN	●	● STROUP	●
● FREED			● LEE	●	● REITEN	●	● THANE	●
● FRITZELL			● LIPS	●	● RINGSAK	●	● TWETEN	●
● GOODMAN			● LONGMIRE	●	● SANDS	●	● VOSPER	●
● GRONHOVD			● MAHER	●	● SANDNESS	●	● WALSH	●
● HOFFNER			● MELLAND	●	● SCHULTZ, C. #14	●	● WENSTROM	●
● HOLLAND			● MORGAN	●	● SCHULTZ, J. #32	●	● WRIGHT	●
● HOMUTH			● MUTCH	●	● SCHUSTER	●	● MR. PRESIDENT	●

Senate Concurrent Resolution No. 4023 was lost.

**Senate Concurrent Resolution No. 4032.** A concurrent resolution urging the Congress to raise the support price of wheat to one hundred percent of parity.



Which has been read.

The question being on the final adoption of the resolution as amended (SJ page 482).

Senator Vosper moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4032 was adopted.

Senator Nething moved that the vote by which Senate Concurrent Resolution No. 4032 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Concurrent Resolution No. 4037.** A concurrent resolution expressing support of a bill in the United States House of Representatives which would repeal the National Occupational Safety and Health Act.

Which has been read.

The question being on the final adoption of the resolution as amended (SJ page 552).

Senator Mutch moved that the resolution be adopted, and Senate Concurrent Resolution No. 4037 was adopted.

Senator Nething moved that the vote by which Senate Concurrent Resolution No. 4037 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**Senate Concurrent Resolution No. 4038.** A concurrent resolution urging the Congress of the United States to exercise its power, granted under Section 2 of Article 3 of the United States Constitution, to limit the jurisdiction of the United States Supreme Court and to amend Section 242 of Title 18 of the United States Code to prevent deprivation of rights under color of law.

Which has been read.

The question being on the final adoption of the resolution.

Senator Naaden moved that the resolution be adopted, which motion failed, and Senate Concurrent Resolution No. 4038 was not adopted.

Senator Nething moved that the vote by which Senate Concurrent Resolution No. 4038 was adopted 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. 2001 passed, which motion failed.

#### PERSONAL PRIVILEGE.

Senator Ringsak:

Thank you very kindly, Mr. President. Mr. President, what the intent of the proposed amendments was simply this: in checking the bill 2001, I find that our attorney general will exceed the sum of \$34,000. Well, I know of no quarrel of anyone getting any increase, unvouchered or vouchered or what, but what we did this afternoon, we passed a bill for our Supreme Court of North Dakota, with a raise of \$2,000 from \$28,000 to \$30,000, and that's \$4,000 less than the Attorney General gets, and certainly the peers of our attorney general. The Attorney General, Mr. President and Ladies and Gentlemen of the Senate, works for you and I, and he makes opinions, but his opinions are not final and they are not binding and they will not affect anybody's lives or anything else, whereas the Supreme Court's opinion will. The amendment would have raised the district judges \$3,000 which would still leave them below the courts, I think that was wrong, too, but I felt that at least the Supreme Court should have gotten the same salary as our attorney general. That was my purpose. Thank you very kindly for your time.



• BERUBE	JACOBSON	• NASSET	SMYKOWSKI
• CHRISTENSEN, H. #5	JONES	• NETHING	SOLBERG
• CHRISTENSEN, L. #3	• KAUTZMANN	• PYLE	STRAND
• CONLIN	• LARSON	• RAIT	STRINDEN
• ERDMAN	• LASHKOWITZ	• REDLIN	STROUP
• FREED	LEE	• REITEN	THANE
FRITZELL	• LIPS	• RINGSAK	• TWETEN
GOODMAN	• LONGMIRE	• SANDS	VOSPER
• GRONHOVD	• MAHER	SANDNESS	WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	MORGAN	SCHULTZ, J. #32	• WRIGHT
• HOMUTH	MUTCH	• SCHUSTER	MR. PRESIDENT

Senate Concurrent Resolution No. 4046 was adopted.

Senator Nething moved that the vote by which SCR Bill No. 4046 was adopted be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Senate Concurrent Resolution No. 4048. A concurrent resolution directing the Legislative Council to study the impact of the management of wildlife refuges and waterfowl production areas by the fish and wildlife service of the Department of the Interior on the agriculture of North Dakota.

Which has been read.

Senator Smykowski moved that SCR 4048 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senate Concurrent Resolution No. 4054. A concurrent resolution urging the Congress of the United States to expand the funding of the Garrison Diversion Project so that the project can achieve its objectives on a more orderly basis.

Which has been read.

The question being on the final adoption of the resolution.

Senator Smykowski moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4054 was adopted.

Senator Nething moved that the vote by which SCR No. 4054 was adopted be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

MOTIONS

Senator Nething moved that Senate Bills Nos. 2435 and 2464 be reprinted, not to exceed 300 copies, which motion prevailed.

Senator Ringsak moved that the Senate reconsider the action by which Senate Bill No. 2307 lost, which motion prevailed.

PERSONAL PRIVILEGE

Senator Ringsak:

Mr. President, the reason I requested Senate Bill 2307 to be reconsidered is that I desired and wanted to make the point that when we have an office building offered for \$1; it is ridiculous to think about building a new Supreme Court building, a new Heritage Center, a new State Lab, and you name it, on the Capitol grounds.

This reconsideration failed with a 25-25 vote, and what it would have done is to move the Highway Department from Bismarck to Grand Forks. This would have given us plenty of room on the Capitol grounds to take care of all the proposed buildings that are now desired by various interest groups or individuals. Thank you.

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senator Homuth introduced:

Senate Concurrent Resolution No. 4071. A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of transferring Mayville State College, Valley City State College, and NDSU-Bottineau Branch to the cities in which they are located for use as junior colleges.

Was read the first time and referred to the committee on Education.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1001.** A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1004.** A Bill to appropriate money for the expenses of the legislative branch of government, and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1005.** A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments, and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1008.** A Bill for an Act making an appropriation for defraying the expenses of the state highway department.

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 defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1015.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1062.** A Bill for an Act to require written notice and approval before a permit to surface mine land is issued by the public service commission, to provide for surface damage and disruption payments, to provide for a financial obligation to reclaim land disturbed by a mining operation, and to declare an emergency.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1075.** A Bill for an Act to provide for an inflation credit against income taxes payable by individuals.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1077.** A Bill for an Act to require written notice and approval before a permit to strip mine land is issued by the public service commission, to provide for surface damage and disruption payments, to provide for a financial obligation to reclaim land disturbed by a mining operation, and to declare an emergency.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1102.** A Bill for an Act to create and enact a new section to chapter 16-20 of the North Dakota Century Code, and to amend and reenact section 16-20-01 of the North Dakota Century Code, relating to the use of state services or property for political purposes.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1103.** A Bill for an Act to amend and reenact sections 16-18-14, 16-18-15, and 16-18-16 of the North Dakota Century Code, relating to

canvassing of absent voters' ballots received late, care and custody of absent voters' ballots, and submitting absent voters' ballots to inspector of elections.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1113.** A Bill for an Act to amend and reenact section 16-04-01 of the North Dakota Century Code, relating to the date of the primary election.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1255.** A Bill for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to the office of the motor vehicle registrar.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1266.** A Bill for an Act to amend and reenact section 39-18-02 of the North Dakota Century Code, relating to mobile home dealers' bond, and to amend and reenact section 39-18-03 of the 1973 Supplement to the North Dakota Century Code, relating to transfer of title by an owner of a travel trailer, house trailer, or mobile home, and providing a penalty.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1305.** 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 installation of tangible personal property into real estate located outside of North Dakota and providing for an exemption.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1348.** A Bill for an Act making an appropriation for the payment of salary adjustments.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1403.** A Bill for an Act to provide for supplementary workmen's compensation benefits to persons receiving benefits under previous benefit allowances; payment of supplementary benefits; and establishment of a supplementary benefit fund within the workmen's compensation fund.

Which was read the first time and referred to the Committee on Industry, Business, and Labor.

**House Bill No. 1409.** A Bill for an Act to amend and reenact subsection 2 of section 11-11-53 of the North Dakota Century Code, relating to county mill levies for historical works.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1413.** A Bill for an Act to amend and reenact sections 11-10-10 and 11-10-10.2 of the North Dakota Century Code, relating to the salaries of county officers and the clerk of the district court.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1430.** A Bill for an Act to amend and reenact sections 16-20-08 and 16-20-09 of the North Dakota Century Code, relating to prohibiting labor organizations, occupational and professional associations, farm organizations, and cooperative associations from using funds in political campaigns.

Which was read the first time and referred to the Committee on Judiciary.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business, that the Senate recess until 1:00 P.M. Monday, February 24, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-THIRD DAY AFTER RECESS,  
THIRTY-FOURTH DAY AND  
THIRTY-FIFTH DAY

Bismarck, February 24, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2001  
Senate Bill No. 2002  
Senate Bill No. 2007  
Senate Bill No. 2031  
Senate Bill No. 2034  
Senate Bill No. 2036  
Senate Bill No. 2050  
Senate Bill No. 2059  
Senate Bill No. 2069  
Senate Bill No. 2084  
Senate Bill No. 2095  
Senate Bill No. 2097  
Senate Bill No. 2100  
Senate Bill No. 2117  
Senate Bill No. 2143  
Senate Bill No. 2159  
Senate Bill No. 2187  
Senate Bill No. 2204  
Senate Bill No. 2222  
Senate Bill No. 2231  
Senate Bill No. 2234  
Senate Bill No. 2236  
Senate Bill No. 2238  
Senate Bill No. 2275  
Senate Bill No. 2286  
Senate Bill No. 2289  
Senate Bill No. 2304  
Senate Bill No. 2313  
Senate Bill No. 2364  
Senate Bill No. 2368  
Senate Bill No. 2376  
Senate Bill No. 2377  
Senate Bill No. 2389  
Senate Bill No. 2391  
Senate Bill No. 2392  
Senate Bill No. 2395  
Senate Bill No. 2398  
Senate Bill No. 2413

Senate Bill No. 2415  
Senate Bill No. 2428  
Senate Bill No. 2429  
Senate Bill No. 2430  
Senate Bill No. 2435  
Senate Bill No. 2443  
Senate Bill No. 2444  
Senate Bill No. 2445  
Senate Bill No. 2449  
Senate Bill No. 2451  
Senate Bill No. 2453  
Senate Bill No. 2455  
Senate Bill No. 2464  
Senate Bill No. 2467  
Senate Bill No. 2470  
Senate Bill No. 2471  
Senate Bill No. 2479  
Senate Bill No. 2480  
Senate Bill No. 2496  
Senate Concurrent Resolution No. 4014  
Senate Concurrent Resolution No. 4032  
Senate Concurrent Resolution No. 4037  
Senate Concurrent Resolution No. 4041  
Senate Concurrent Resolution No. 4043  
Senate Concurrent Resolution No. 4046  
Senate Concurrent Resolution No. 4054  
Senate Concurrent Resolution No. 4066

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1012  
House Bill No. 1064  
House Bill No. 1065  
House Bill No. 1067  
House Bill No. 1101  
House Bill No. 1120  
House Bill No. 1148  
House Bill No. 1191  
House Bill No. 1214  
House Bill No. 1221  
House Bill No. 1250  
House Bill No. 1405  
House Bill No. 1447  
House Bill No. 1465  
House Bill No. 1468  
House Bill No. 1478  
House Bill No. 1519  
House Bill No. 1527  
House Bill No. 1531  
House Bill No. 1567  
House Concurrent Resolution No. 3021

ROY GILBREATH, Chief Clerk



**CONSIDERATION OF AMENDMENTS**

Senator Ringsak moved that the amendments to House Bill No. 1091 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 620 of the Senate Journal be adopted, which motion prevailed.

**MOTION**

Senator Nething moved that the Senate reconsider the action by which Senate Bill No. 2095 was passed, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2095. A Bill for an Act to create and enact section 38-14-02.1 of the North Dakota Century Code, relating to soil surveys, and to amend and reenact sections 38-14-01, 38-14-02, 38-14-03, 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-07, and 38-14-12 of the North Dakota Century Code, relating to policy, definitions, licensing of mining operations, notice of intention to mine, duties of the operator, limitations in granting permits, bond of the operator, and providing a penalty.

Which has been read.

Senator Nething moved that Senate Bill No. 2095 be amended as follows:

On page 1 of the engrossed bill, line 1, following the word "Act" insert the following:

"to create and enact section 38-14-02.1 of the North Dakota Century Code, relating to soil surveys, and"

And renumber the lines and pages accordingly.

Senator Nething moved that the amendments be adopted, which motion prevailed.

Senator Nething moved that the rules be suspended that Senate Bill No. 2095 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2095. A Bill for an Act to create and enact section 38-14-02.1 of the North Dakota Century Code, relating to soil surveys, and to amend and reenact sections 38-14-01, 38-14-02, 38-14-03, 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-07, and 38-14-12 of the North Dakota Century Code, relating to policy, definitions, licensing of mining operations, notice of intention to mine, duties of the operator, limitations in granting permits, bond of the operator, and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.



● FRITZELL	● LIPS	● RINGSAM	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNES	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

The motion prevailed, and House Bill No. 1225 was indefinitely postponed.

Senator Mutch moved that the Committee Report on House Bill No. 1512, as printed on page 622 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1512, the roll was called and there were 28 ayes; 20 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN		●	● STROUP		●
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS		●	● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNES			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and House Bill No. 1512 was indefinitely postponed.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1023 has had the same under consideration and recommends that the same do pass.

**SENATOR STROUP, Chairman**

House Bill No. 1023 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1052 has had the same under consideration and recommends that the same do pass.

And be re-referred to Committee on Appropriations.

**SENATOR NASSET, Chairman**

House Bill No. 1052 was re-referred to Committee on Appropriations.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1070 has had the same under consideration and recommends that the same be indefinitely postponed.

**SENATOR KAUTZMANN, Chairman**

House Bill No. 1070 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1090 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "reenact", insert the following: "subsection 5 of section 15-29-08, section 40-57-02, subsection 3 of section 40-57-03, and"

On page 1, line 2, after the word "to" insert the following: "financing the construction of vocational educational facilities by the sale of municipal industrial development bonds, to the term of years for which facilities constructed under the Municipal Industrial Development Act may be leased by a school board, and to"

On page 1, after line 10, insert the following:

"SECTION 1. AMENDMENT.) Subsection 5 of section 15-29-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

5. To purchase, sell, and exchange schoolhouses and rooms, lots, or sites for schoolhouses, teacherages, and dormitories, and to lease such facilities for a period not to exceed one year. However, nothing in this subsection shall prevent a school board from leasing any vocational education facility constructed with financing acquired, in whole or in part, pursuant to chapter 40-57 for a period of up to twenty years.

SECTION 2. AMENDMENT.) Section 40-57-02 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-57-02. "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 located on such real property or in such buildings, or elsewhere, or personal property which is 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, 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. Improvements or equipment used or to be used for the abatement or control of environmental pollution in connection with any new or existing revenue-producing enterprise.

4. Public vocational education.

((4.)) 5. Any other industry or business not prohibited by the Constitution or laws of the state of North Dakota.

In no event, however, shall the term "project" include those undertakings defined in chapter 40-35, with the exception of the undertaking defined in section 40-35-02 pertaining to the purchase, acquisition, construction, maintenance, and operation of a hospital and improvements or equipment used or to be used for the abatement or control of environmental pollution in connection with any new or existing revenue-producing enterprise.

SECTION 3. AMENDMENT.) Subsection 3 of section 40-57-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Lease projects to any industrial or commercial enterprise, or to any school district for vocational education purposes, in such manner that rents to be charged for the use of such projects shall be fixed, and revised from time to time as necessary, so as to produce income and revenue sufficient to provide for the prompt payment of interest upon all bonds issued hereunder, to create a sinking fund to pay the principal of such bonds when due, and to provide for the operation, maintenance, insurance on, and depreciation of such projects, and any taxes thereon;"

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1090 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to

whom was referred House Bill No. 1094 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1094 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1128 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1128 was placed on the fourteenth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1130 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1130 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

House Bill No. 1132 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1141 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1141 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1151 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1151 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1154 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1154 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1155 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

House Bill No. 1155 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1158 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1158 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1169 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1169 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1177 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1177 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1194 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1194 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1208 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1208 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1210 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 17, of the engrossed bill, after the word "compensation" delete the following: ", not to exceed"

On page 1, line 18, of the engrossed bill, delete the words "eighty dollars per day."

On page 2, line 14, of the engrossed bill, after the word "services" delete the following: ", not to exceed eighty dollars per"

On page 2, line 15, of the engrossed bill, delete the word "day."

On page 2, line 28, of the engrossed bill, after the word "compensation" delete the following: ", not to exceed eighty dollars"

On page 2, line 29, of the engrossed bill, delete the following: "per day,"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1210 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1213 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1213 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1215 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1215 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1219 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1219 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1230 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4, before the "period" insert a "comma" and the following words: "and declaring an emergency"

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 and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1230 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1241 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1241 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1242 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, after the word "GAME" insert the following words "OR FISH"

On page 1, line 14, after the word "license" delete the remainder of the line

On page 1, line 15, delete "in the same domicile as the donor"

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1242 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1257 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

House Bill No. 1257 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1290 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1290 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1294 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

House Bill No. 1294 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1319 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1319 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1333 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

House Bill No. 1333 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1368 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1368 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1377 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, delete the underscored lines 11 through 15 and insert in lieu thereof the following: " "Passenger motor vehicle" shall mean every motor vehicle designed primarily for the purpose and use of transporting nine or fewer passengers in a seated position except that a passenger motor vehicle shall not mean motor vehicles designed primarily for the purpose and use of transporting property in a cargo-carrying capacity on the exterior of the vehicle."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1377 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1399 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1399 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1416 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1416 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1423 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1423 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1432 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1432 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR MUTCH, Chairman

House Bill No. 1437 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1456 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

House Bill No. 1456 was placed on the 6th order of business on the calendar for the succeeding legislative day.



Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1486 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1486 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1490 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1490 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1564 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1564 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1576 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1576 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution No. 3051 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Concurrent Resolution No. 3051 was placed on the 14th order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILLS

House Bill No. 1021. A Bill for an Act to amend and reenact section 15-41-24 of the North Dakota Century Code, relating to the inclusion for accreditation purposes of vocational education courses offered through approved cooperative programs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAP			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNES			• WALSH		
• HOFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORCAN			• SCHULTZ, J. #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1028. A Bill for an Act to amend and reenact sections 24-06-28 and 24-06-30 of the North Dakota Century Code, relating to construction and removal of fences along or across section lines; and providing a penalty.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

REGULAR SESSION						NORTH DAKOTA SENATE						1975 LEGISLATURE					
YEAS			NAYS			YEAS			NAYS			YEAS			NAYS		
• BARTH			• ISZLER			• NAADEN			• SHABLOW								
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI								
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG								
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND								
• CONLIN			• LARSON			• RAIT			• STRINDEN								
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP								
• FREED			• LEE			• REITEN			• THANE								
• FRITZELL			• LIPS			• RINGSACK			• TWETEN								
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER								
• GRONHOVD			• MAHER			• SANDNESS			• WALSH								
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM								
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT								
• HOMUT #			• MUTCH			• SCHUSTER			MR. PRESIDENT								

So the bill passed and the title was agreed to.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-FOURTH DAY

Bismarck, February 24, 1975

The Senate convened at 2:00 P.M., pursuant to recess taken, the President presiding.

Prayer by Rev. James Butler, First Presbyterian Church, Bismarck.

"Lord of all the worlds that are; judge and redeemer of men, and of nations; let us not be casual nor ashamed to stand before You, and bring our need to You. We know that by ourselves we are not sufficient for these days, and we face decisions that call for more than our best wisdom. Open our eyes to see what You are doing, and our ears to hear what You are saying.

And for this day, O Lord our God

Compel us to be just and honest in our dealings

Let our motives be clear and our word our bond

Let us be kind in our criticisms, remembering that

You are the judge of all the earth

Help us to do what is in principle excellent, more than what is politically expedient

And trust You for the rest. Amen."

Roll Call: All Senators present except Ringsack, Sandness and Wright.

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 recommends that the same be corrected as follows:

On page 618, line 20, insert "which request was granted" after "table"

On page 618, line 22, insert "the amendments to" after the word "lay"

On page 619, after line 6, add the following:

"Senator Sands moved that the vote by which the Committee Report on Senate Bill No. 2375 was adopted be reconsidered, and the motion to reconsider be laid on the table, which motion prevailed."

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1029.** A Bill for an Act to amend and reenact sections 15-60-04 and 15-60-05 of the North Dakota Century Code, relating to the amounts to be loaned and the terms of loans under the state school construction 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, 2; absent and not voting, 4.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE																																																																																																																																																
YEAS			N-V			NAYS			YEAS			N-V			NAYS			YEAS			N-V			NAYS																																																																																																																																										
• BARTH						• ISZLER	•		• NAADEN							• SHABLOW			• BERUBE			• JACOBSON	•		• NASSET			• SMYKOWSKI			• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG			• CHRISTENSEN, L. #3			• KAUTZMANN	•		• PYLE			• STRAND			• CONLIN			• LARSON	•		• RAIT			• STRINDEN	•		• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP			• FREED			• LEE	•		• REITEN			• THANE			• FRITZELL			• LIPS	•		• RINGSAM	•		• TWETEN			• GOODMAN			• LONGMIRE	•		• SANDS			• VOSPER			• GRONHOVD	•		• MAHER	•		• SANDNESS	•		• WALSH			• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•		• WENSTROM			• HOLLAND			• MORGAN			• SCHULTZ, J. #37			• WRIGHT			• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1056.** A Bill for an Act to provide for solid waste management and land protection, and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 4.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE																																																																																																																																																
YEAS			N-V			NAYS			YEAS			N-V			NAYS			YEAS			N-V			NAYS																																																																																																																																										
• BARTH						• ISZLER	•		• NAADEN							• SHABLOW			• BERUBE			• JACOBSON	•		• NASSET			• SMYKOWSKI			• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG			• CHRISTENSEN, L. #3			• KAUTZMANN	•		• PYLE			• STRAND			• CONLIN			• LARSON	•		• RAIT			• STRINDEN	•		• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP			• FREED			• LEE	•		• REITEN			• THANE			• FRITZELL			• LIPS	•		• RINGSAM	•		• TWETEN			• GOODMAN			• LONGMIRE	•		• SANDS			• VOSPER			• GRONHOVD	•		• MAHER	•		• SANDNESS	•		• WALSH			• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•		• WENSTROM			• HOLLAND			• MORGAN			• SCHULTZ, J. #37			• WRIGHT			• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1057.** A Bill for an Act to create and enact sections 23-25-01.1 and 23-25-04.1 of the North Dakota Century Code, relating to the public policy on air pollution and relating to trade secrets; to amend and reenact section 23-25-01, subsection 6 of section 23-25-02, sections 23-25-03, 23-25-04, 23-25-05, 23-25-06, 23-25-08, and 23-25-10 of the North Dakota Century Code, relating to definitions, the power of the air pollution control advisory council, the powers and duties of the department of health, classification of air contaminant sources, on-site inspections, permits, notice of hearings, and enforcement; and to repeal sections 23-25-07 and 23-25-09 of the North Dakota Century Code, relating to emission control requirements and injunction proceedings; and providing a penalty.

Which has been read.



So the bill passed and the title was agreed to.

COMMUNICATION

The President read a communication from the Governor's office. Senator Nething moved that the communication be printed in the Journal, which motion prevailed.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

February 24, 1975

The Honorable Wayne Sanstead  
President of the Senate  
North Dakota State Senate  
Bismarck, North Dakota 58505

Dear Mr. President:

As you know, state law sets forth the procedures to be followed in making appointments to the State Board of Higher Education. Section 15-10-02 of the North Dakota Century Code requires members of the board to be appointed by the Governor by and with the consent of the senate.

This section further states "nominations shall be made by the Governor from a list of three names for each position to be filled on such board, such names to be selected by the unanimous action of the President of the North Dakota Education Association, the Chief Justice of the Supreme Court and the Superintendent of Public Instruction." This section further provides that "there shall not be on said board at any one time more than one alumnus or former student of any one of the institutions under the jurisdiction of the board."

On February 13, 1975, I submitted for senate confirmation the name of Helen C. Jacobson, Williston, for a term on the Board of Higher Education from July 1, 1975 to July 1, 1982. She is a graduate of Minot State College. Mrs. Jacobson's name was one of the three submitted to me by the committee designated by law.

Subsequent to my appointment of Mrs. Jacobson and my forwarding of her name to the senate for confirmation it was only then learned that another member of the board, Mr. Richard H. McGee, had at one time been a student at, although not a graduate of, Minot State College. Although this information was not known either to the committee that submitted the three names to me or my office at the time this appointment was made, it is now apparent that, in view of this restriction in the law, Mrs. Jacobson is not eligible at this time to serve on the board.

For that reason, I hereby request that her name be withdrawn from further consideration. The following appointment has now been made to this position which, under state law, is subject to State Senate confirmation:

Lester M. Stern, Wahpeton

July 1, 1975-July 1, 1982

Sincerely yours,  
ARTHUR A. LINK  
Governor

The above appointment was referred to the Committee on Education.

SECOND READING OF HOUSE BILLS

House Bill No. 1079. A Bill for an Act to amend and reenact section 27-08.1-03 of the North Dakota Century Code, relating to hearings before a small claims 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, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1089.** A Bill for an Act to amend and reenact section 54-40-08 of the North Dakota Century Code to allow state agencies, boards, or institutions and political subdivisions of the state to enter into agreements to allow such political subdivisions to use buildings and facilities of the state for such periods as the parties deem necessary, to allow the political subdivisions to make improvements to such buildings and facilities in lieu of rent, and to provide that the state agency, board, or institution may move or replace the building or facility at any time during an agreement, and declaring an emergency.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

## MOTION

Senator Stroup moved that Senate Bill No. 2088 be reprinted not to exceed 300 copies, which motion prevailed.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## THIRTY-FIFTH DAY

Bismarck, February 24, 1975

The Senate convened pursuant to recess taken, the President presiding.

Prayer by Rev. Melvin Wipf, United Presbyterian Church, Cavalier, North Dakota.

"Let us pray. Almighty God, we have before us the men and women who make decisions that affect our state and all the people in it. We pray that truly we might recognize the great heritage that has come to us from senators of the past. Help us to be sensitive to history and that which it has given to us and help us to remember that we are writing history and so may we ever keep our feet on the ground, because this is where the problems are. This is where the needs of people are. May we ever keep our heads high in order that we might see solutions to those problems and might find them there clearly, but as we write history that we might move on and the future of this great state in a very positive way, a very creative way, so may we ever be sensitive to the needs of all of the people wherever they may be in this day. Amen."

Roll Call: All Senators present except L. Christensen, Ringsak, Wright. A quorum was declared by the President.

**CORRECTION AND REVISION**

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-second day after recess and thirty-third day and recommends that the same be corrected as follows:

On page 683, line 19, delete "2335" and insert in lieu thereof "2235"

On page 686, line 25, delete first "line" and insert "page"

On page 691, line 9, delete the word "bare" and insert in lieu thereof the word "bear"

On page 691, line 13, delete the word "prevailed"

On page 706, delete lines 37 and 38 and insert the following:

"Senator Freed moved that the Senate reconsider the action by which Senate Bill 2313 lost"

On page 715, line 32, delete "prevailed" and insert in lieu thereof "failed"

On page 715, line 32, insert "not" after the word "was"

And when so corrected recommends that the same be approved.

SENATOR VOSPER, Vice-Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1096. A Bill for an Act authorizing the director of state parks to provide for conversion to metric signs.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1110.** A Bill for an Act to amend and reenact sections 11-14-10, 11-14-16, and 40-40-13 of the North Dakota Century Code, relating to the collection and distribution of funds by the county treasurer.

Which has been read.

Senator Conlin moved that House Bill No. 1110 be amended as follows:

On page 1 line 18 of the engrossed bill, after the word "tenth" insert the word "working"

On page 2, line 9 of the engrossed bill, after the word "tenth" insert the word "working"

On page 2, line 27 of the engrossed bill, after the word "tenth" insert the word "working"

Senator Conlin moved that the amendments be adopted, which motion prevailed.

Senator Conlin moved that the rules be suspended, that House Bill No. 1110 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1110.** A Bill for an Act to amend and reenact sections 11-14-10, 11-14-16, and 40-40-13 of the North Dakota Century Code, relating to the collection and distribution of funds by the county treasurer.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #9			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAN	●		● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1112.** A Bill for an Act to amend and reenact section 47-26-05 of the North Dakota Century Code, to require that a landowner who shall require a partition fence better than a legal fence shall bear the entire cost of erecting and maintaining the 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #9			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAN	●		● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		



● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1116.** A Bill for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to the definition of "saddle mount", and to amend and reenact subdivision a of subsection 1 and subsections 3, 4, 5, 6, and 7 of section 39-12-04 of the North Dakota Century Code, relating to the width, height, and length limitations on 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, 1; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL	●		● LIPS			● RINGSAN			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1121.** A Bill for an Act to amend and reenact section 51-15-06.3 of the North Dakota Century Code, relating to the authority of county commissioners to amend the official county road program without an election; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAN			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause so carried.

**House Bill No. 1140.** A Bill for an Act to amend and reenact section 15-03-15 of the North Dakota Century Code, relating to the meeting of the board of university and school lands to consider the authorization and approval of investments and approval of farm loans and providing authority to seek assistance on the investment of funds in securities enumerated in section 21-10-07.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1161.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide for the exemption of military retirement pay from the state income tax, and to provide limitations.

Which has been read.

Senator C. Schultz, due to a conflict of interest on House Bill No. 1161, requested permission to vote, which request was granted.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 444), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1164.** A Bill for an Act to create and enact section 57-50-03.1 of the North Dakota Century Code, relating to the refund of taxes paid on gasoline and special fuels used and taxed in another state; 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE

● FRITZELL	● LIPS	RINGSAM	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1165. A Bill for an Act to amend and reenact section 29-26-22 of the North Dakota Century Code, relating to criminal sentences and the imposition of costs; and to repeal section 33-12-33 of the North Dakota Century Code, relating to the disposition of fines assessed by a county justice.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**MOTION**

Senator Jones moved that House Bill No. 1171 be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1173. A Bill for an Act to amend and reenact sections 21-10-02, 21-10-03, 21-10-04, 21-10-09, and 21-10-10 of the North Dakota Century Code, relating to the powers of the state investment board and the appointment of the investment director or advisory service and agents; providing for the president of the Bank of North Dakota as secretary of the board; coordination of activities with the Bank of North Dakota; the penalty for a violation of the chapter and the cost of operations of the board.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL	●		● LIPS			RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1184.** A Bill for an Act to repeal subsection 5 of section 54-11-01 of the North Dakota Century Code, relating to duties of the state treasurer.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROHNOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1199.** A Bill for an Act to amend and reenact sections 15-21-01 and 44-01-03 of the North Dakota Century Code, relating to the term of office of the superintendent of public instruction and to the time when state and district officers shall qualify for office.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROHNOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

#### MOTION

Senator Nething moved that the rules be suspended, that House Bill No. 1204 be laid over for five legislative days, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1216.** A Bill for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to the powers and duties of the tax commissioner, and providing the authority to remove certain uncollectable accounts from the tax commissioner's records.

Which has been read.



• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAN	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1251. A Bill for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the investigation of births out of wedlock and authorizing the provision of protective 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, 8; nays, 41; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•	•	• ISZLER	•	•	• NAADEN	•	•	• SHABLOW	•	•
• BERUBE	•	•	• JACOBSON	•	•	• NASSET	•	•	• SMYKOWSKI	•	•
• CHRISTENSEN, H #5	•	•	• JONES	•	•	• NETHING	•	•	• SOLBERG	•	•
• CHRISTENSEN, L #3	•	•	• KAUTZMANN	•	•	• PYLE	•	•	• STRAND	•	•
• CONLIN	•	•	• LARSON	•	•	• RAIT	•	•	• STRINDEN	•	•
• ERDMAN	•	•	• LASHKOWITZ	•	•	• REDLIN	•	•	• STROUP	•	•
• FREED	•	•	• LEE	•	•	• REITEN	•	•	• THANE	•	•
• FRITZELL	•	•	• LIPS	•	•	• RINGSAN	•	•	• TWETEN	•	•
• GOODMAN	•	•	• LONGMIRE	•	•	• SANDS	•	•	• VOSPER	•	•
• GRONHOVD	•	•	• MAHER	•	•	• SANDNESS	•	•	• WALSH	•	•
• HOFFNER	•	•	• MELLAND	•	•	• SCHULTZ, C #14	•	•	• WENSTROM	•	•
• HOLAND	•	•	• MORGAN	•	•	• SCHULTZ, J #32	•	•	• WRIGHT	•	•
• HOMUTH	•	•	• MUTCH	•	•	• SCHUSTER	•	•	MR. PRESIDENT		

So the bill lost.

House Bill No. 1253. A Bill for an Act to amend and reenact sections 39-04-09 and 39-04-12 of the North Dakota Century Code, relating to the registration plates 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•	•	• ISZLER	•	•	• NAADEN	•	•	• SHABLOW	•	•
• BERUBE	•	•	• JACOBSON	•	•	• NASSET	•	•	• SMYKOWSKI	•	•
• CHRISTENSEN, H #5	•	•	• JONES	•	•	• NETHING	•	•	• SOLBERG	•	•
• CHRISTENSEN, L #3	•	•	• KAUTZMANN	•	•	• PYLE	•	•	• STRAND	•	•
• CONLIN	•	•	• LARSON	•	•	• RAIT	•	•	• STRINDEN	•	•
• ERDMAN	•	•	• LASHKOWITZ	•	•	• REDLIN	•	•	• STROUP	•	•
• FREED	•	•	• LEE	•	•	• REITEN	•	•	• THANE	•	•
• FRITZELL	•	•	• LIPS	•	•	• RINGSAN	•	•	• TWETEN	•	•
• GOODMAN	•	•	• LONGMIRE	•	•	• SANDS	•	•	• VOSPER	•	•
• GRONHOVD	•	•	• MAHER	•	•	• SANDNESS	•	•	• WALSH	•	•
• HOFFNER	•	•	• MELLAND	•	•	• SCHULTZ, C #14	•	•	• WENSTROM	•	•
• HOLAND	•	•	• MORGAN	•	•	• SCHULTZ, J #32	•	•	• WRIGHT	•	•
• HOMUTH	•	•	• MUTCH	•	•	• SCHUSTER	•	•	MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1258. A Bill for an Act to amend and reenact section 54-44-11 of the North Dakota Century Code to provide for an increase in working capital in the state purchasing department operating fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1291. A Bill for an Act to amend and reenact subdivision a of subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to the definition of a dependent 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, 41; nays, 0; absent and not voting, 10.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAM		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR PRESIDENT

So the bill passed and the title was agreed to.

MOTION

Senator Kautzmann moved that House Bill No. 1246 be returned to the Senate from the Committee on Political Subdivisions, which motion prevailed.

Senator Kautzmann moved that House Bill No. 1246 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 1397. A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-02-08.1 and section 57-02-08.2 of the North Dakota Century Code, relating to the homestead credit and providing for full state reimbursement for the loss of revenue to counties and other taxing districts; and providing an appropriation.

Which was read the first time and referred to the Committee on Finance and Taxation.

House Bill No. 1443. A Bill for an Act to create a department of human services; to direct a legislative council study of the structure of such a department; providing a delayed effective date; and providing an appropriation.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1484.** A Bill for an Act to create and enact subsection 10 of section 43-17-02 of the North Dakota Century Code, relating to the exemption of persons from the license requirements of the chapter.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1497.** A Bill for an Act to amend and reenact section 23-13-02 of the North Dakota Century Code, providing for self-service gasoline pumps.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1506.** A Bill for an Act making an appropriation to the North Dakota legislative council for the purposes of conducting a phase one statewide commuter airline basic needs assessment study to be followed by a phase two study to determine the North Dakota cities to be served, the cost of the service, and the route system, provided that the phase two study is conditioned on legislative council approval.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1514.** A Bill for an Act to provide an appropriation for state matching funds for school lunch programs; and to repeal section 15-54-07 of the North Dakota Century Code, relating to restrictions on the expenditure of state funds.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1517.** A Bill for an Act to amend and reenact section 43-18-13 of the North Dakota Century Code, relating to the examination for a master or journeyman plumber's license.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1518.** A Bill for an Act to create and enact the Retail Theft Act; to provide civil penalties; and to repeal section 29-06-27 of the North Dakota Century Code, relating to the powers and duties of peace officers and merchants with respect to shoplifters.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1528.** A Bill for an Act to provide for disclosure of financial interests by candidates for election to statewide or legislative office and by certain persons appointed to office by the governor, and to provide a penalty.

Which 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 amend and reenact sections 25-04-05, 25-09-02, 25-09-02.2, 25-09-03, 25-09-04, 25-09-04.1, 25-09-05, 25-09-06, subsection 1 of section 25-09-07, and section 25-09-10 of the North Dakota Century Code, relating to provisions for the charging of expenses for care and treatment of patients of the Grafton state school; and to repeal sections 25-09-03.1 and 25-09-11.1 of the North Dakota Century Code, relating to claims against estates of responsible relatives and reduction of claims against responsible relatives.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Bill No. 1534.** A Bill for an Act to amend and reenact the introductory paragraph of section 24-17-03, and to amend and reenact section 24-17-05 of the North Dakota Century Code, relating to control of outdoor advertising adjacent to highways.

Which was read the first time and referred to the Committee on Transportation.



**House Bill No. 1539.** A Bill for an Act to provide for the creation of a North Dakota home mortgage fund and the issuance of revenue bonds and notes for the financing thereof.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1541.** A Bill for an Act to provide for the liability of political subdivisions, to set limitations upon such liability, and to require that political subdivisions carry liability insurance in areas of common risk; to authorize the state and political subdivisions thereof to insure against loss, damage, or injury and to waive immunity to the extent of the limits of insured liability; to amend and reenact section 39-01-08, relating to authorization to carry insurance on vehicles, to amend and reenact sections 40-42-01, 40-42-02, and 40-42-03, relating to claims for injuries on streets, and to repeal sections 40-43-01, 40-43-02, 40-43-03, 40-43-04, 40-43-05, 40-43-06, and 40-43-07, all of the North Dakota Century Code, relating to payment and compromise of judgments, and to authorization of political subdivisions to carry insurance and waiving immunity; and declaring an emergency.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Bill No. 1549.** A Bill for an Act to create and enact a new section to chapter 57-56 of the North Dakota Century Code to provide for a separate and additional tax on the sale of aviation gasoline used by aircraft, and providing for the distribution of the proceeds.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1587.** A Bill for an Act to create a Devils Lake basin advisory committee, providing an appropriation, and providing for an emergency.

Which was read the first time and referred to the Committee on Natural Resources.

**House Bill No. 1602.** A Bill for an Act to create and enact section 54-52.2-08 of the North Dakota Century Code, relating to payroll reductions of the participant's contributions to such plans; to amend and reenact sections 54-52.2-01, 54-52.2-02, 54-52.2-03, 54-52.2-05, and 54-52.2-07 of the North Dakota Century Code, relating to deferred compensation.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Concurrent Resolution No. 3039.** A concurrent resolution urging immediate action to bring about the release and return of our missing servicemen in Southeast Asia.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Concurrent Resolution No. 3040.** A concurrent resolution directing the North Dakota workmen's compensation bureau to study the feasibility of dedicating the income from reserve funds for the purpose of increasing weekly benefit amounts for workmen's compensation claimants who receive outdated benefits.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Concurrent Resolution No. 3050.** A concurrent resolution requesting the Congress of the United States of America to study the necessity for and to enact legislation and regulations required for the proper labeling of hazardous industrial chemicals and other substances.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Concurrent Resolution No. 3056.** A concurrent resolution creating a new Article IV of the Constitution of the state of North Dakota, relating to the judicial branch of government; the jurisdiction of the supreme, district, and other courts; the location of judicial districts; the election of judges of the supreme and district courts; the qualifications of judges; the procedures for removal of judges and filling vacancies; and to the retirement of judges; and to repeal Article IV, consisting of sections 85 through 120, of the Constitution of the state of North Dakota, relating to the jurisdiction of the Supreme Court, and district, county, and municipal courts; the time of holding court session; the location of judicial districts; and to other judicial matters.

Which was read the first time and referred to the Committee on Judiciary.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business and after the reading of House Bills Nos. 1023, 1091, 1094, 1128, 1130, 1132, 1141, 1151, 1154, 1158, 1169, 1177, 1194, 1208, 1213, 1215, 1219, 1241, 1257, 1290, 1294, 1319, 1333, 1368, 1399, 1416, 1423, 1432, 1437, 1486, 1490, 1564, 1576 and HCR 3051, that the Senate recess until 1:00 P.M., February 25, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

## THIRTY-FIFTH DAY AFTER RECESS AND THIRTY-SIXTH DAY

Bismarck, February 25, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

February 24, 1975

The Honorable Wayne Sanstead  
President of the Senate  
North Dakota State Senate  
Bismarck, North Dakota 58505

Dear Mr. President:

On March 12, 1973, I appointed Darlene Leinen, Williston, to the State Social Service Board to complete the term of the Honorable Ralph M. Christensen, Watford City, who resigned when he was elected to the State Legislature.

This regular term expires on April 6, 1975, and I have reappointed Mrs. Leinen to a regular 6 year term on the board effective as of that date.

This reappointment is subject to Senate confirmation. Enclosed is a biographical sketch of Mrs. Leinen.

With best regards,  
Sincerely yours,  
ARTHUR A. LINK  
Governor

The President referred the above appointment to the Committee on Social Welfare and Veterans Affairs.

## CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to House Bills Nos. 1090, 1210, 1230, 1242, and 1377 be dispensed with, which motion prevailed.

Senator Sands moved that the amendments to House Bill No. 1090 as recommended by the Committee on Political Subdivisions as printed on pages 725 and 726 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to House Bill No. 1210 as recommended by the Committee on Political Subdivisions as printed on page 728 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1230 as recommended by the Committee on Agriculture as printed on pages 728 and 729 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to House Bill No. 1242 as recommended by the Committee on Natural Resources as printed on page 729 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to House Bill No. 1377 as



NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND	●	
● CONLIN	●		● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REJUN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL	●		● LIPS			● RINGSACK		●	● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT	●	
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and House Bill No. 1456 was indefinitely postponed.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4057 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.  
**SENATOR FREED, Chairman**

Senate Concurrent Resolution No. 4057 was re-referred to the Legislative Council Resolutions Committee.

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 indefinitely postponed.

**SENATOR LIPS, Chairman**

House Bill No. 1017 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1025 has had the same under consideration and recommends that the same do pass.

**SENATOR NASSET, Chairman**

House Bill No. 1025 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1026 has had the same under consideration and recommends that the same do pass.

**SENATOR NASSET, Chairman**

House Bill No. 1026 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1095 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13 delete the triple parentheses around the word "one" and delete the word "two"

And renumber the line and pages accordingly.

And when so amended recommends the same do pass.

**SENATOR KAUTZMANN, Chairman**

House Bill No. 1095 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1119 has had the same under consideration and recommends that the same do pass.

**SENATOR KAUTZMANN, Chairman**

House Bill No. 1119 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to

whom was referred House Bill No. 1139 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1139 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1201 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1201 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1217 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 5, of the engrossed bill delete the underscored word "nine" and insert in lieu thereof the underscored word "eight"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1217 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1223 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1223 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1234 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1234 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1235 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1235 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1283 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1283 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1361 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1361 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1380 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1380 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred

House Bill No. 1415 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1415 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1425 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1425 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1439 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1439 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1466 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1466 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1472 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, after the word "reenact" delete the word "section" and insert in lieu thereof the word "sections"

On page 1, line 1, after the word "sections" insert the following: "16-04-02 and"

On page 1, following line 6, insert the following new language: "SECTION 1. AMENDMENT.) Section 16-04-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

16-04-02. STATE CANDIDATE'S PETITION OR POLITICAL PARTY CERTIFICATE OF ENDORSEMENT REQUIRED TO GET NAME ON BALLOT—CONTENTS OF PETITION—TIME FOR FILING.) Every candidate for United States senator, United States representative, a state office other than the office of state senator or state representative, and judges of the supreme and district courts shall, not more than sixty-six days nor less than forty-six days and before four o'clock p.m. of the (((fortieth))) forty-sixth day prior to a primary election, present to the secretary of state a petition or an appropriate certificate of endorsement from the state chairman of any legally recognized political party, giving his name, post-office address, the title of the office to which he aspires, and the party which he represents, except that in the petition for an office having no-party designation, no reference shall be made to party affiliation. Any petition or certificate of endorsement which is mailed shall be in the possession of the secretary of state before four o'clock p.m. on the (((fortieth))) forty-sixth day. Such petition shall contain the names of three percent of the total vote cast for the candidates of the party with which he affiliates, for the same position at the last general election, except that in no case shall more than three hundred names be required. In a case where there is a candidate for the no-party ballot or where there was no candidate of a party for a position at the preceding general election, the nominating petition shall contain at least three hundred names. Each name on the petition shall be that of an elector, contain such elector's mailing address, together with the date of signing, and shall be subscribed under a certified party heading."

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1472 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1508 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3, after the underscored word "delinquent" insert the underscored words "installments of"

On page 2, at the end of line 13, insert the underscored words "delinquent installments of"

On page 2, at the end of line 18, insert the underscored words "delinquent installments of"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1508 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1579 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 24 of the engrossed bill delete the beginning and ending triple parentheses around the word "eight"

On page 2, line 1 of the engrossed bill delete the underscored word "nine"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1579 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1595 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1595 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### MOTION

Senator Nething moved that the Senate resolve into a committee to advise and consent of the Governor's nominations, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES, CONCERNING GOVERNOR'S APPOINTMENTS

Mr. President:

Your Committee on State & Federal Government recommends that the Senate do advise and consent to the following Governor's appointment:

Director of Institutions

Edward J. Klecker

SENATOR JONES, Chairman

Senator Smykowski moved that the report be adopted, which motion prevailed, and the report was adopted.

#### ROLL CALL

The question being on the confirmation of Edward J. Klecker as Director of Institutions, the roll was called, and there were 50 ayes; 0, nays; absent and not voting, 1.



NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #37		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

Edward J. Klecker was confirmed by the Senate as Director of Institutions.

**SECOND READING OF  
A SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4023. A concurrent resolution for the amendment of sections 53 and 56, and the repeal of section 55, of the Constitution of the State of North Dakota, relating to commencement of the terms of office of legislators, and to the length and status of legislative sessions.

Which has been read.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 29; nays, 21; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #37		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So Senate Concurrent Resolution No. 4023 was adopted.

**REPORT OF PROCEDURAL COMMITTEES**

Mr. President: Your Procedural Committee on Rules appointed to recommend legislative rules has had the same under consideration and recommends that the Senate Rules of the Forty-fourth Legislative Assembly be amended as follows:

SECTION 1.) A new subsection to Senate Rule No. 8 is hereby created to read as follows:

h. The Secretary of the Senate shall request from the Secretary of State a list of all currently registered lobbyists, and provide a copy of that list to each member of the Senate on the thirty-fifth legislative day.

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Procedural Committee on Rules appointed to recommend legislative rules has had the same under consideration and recommends that the Senate Rules of the Forty-fourth Legislative Assembly be amended as follows:

SECTION 1. REPEAL.) Senate Rule No. 74 is hereby repealed.

SECTION 2. AMENDMENT.) Joint Rule No. 22 is hereby amended to read as follows:

**22. OPEN LEGISLATIVE MEETINGS**

All meetings of the Legislative Assembly and its committees, including interim legislative committees, shall be open to the public and the press at all times ((when pending or proposed legislation is being considered))).

Senator Nothing moved that the report be adopted, which motion prevailed.

Mr. President: Your Procedural Committee on Rules appointed to recommend legislative rules has had the same under consideration and recommends that the Senate Rules of the Forty-fourth Legislative Assembly be amended as follows:

SECTION 1. AMENDMENT.) Senate Rule No. 55 is hereby amended to read as follows:

**55. FINAL PASSAGE**

((No)) Except as hereinafter provided, no bill shall become a law except by a vote of the majority of the members-elect of each House, nor unless on its final passage, the vote be taken by ayes and nays and the names of those voting be entered in the journal; provided, however, that ((no)) when the vote of those Senators present results in a tie, the Lieutenant Governor may vote in accordance with Rule 26, even though his vote would result in final passage of a bill. No measure enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except by a two-thirds vote upon roll call of all members elected to each House. Ratification of amendments to the Constitution of the United States shall be by concurrent resolution approved by a majority, upon roll call vote, of the members elected to each House.

SECTION 2. AMENDMENT.) Senate Rule No. 55.1 is hereby amended to read as follows:

**55.1 RECORDED ROLL CALL VOTES**

No action by the Senate which may result in final disposition of a bill, or resolution proposing a constitutional amendment, shall be taken except by a recorded roll call vote, and the vote of each member, and, when appropriate, the vote of the Lieutenant Governor, or a record of his absence or failure to vote, shall be recorded in the Journal. As used in this Rule, "final disposition" includes any procedure which, barring reconsideration, results in the Senate being unable to give further consideration during that Legislative Session to the particular measure which was under consideration.

Senator Nothing moved that the report be adopted, which motion prevailed.

**REPORT OF PROCEDURAL COMMITTEES**

Mr. President: Your Procedural Committee on Rules appointed to recommend legislative rules has had the same under consideration and recommends that the Senate Rules of the Forty-fourth Legislative Assembly be amended as follows:

SECTION 1. AMENDMENT.) Senate Rule No. 62 is hereby amended to read as follows:

**62. MOTION FOR RECONSIDERATION**

Any member who votes on the prevailing side of a question, ("prevailing side of a question" shall be that side which voted "Aye" on a question that passed, and "Nay" on a question that failed), or who did not vote on the question, or who voted on a question on which the ayes and nays were not recorded, may move a reconsideration of the question, which motion shall be decided by a majority vote of ((the members-elect)) those present and voting on the question. In case of a bill, joint

resolution, or amendment to the Constitution, the motion to reconsider, if made after the end of the next legislative day, shall require a two-thirds vote of the members-elect. No motion to reconsider may be made unless the matter is in possession of the Senate.

Senator Nething moved that the report be adopted, which motion prevailed.

#### MOTIONS

Senator Stroup moved that House Bill No. 1074 be returned to the Senate from the Committee on Finance and Taxation, which motion prevailed.

Senator Stroup moved that House Bill No. 1074 be re-referred to the Committee on Education, which motion prevailed.

Senator Nething moved that House Bill No. 1091 which is on the 14th Order today be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### THIRTY-SIXTH DAY

Bismarck, February 25, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Father Theodore Gustin, St. Mary's Catholic Church, Bismarck.

"Let us pray. Kind Father we ask your blessing on all those assembled here today. We ask Your special consideration for those elected to serve and represent so many. We ask to inspire them to hear and listen to each other, to hear often those whom they represent and most of all in their consciences to hear You. We ask this now, through Christ our Lord. Amen"

Roll Call: All Senators present except Homuth and Wright.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-third day after recess, thirty-fourth day, and thirty-fifth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 1023. A Bill for an Act to amend and reenact section 15-20.1-08 of the North Dakota Century Code, relating to a mill levy for participation in cooperative vocational education programs.

Which has been read.

Senator Tweten moved that House Bill No. 1023 be amended as follows: On page 1, line 19 of the engrossed bill, delete the words "sixty percent" and insert in lieu thereof "a majority"

Senator Tweten moved that the amendments be adopted, which motion failed.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called, and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1094.** A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage expense of state officers and employees; and declaring an emergency.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1128.** A Bill for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to exemption of religious materials from state sales and use 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, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1130.** A Bill for an Act to amend and reenact sections 54-34.2-01, 54-34.2-02, 54-34.2-03, 54-34.2-04, and 54-34.2-05 of the North Dakota

Century Code, relating to the administration and purpose of the Indian, development 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, 1; absent and not voting, 5.

REGULAR SESSION									NORTH DAKOTA SENATE			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BARTH			● ISZLER			● NAADEN			● SHABLOW								
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI								
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG								
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND								
● CONLIN			● LARSON			● RAIT			● STRINDEN								
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP								
● FREED			● LEE			● REITEN			● THANE								
● FRITZELL			● LIPS			● RINGSAK			● TWETEN								
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER								
● GRONHOVD			● MAHER			● SANDNESS			● WALSH								
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM								
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHI								
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT								

So the bill passed and the title was agreed to.

House Bill No. 1132. A Bill for an Act to amend and reenact section 18-05-06 of the North Dakota Century Code, to increase firemen's service pension benefits from a firemen's relief association from one hundred dollars to two hundred dollars per month.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION									NORTH DAKOTA SENATE			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BARTH			● ISZLER			● NAADEN			● SHABLOW								
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI								
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG								
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND								
● CONLIN			● LARSON			● RAIT			● STRINDEN								
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP								
● FREED			● LEE			● REITEN			● THANE								
● FRITZELL			● LIPS			● RINGSAK			● TWETEN								
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER								
● GRONHOVD			● MAHER			● SANDNESS			● WALSH								
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM								
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT								
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT								

So the bill passed and the title was agreed to.

House Bill No. 1141. A Bill for an act to amend and reenact subsection 30 of section 20.1-01-02 and subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the definitions of a guide or outfitter and the power of the state game and fish commissioner to license such.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION									NORTH DAKOTA SENATE			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BARTH			● ISZLER			● NAADEN			● SHABLOW								
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI								
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG								
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND								
● CONLIN			● LARSON			● RAIT			● STRINDEN								

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● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1151. A Bill for an Act to repeal section 24-06-03 of the North Dakota Century Code, relating to a required election if a township wishes to spend more than four hundred dollars on road building 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, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH		●	● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1154. A Bill for an Act to amend and reenact section 19-10-21 of the North Dakota Century Code, relating to bond of dealer in petroleum products.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1158. A Bill for an Act to amend and reenact section 11-18-16 of the 1973 Supplement to the North Dakota Century Code, relating to area limits of buried transmission facilities.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED	●		● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●		● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1169. A Bill for an Act to amend and reenact section 57-15-41 of the North Dakota Century Code, relating to fund transfer. Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1171. A Bill for an Act to amend and reenact subsection 8 of section 39-03A-01, 39-03A-09, 39-03A-11, 39-03A-13, 39-03A-14, 39-03A-16, 39-03A-21 and 39-03A-21.1 of the North Dakota Century Code relating to the North Dakota highway patrolmen's 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, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		●
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		●
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1177. A Bill for an Act to amend and reenact subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to the per

diem compensation of legislative council members, 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, 29; nays, 19; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed the title was agreed to, the emergency clause lost.

House Bill No. 1194. A Bill for an Act to create and enact section 20.1-02-14.1 of the North Dakota Century Code, providing for a uniform complaint and summons to be used in cases involving violations of Title 20.1 of the North Dakota Century Code, the game, fish, predator, and boating regulations.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK		●	● TWETEN		●
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1208. A Bill for an Act to create and enact a poultry division within the Department of Agriculture, to define the duties of the commissioner of agriculture; to provide for an advisory board and licensing and bonding of poultry buyers; to repeal chapter 4-13 of the North Dakota Century Code relating to the North Dakota Poultry Improvement Board; providing a penalty; and providing transfer of 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, 30; nays, 18; absent and not voting, 3.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		●
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5		●	● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3		●	● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1213. A Bill for an Act to amend and reenact section 4-12-04 of the North Dakota Century Code, relating to beekeeper's licensing fees; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 5; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		●
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5		●	● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3		●	● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

House Bill No. 1215. A Bill for an Act to amend and reenact section 57-13-03 of the North Dakota Century Code, relating to changing the meeting date of the state board of equalization from the fourth to the second Tuesday in August.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		●
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		●
● CHRISTENSEN, H. #5		●	● JONES		●	● NETHING		●	● SOLBERG		●
● CHRISTENSEN, L. #3		●	● KAUTZMANN		●	● PYLE		●	● STRAND		●
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED		●	● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		

So the bill passed and the title was agreed to.



**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT	●	
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1290.** A Bill for an Act to amend and reenact subsection 1 of section 57-02-08 of the North Dakota Century Code, relating to exemption from taxation of property of the United States.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT	●	
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1294.** A Bill for an Act to prohibit fetal experimentation, 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, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT	●	
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1319. A Bill for an Act to provide for a permanent Bird Day in North Dakota on April 26 of each year.  
Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 4; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON		●	● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		● STRAND
● CONLIN			● LARSON		●	● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ		●	● REDLIN		● STROUP
● FREED			● LEE		●	● REITEN		● THANE
● FRITZELL			● LIPS		●	● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE		●	● SANDS		● VOSPER
● GRONHOVD			● MAHER		●	● SANDNESS		● WALSH
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1333. A Bill for an Act to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation belonging to disabled veterans or their unremarried widows.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1354. A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees and mile 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, 47; nays, 1; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP

● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1368.** A Bill for an Act to provide for the sale of state lands to the City of Bismarck, North Dakota, for its airport.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1399.** A Bill for an Act to allow for the creation of county judicial coordinating councils, and to provide for their membership and operation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1416.** A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		● SHABLOW
● CHRISTENSEN, H #5			● JONES			● NETHING		● SMYKOWSKI
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● SOLBERG
● CONLIN			● LARSON			● RAIT		● STRAND
● ERDMAN			● LASHKOWITZ			● REDLIN		● STRINDEN
● FREED			● LEE			● REITEN		● STROUP
● FRITZELL			● LIPS			● RINGSAK		● THANE
● GOODMAN			● LONGMIRE			● SANDS		● TWETEN
● GRONHOVD			● MAHER			● SANDNESS		● VOSPER
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WALSH
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WENSTROM
● HOMUTH			● MUTCH			● SCHUSTER		● WRIGHT
								MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1423. A Bill for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		● SHABLOW
● CHRISTENSEN, H #5			● JONES			● NETHING		● SMYKOWSKI
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● SOLBERG
● CONLIN			● LARSON			● RAIT		● STRAND
● ERDMAN			● LASHKOWITZ			● REDLIN		● STRINDEN
● FREED			● LEE			● REITEN		● STROUP
● FRITZELL			● LIPS			● RINGSAK		● THANE
● GOODMAN			● LONGMIRE			● SANDS		● TWETEN
● GRONHOVD			● MAHER			● SANDNESS		● VOSPER
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WALSH
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WENSTROM
● HOMUTH			● MUTCH			● SCHUSTER		● WRIGHT
								MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1432. A Bill for an Act to amend and reenact section 36-13-03 of the North Dakota Century Code, relating to the sale of unclaimed estrays.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		● SHABLOW
● CHRISTENSEN, H #5			● JONES			● NETHING		● SMYKOWSKI
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● SOLBERG
● CONLIN			● LARSON			● RAIT		● STRAND
● ERDMAN			● LASHKOWITZ			● REDLIN		● STRINDEN
● FREED			● LEE			● REITEN		● STROUP
● FRITZELL			● LIPS			● RINGSAK		● THANE
● GOODMAN			● LONGMIRE			● SANDS		● TWETEN
● GRONHOVD			● MAHER			● SANDNESS		● VOSPER
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WALSH
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WENSTROM
● HOMUTH			● MUTCH			● SCHUSTER		● WRIGHT
								MR. PRESIDENT

So the bill passed and the title was agreed to.

### MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4027

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1021  
House Bill No. 1028  
House Bill No. 1029  
House Bill No. 1056  
House Bill No. 1057  
House Bill No. 1061  
House Bill No. 1073  
House Bill No. 1079  
House Bill No. 1089  
House Bill No. 1096  
House Bill No. 1112  
House Bill No. 1116  
House Bill No. 1121  
House Bill No. 1140  
House Bill No. 1164  
House Bill No. 1165  
House Bill No. 1173  
House Bill No. 1184  
House Bill No. 1199  
House Bill No. 1216  
House Bill No. 1226  
House Bill No. 1240  
House Bill No. 1253  
House Bill No. 1258  
House Bill No. 1291

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1110  
House Bill No. 1161

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1225  
House Bill No. 1251  
House Bill No. 1512

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2020  
Senate Bill No. 2045  
Senate Bill No. 2046

ROY GILBREATH, Chief Clerk

#### FIRST READING OF HOUSE BILLS

House Bill No. 1012. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof

of the state of North Dakota and which are under the supervision of the social service board.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1064.** A Bill for an Act making an appropriation for the upgrading of the law enforcement radio communications system and for the operation of the upgraded system for the upcoming biennium.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1065.** A Bill for an Act making an appropriation for the upgrading of the law enforcement teletype communications system and for the operation of that system for the upcoming biennium.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1067.** A Bill for an Act to amend and reenact section 24-04-03 of the North Dakota Century Code, relating to the authority of the state highway commissioner to receive and expend funds made available by Congress for feeder roads and for rural transportation assistance programs, and imposing limitations on the operation of bus transportation systems and on state highway funds which may be expended on such programs; and declaring an emergency.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1101.** A Bill for an Act to provide that all electors must be registered prior to being authorized to vote in any statewide special, primary, or general election; supervision of the registration process by county auditors; and the method of registration; and to amend and reenact sections 16-04-25, 16-04-26, 16-10-14, 16-11-10, 16-11-13, 16-11-16, 16-12-14, 16-13-02, 16-13-07, and 16-13-09 of the North Dakota Century Code, relating to maintenance and distribution of pollbooks and challenging the right of any person to vote; and providing a penalty.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1120.** A Bill for an Act to establish a state personnel system and to amend and reenact section 54-42-01 of the North Dakota Century Code, relating to the merit system council, and to repeal section 54-42-02 of the North Dakota Century Code, relating to the merit system council, providing a penalty, and providing for an appropriation.

Which was read the first time and referred to the Committee on State and Federal Government.

**House Bill No. 1148.** A Bill for an Act to create and enact sections 37-17.1-20, 37-17.1-21, and 37-17.1-22 of the North Dakota Century Code, relating to the United States Disaster Relief Act of 1974.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1191.** A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of the proceeds of such tax; to provide a penalty; and to provide that this Act shall be temporary.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1214.** A Bill for an Act to provide for the compensation of injured persons resulting from motor vehicle accidents; for security for motor vehicles on a compulsory basis; for certain mandatory minimum insurance or self-insurance protection benefits payable regardless of fault in cases of accidental bodily injury; for an exemption for secured



persons from general damages; for subrogation, intercompany arbitration, and offset of benefits paid against judgments; for an assigned claims plan; for a mandatory offering of excess optional no-fault benefits; to create and enact new subsections to sections 39-04-05 and 39-04-06 relating to the suspension or revocation of motor vehicle registration for failure to have security in effect as required by this Act; providing an effective date; and providing an appropriation.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1221.** A Bill for an Act to provide for an energy conversion tax on coal gasification and electrical generating plants; to provide that such tax be in lieu of certain other taxes; to provide for the administration and collection of such tax; to provide powers and duties of the state tax commissioner; to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to gross receipts from the sale of coal and electricity; to amend and reenact subsections 2, 3, and 5 of section 57-39.2-01, subsection 2 of section 57-39.2-02, subsection 2 of section 57-39.2-03, subsection 2 of section 57-39.2-03.1, subsection 2 of section 57-39.2-18, and subdivision a of subsection 6 of section 57-40.2-01, and section 57-53-02 of the North Dakota Century Code, relating to the exemption of coal, electricity, and heating fuels from sales and use and special fuels taxes; to provide a penalty; to provide that this Act shall be temporary; and to provide an appropriation.

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1250.** A Bill for an Act to repeal sections 39-04-16, 39-04-27, 39-05-02, and 39-05-26 of the North Dakota Century Code, relating to registration and titling of motor vehicles.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1405.** A Bill for an Act to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to legal notices and fees.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1447.** A Bill for an Act to amend and reenact section 65-04-01 of the North Dakota Century Code, as contained in section 11 of senate bill no. 2124 of the forty-fourth legislative assembly, relating to classification of employments by the workmen's compensation bureau.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

**House Bill No. 1465.** A Bill for an Act to create the office of public defender, to establish districts, qualifications, powers and duties, methods of selection, and tenure; and to provide for an appropriation.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1468.** A Bill for an Act to provide for an appropriation of general fund moneys to the college building fund under the control of the board of higher education, and an appropriation for the construction, additions to, remodeling, and equipping of buildings on the college campuses.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1478.** A Bill for an Act to amend and reenact sections 4-18.1-04, 4-18.1-07 (1), and 4-18.1-12 of the North Dakota Century Code, relating to the membership of the milk stabilization board, regulation of dairy farmer prices for all grade A milk, the amount of assessments for administration of the board.

Which was read the first time and referred to the Committee on Agriculture.

**House Bill No. 1519.** "A Bill for an Act to provide for the preferential assessment of agricultural lands, and to provide for the reclassification of agricultural lands if there is a change in use."

Which was read the first time and referred to the Committee on Finance and Taxation.

**House Bill No. 1527.** A Bill for an Act to establish a special trust fund from the undivided profits of the Bank of North Dakota for the purpose of making low-interest loans for construction of space or water heating systems utilizing solar energy or waste products, or for construction of wind-driven electrical power generating units, and providing for the administration of the loan program by the Bank of North Dakota.

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 provide for the design and issuance of number plates commemorating the 1976 American revolution bicentennial.

Which was read the first time and referred to the Committee on Transportation.

**House Bill No. 1567.** A Bill for an Act to provide for an appropriation for the construction of a heritage center.

Which was read the first time and referred to the Committee on Appropriations.

**House Concurrent Resolution No. 3021.** A concurrent resolution for the amendment of sections 55 and 67 of the Constitution of the State of North Dakota, relating to the power of the Legislative Assembly to call itself into special session.

Which was read the first time and referred to the Committee on Judiciary.

Senator Nething moved that at the conclusion of the Thirteenth Order of Business and after the reading of House Bills Nos. 1090, 1025, 1026, 1119, 1139, 1201, 1210, 1223, 1230, 1234, 1235, 1242, 1283, 1361, 1377, 1380, 1415, 1425, 1429, 1466 and 1595, that the Senate recess until 1:00 P.M. February 26, 1975. which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-SIXTH DAY AFTER RECESS  
AND THIRTY-SEVENTH DAY

Bismarck, February 26, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

FIRST READING OF  
SENATE CONCURRENT RESOLUTIONS

Committee on Delayed Bills introduced:

**Senate Concurrent Resolution No. 4072.** A concurrent resolution commending Manitoba Premier Ed Schreyer and his New Democratic Party for courageously turning back a proposal to finance court action against Garrison Diversion and pledging continued cooperation with our good neighbors in Manitoba and Canada.

Was read the first time and referred to the Committee on Natural Resources.

Committee on Delayed Bills introduced:

**Senate Concurrent Resolution No. 4073.** A concurrent resolution supporting the action of Congressman Mark Andrews and Congressman John Melcher in intervening before the Federal Power Commission proceedings, now known as El Paso Alaska Company, Commission Dockets Numbers 75-96, et. al.

Was read the first time and referred to the Committee on Finance and Taxation.

REPORTS OF STANDING COMMITTEES

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 indefinitely postponed.

SENATOR MELLAND, Vice Chairman

House Bill No. 1030 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1072 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1072 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1097 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR JONES, Chairman

House Bill No. 1097 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1108 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1108 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1131 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1131 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1198 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1198 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1212 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR JONES, Chairman

House Bill No. 1212 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1315 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1315 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1358 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1358 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1363 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR JONES, Chairman

House Bill No. 1363 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1398 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3 before the period insert the following new language: "and declaring an emergency."

On page 2, line 7 after the period insert the following new language: "(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 when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1398 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1414 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1414 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1438 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

House Bill No. 1438 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1445 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1445 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1454 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

House Bill No. 1454 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1459 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1459 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1554 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, after the word "territory" insert the words "is contained in"

On page 1, line 20, delete the words "area is"

On page 1, line 23, delete the words "or area"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1554 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Concurrent Resolution No. 3022 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Concurrent Resolution No. 3022 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Concurrent Resolution No. 3041 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Concurrent Resolution No. 3041 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to House Bills Nos. 1095, 1217, 1472, 1508 and 1579 be dispensed with, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1095 as recommended by the Committee on Industry, Business and Labor as printed on page 751 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1217 as

recommended by the Committee on Finance and Taxation as printed on page 752 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1472 as recommended by the Committee on Judiciary as printed on pages 753 and 754 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1508 as recommended by the Committee on Finance and Taxation as printed on page 754 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1579 as recommended by the Committee on Finance and Taxation as printed on page 754 of the Senate Journal be adopted, which motion prevailed.

#### MOTION

Senator Melland moved that the committee report for Indefinite Postponement on House Bill 1017 be laid over one legislative day, which motion prevailed.

#### MOTION

Senator Nething moved that the Senate resolve itself into a committee to advise and consent of the Governor's nominations, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES CONCERNING GOVERNOR'S APPOINTMENTS

Mr. President:

Your Committee on Education recommends that the Senate do advise and consent to the following Governor's appointments:

Council On The Arts and Humanities

Ms. Sylvia Hagen

Mr. Dennis Naurat

Mr. Walter Piehl

Mrs. Lloyd Everson

Mr. James Walker

Mrs. Winifred Stump

Ms. Nancy P. Swenson

Mr. Richard H. Smith

Mrs. Lawrence Summers

Dr. John Hove

Mrs. I.L. Lazereck

Mrs. Gordon Grey

Mrs. Russell Freeman

SENATOR NASSET, Chairman

Senator Solberg moved that the report be adopted, which motion prevailed.

Mr. President:

Your Committee on Education recommends that the Senate do advise and consent to the following Governor's appointments:

State Board of Public School Education

Mr. Sam Kessler

Mr. Arthur S. Johnson

SENATOR NASSET, Chairman

Senator Redlin moved that the report be adopted, which motion prevailed.

Mr. President:

Your Committee on Education recommends that the Senate do advise and consent to the following Governor's Appointment:

State Board of Higher Education

Mrs. Geraldine Clapp

SENATOR NASSET, Chairman

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President:

Your Committee on State & Federal Government recommends that the Senate do advise and consent to the following Governor's appointments:

Members of the State Historical Board

LaVern C. Neff

Snorri Thorfinnson

Edward A. Milligan

Mrs. Roberta McCreery

Mrs. Jacque Stockman

T.S. Kopseng

SENATOR JONES, Chairman

Senator Smykowski moved that the report be adopted, which motion prevailed.

Senator Nething moved that the Senate dissolve itself from the confirmation session, which motion prevailed.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-SEVENTH DAY

Bismarck, February 26, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Joseph Gwin, Pastor, Church of God of Prophecy, Bismarck.

"Let us pray:

Our Father and our God as we look to you with thankful hearts for this day that You have granted, Lord, we pray that we might have mindful hearts to look to You for leadership. We are so thankful for these delegates to this assembly and their president, we pray that You bless them Father as they conduct the business through this day. May they be guided by Your infinite wisdom for Lord we know that the wisdom of God is that above that of man and we pray that You would bless and guide the hearts of each one as the decisions are made much responsibility lying upon each one. Not only for today but for the days to come that the decisions that are made now would be carried on and be good for all. We ask dear Lord to guide our conscience, our heart together and bless this vast assembly Lord as they labor to do things according to Your will for all man. In Jesus' name. Amen."

Roll Call: All Senators present except C. Schultz.

A quorum was declared by the President.

### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-fifth day after recess and thirty-sixth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 1437. A Bill for an Act to amend and reenact section 49-18-04 of the North Dakota Century Code, relating to contract motor carriers.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1479.** A Bill for an Act to amend and reenact section 37-25-10 of the North Dakota Century Code, relating to the time limit for filing or receiving applications for the Vietnam bonus.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1486.** A Bill for an Act to provide that district courts may assign certain duties to juvenile supervisors; and to create and enact a new subdivision to subsection 1 of section 27-20-06 of the North Dakota Century Code, relating to the powers and duties of juvenile supervisors.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT



So the bill passed and the title was agreed to.

**House Bill No. 1490.** A Bill for an Act to create and enact a section of chapter 15-52 of the North Dakota Century Code relating to admission of students to the school of medicine 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAOEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEF			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1564.** A Bill for an Act to amend and reenact section 39-21-50 of the North Dakota Century Code, relating to the emblem required to be displayed by slow-moving vehicles and the penalty for failure to display such emblem.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAOEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEF			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTIONS**

Senator Solberg moved that House Bill No. 1576 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Nething moved that the rules be suspended, that the Senate reconsider the action by which House Bill No. 1204 was laid over until the 40th day, which motion prevailed.

Senator Ringsak moved that House Bill No. 1204 be re-referred to the Committee on Social Welfare and Veterans Affairs, which motion prevailed.

**SECOND READING OF HOUSE CONCURRENT RESOLUTIONS**

**House Concurrent Resolution No. 3006.** A concurrent resolution urging the Board of University and School Lands to make dispositions of lands under the control of the board in the fall of the year.

Which has been read.

The question being on the final adoption of the resolution.

Senator Vosper moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3006 was adopted.

**House Concurrent Resolution No. 3008.** A concurrent resolution urging Congress and the United States Department of Agriculture to purchase food and agricultural products for distribution to starving nations.

Which has been read.

The question being on the final adoption of the resolution.

Senator Redlin moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3008 was adopted.

**House Concurrent Resolution No. 3019.** A concurrent resolution requesting the Governor to study the results of the recent storm and determine the desirability of declaring certain counties disaster areas.

Which has been read.

The question being on the final adoption of the resolution.

Senator Morgan moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3019 was adopted.

**House Concurrent Resolution No. 3051.** A concurrent resolution urging the State Board of Higher Education to enter reciprocal tuition agreements with the States of South Dakota and Montana.

Which has been read.

The question being on the final adoption of the resolution.

Senator Tweten moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3051 was adopted.

### RECOGNITION

Senator Nething moved that the President appoint a committee of two to escort Miss Susan Myhr, Miss North Dakota, to the front of the desk, which motion prevailed. The President appointed as such committee, Senators Erdman and Solberg. Miss Myhr then entertained the members of the Senate by singing a few numbers.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1025.** A Bill for an Act to create and enact section 15-40.2-13 of the North Dakota Century Code, relating to nonresident tuition and to provide for the charging of interest for nonpayment of tuition 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED	●		● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1026.** A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON		●	● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		● STRAND
● CONLIN			● LARSON		●	● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ		●	● REDLIN		● STROUP
● FREED			● LEE		●	● REITEN		● THANE
● FRITZELL			● LIPS		●	● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE		●	● SANDS		● VOSPER
● GRONHOVD			● MAHER		●	● SANDNESS		● WALSH
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1090. A Bill for an Act to amend and reenact sections 40-57.1-03 and 40-57.1-06 of the North Dakota Century Code, relating to tax exemptions for new industries; to repeal section 40-57-17 of the North Dakota Century Code, relating to exemptions from taxation under the Municipal Industrial Development Act; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 725 & 726), the roll was called and there were ayes, 47; nays, 4; absent and not voting, 0.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON		●	● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		● STRAND
● CONLIN			● LARSON		●	● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ		●	● REDLIN		● STROUP
● FREED			● LEE		●	● REITEN		● THANE
● FRITZELL			● LIPS		●	● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE		●	● SANDS		● VOSPER
● GRONHOVD			● MAHER		●	● SANDNESS		● WALSH
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		MR. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause so carried.

House Bill No. 1119. A Bill for an Act to create and enact a new subsection to section 26-08-11 of the North Dakota Century Code and to amend and reenact section 26-08-12 of the North Dakota Century Code, relating to authorized investment of 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, 47; nays, 1; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON		●	● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING		● SOLBERG

● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1139.** A Bill for an Act to amend and reenact subsection 2 of section 26-35-02 of the North Dakota Century Code, pertaining to the scope of the regulation of credit 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1201.** A Bill for an Act to amend and reenact sections 15-39.1-09, 15-39.1-10, 15-39.1-15, 15-39.1-17, 15-39.1-19, 15-39.1-20, and subsections 1 and 3 of section 15-39.1-24, and to repeal subdivision c of subsection 1 of section 15-39.1-04 of the North Dakota Century Code, relating to the teachers' fund for retirement.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1210.** A Bill for an Act to amend and reenact subsection 2 of section 57-14-08 of the North Dakota Century Code, relating to appointment and compensation of special assessors.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 728), the roll was called and there were ayes, 41; nays, 9; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1223. A Bill for an Act to amend and reenact sections 57-20-06 and 57-20-07.1 of the North Dakota Century Code, relating to the dates for delivering tax lists to county treasurers and for mailing property tax statements.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 7; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1230. A Bill for an Act to create and enact subsection 14 of section 61-24-08 of the North Dakota Century Code, relating to the powers and duties of the garrison conservancy district board of directors.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 728 and 729), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		

• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause carried.

**House Bill No. 1234.** A Bill for an Act to amend and reenact section 57-15-16 of the North Dakota Century Code relating to tax levies for building funds in 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, 41; nays, 10; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE	•		• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3	•		• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON	•		• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1235.** A Bill for an Act to amend and reenact section 15-39.1-28 of the North Dakota Century Code, relating to a mill levy for teachers' retirement.

Which has been read.

Senator Shablow moved that House Bill No. 1235 be amended as follows:

On page 1 of the engrossed bill, line 13, delete the triple parentheses around the word "two" and delete the word "seven"

On page 1 of the engrossed bill, line 16, after the period, insert the following words: "An additional two mills for the fund may be levied upon approval by sixty percent of the electors voting on the question in a school district election. The question of approval of such additional mill levy may be submitted by the board at the next school district election."

And renumber the lines accordingly.

Senator Shablow moved that the amendments be adopted, which motion failed.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 23; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3	•		• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Jacobson moved that House Bill No. 1242 be re-referred to the Committee on Natural Resources, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1283. A Bill for an Act to amend and reenact section 44-06-12 and 44-08-06 of the North Dakota Century Code, relating to notary public seal, date of expiration, and seal dimensions.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1361. A Bill for an Act to amend and reenact subsection 5 of section 28-26-06 of the North Dakota Century Code, relating to expert witness court 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, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**MESSAGE TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4023

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1023  
 House Bill No. 1094  
 House Bill No. 1128  
 House Bill No. 1130  
 House Bill No. 1132  
 House Bill No. 1141  
 House Bill No. 1151  
 House Bill No. 1154  
 House Bill No. 1158  
 House Bill No. 1169  
 House Bill No. 1171  
 House Bill No. 1177  
 House Bill No. 1194  
 House Bill No. 1208  
 House Bill No. 1213  
 House Bill No. 1215  
 House Bill No. 1219  
 House Bill No. 1241  
 House Bill No. 1257  
 House Bill No. 1290  
 House Bill No. 1294  
 House Bill No. 1319  
 House Bill No. 1333  
 House Bill No. 1354  
 House Bill No. 1368  
 House Bill No. 1399  
 House Bill No. 1416  
 House Bill No. 1423  
 House Bill No. 1432

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1070  
 House Bill No. 1155  
 House Bill No. 1456

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1161 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

A. Hausauer  
 Farrington  
 Bye

Very respectfully,  
 ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President:

I have the honor to return herewith the following, which the House has passed unchanged:



Senate Bill No. 2016  
 Senate Bill No. 2091  
 Senate Bill No. 2106  
 Senate Bill No. 2141  
 Senate Bill No. 2165  
 Senate Bill No. 2201  
 Senate Bill No. 2208  
 Senate Bill No. 2241  
 Senate Bill No. 2288  
 Senate Bill No. 2366  
 Senate Concurrent Resolution No. 4018

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2131

House amendments to Senate Bill No. 2131

On page 1, line 13 delete the comma after the word "chamber"

On page 1, delete all of line 14

On page 1, line 15 delete the word "vehicle"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

Senate Bill No. 2261

House amendments to Senate Bill No. 2261

On page 1, line 15, after the word "or" insert the following words:  
 "North Dakota"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Senate Bill No. 2270

House amendments to Senate Bill No. 2270

On page 1, line 15, place triple parentheses around the second word  
 "the"

On page 1, line 16, place beginning triple parentheses before the comma

On page 1, line 22, place ending triple parentheses after the word  
 "county"

On page 2, line 3, place triple parentheses around the second word  
 "the"

On page 2, line 9, place triple parentheses around the second word  
 "the"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President:

I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2072

Senate Bill No. 2116

Senate Bill No. 2121

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2299

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Stroup moved that the President appoint a committee of three

to act with a like committee from the House as a Conference Committee on House Bill No. 1161, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1161, Senators J. Schultz, Stroup, Barth.

#### PERSONAL PRIVILEGE

Senator Nething: Mr. President, I rise on a point of personal privilege.

Mr. President, Ladies and Gentlemen of the Senate:

Last evening's paper carried an article wherein the Republican Majority was alleged to be delinquent in their handling of the affairs of the Senate. What the Minority Leader has done in these charges and I guess the best way I can answer them is to say that they are ridiculous.

The Minority Leader has insulted every Committee Chairman in this body, each of whom have been extremely courteous to his party's members. He apparently does not believe in freedom of expression as not once have we enforced the limit on debate within our limitation rule even though certain Senators choose to speak at great length on certain issues. He also forgets we are handling a record number of bills and resolutions. I believe that he has also forgotten that the Minority attempted to amend SB 2031 with the concept that had never had a public hearing in the Senate and which took more than an hour of precious time on the 33rd Legislative Day. It appears his vision is very limited if he believes he can attack the Majority Committee Chairmen, the Majority Leaders and continue to maintain the work relationship he has enjoyed. Publicity obtained this way can only diminish his role as Minority Leader. Mr. President, Ladies and Gentlemen of the Senate, it must be a bitter disappointment to the Senators from the Minority party as well as the senators from the Majority party when the Minority Leader, who in the press champions open government, now chooses to express himself by press release rather than to confront on the Senate floor those that he chooses to attack.

#### PERSONAL PRIVILEGE

Senator Hoffner: Mr. President, I rise on a point of personal privilege.

Mr. President and Members of the Assembly:

I think it is only fair that I read this statement. I wasn't going to take the time of this assembly to express my views last Saturday and so I spent the weekend thinking about what a rough three days we had. First of all I'm going to read my statement and then I have a few comments. I intend to hound the Majority party to distribute the legislative work load, I have no qualms about charging the Republicans with poor management during the first 33 legislative days. The log jam we experienced at the cross-over deadline was unfortunate and absolutely unnecessary. The Senate acted on 155 bills in the last 3 days of the cross-over week. Legislative committees faced a February 19 deadline for reporting out the bills. March 13, the 47th legislative day will be the next deadline for all bills to move to the floor for final action. The North Dakota House of Representatives passed 344 bills that must now move through Senate committees and onto the floor. Senate committees will have fewer bills before them in this last half of the session, there is no reason for having another weary 11th hour cram session. I am firmly convinced that if the Majority party handles the major legislation in an orderly fashion, we can finish our business within the 60-day constitutional limit. However, if we experience the same foot-dragging and inability of the Majority to make committee decisions, we will surely have another last minute stack up of bills on the Senate floor. In the closing weeks of the session, conference committees will be formed to negotiate the compromises necessary for ironing out conflicts. I feel that many of the major decisions are still left to be made and will require numerous conference com-

mittees. Now it is possible that we could run out of senators in these closing weeks, it has happened, to serve on conference committees. It takes alot of time. Such time pressure is unfair to our members, unfair to the proposals being considered, and definitely unfair to the North Dakotan's who's lives are affected by these legislative decisions. We had about 496 bills in the Sénate that we disposed of, the House had 610 bills. The House adjourned Friday, it was forced to wait for their adjournment till Monday. Now when I left here Saturday, I was weary. As Minority Floor Leader, it is my responsibility to check all these bills and make sure that nothing slips through as a minority party that we vote on or vote against that hasn't been brought to our attention. We went into session at 12:30, now I maintain that during this first half of the legislative session that there were times when we had a very short day, that a lot of these bills could have been moved out, there were even times when the Majority party had caucuses, I think, on a couple of occasions. I didn't complain about that, although our members were sitting around waiting for the Majority party and their caucuses. Now I feel that this criticism and this statement that I have made is not chopping up the Majority leader or the chairmen, I am just giving constructive criticism and I do feel it is justified. The tax bill that we acted on that was referred to by the Majority leader that were amendments presented to came out after the bill had laid in committee over 21 days, a rule had been broken. We could go on and on and accuse, but what I am saying is that I hope that we get these bills out soon enough, get them on the Governor's desk and if he agrees with them, sign them, if he disagrees with them send them back with a message, we can work out our differences between the Legislative and Executive branches of government. We have a sixty day constitutional limit, I think it is important that we get the bills out before that deadline and move onto our business.

Senator Nething moved that after the reading of House Bills Nos. 1072, 1095, 1097, 1108, 1131, 1198, 1212, 1217, 1315, 1358, 1363, 1414, 1445, 1459, 1472, 1508, 1579, HCR's 3022 and 3041, that the Senate recess until 1:00 P.M., February 27, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-SEVENTH DAY AFTER RECESS  
AND THIRTY-EIGHTH DAY

Bismarck, February 27, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1161 Senators:

- J. Schultz
- Stroup
- Barth

Very respectfully,  
LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to House Bill Nos. 1398 and 1554 be dispensed with, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1398 as recommended by the Committee on State and Federal Government as printed on page 774 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to House Bill No. 1554 as recommended by the Committee on Education as printed on page 775 of the Senate Journal be adopted, which motion prevailed.

COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT

Senator Lips moved that the Committee Report on House Bill No. 1017, as printed on page 751 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1017, the roll was called and there were 37 ayes; 10 nays; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SANYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON		•	• RAIT		•	• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL	•		• LIPS			• RINGSA	•		• TWETEN		
• GOODMAN			• LONGMIRE	•		• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		•
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		•
• HOLLAND	•		• MORGAN			• SCHULTZ, J #37			• WRIGHT		•
• HOMUTH			• MUTCH			• SCHUSTER	•		• MR. PRESIDENT		•

The motion prevailed, and House Bill No. 1017 was indefinitely postponed.

Senator Melland moved that the Committee Report on House Bill No. 1030, as printed on page 773 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1030, the roll was called and there were 48 ayes; 1 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

The motion prevailed, and House Bill No. 1030 was indefinitely postponed.

Senator Jones moved that the Committee Report on House Bill No. 1438, as printed on page 775 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1438, the roll was called and there were 48 ayes; 0 nays; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

The motion prevailed, and House Bill No. 1438 was indefinitely postponed.

Senator Jones moved that the Committee Report on House Bill No. 1454, as printed on page 775 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1454, the roll was called and there were 37 ayes; 10 nays; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH

● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR PRESIDENT

The motion prevailed, and House Bill No. 1454 was indefinitely postponed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Bill No. 2131 as printed on page 787 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended and that Senate Bill No. 2131 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2131. A Bill for an Act to amend and reenact subsection 5 of section 20.1-01-05 of the North Dakota Century Code, relating to unauthorized methods of taking game birds and game animals.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR PRESIDENT		

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. 2261 as printed on page 787 of the Senate Journal, which motion prevailed.

Senator Nasset moved that the rules be suspended and that Senate Bill No. 2261 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2261. A Bill for an Act to amend and reenact section 15-62.2-01 of the North Dakota Century Code, relating to participation in an undergraduate student financial assistance program.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		

● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

### MOTION

Senator Jones moved that House Bill No. 1413 be returned to the Senate from the Committee on State and Federal Government, which motion prevailed.

Senator Jones moved that House Bill No. 1413 be re-referred to the Committee on Political Subdivisions, which motion prevailed.

### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1083 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 11, insert a "comma" following the word "surface"

On page 1, line 15, after the word "water" insert the following:

" sand, gravel, stone, clay, scoria, and holes drilled in an operating coal mine to trace the coal seam"

On page 2, line 23, after the "period" insert the following:

"Notices filed with the county register of deeds under this section shall be maintained in a manner separate and apart from any other records or indices concerning the land described in the notice."

On page 2, line 29, insert the following after the "comma":

"and shall send to the owner or occupier of any land upon which drilling is begun,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1083 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1084 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1084 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1088 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1088 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1093 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 4 delete the word "sections" and insert in lieu thereof the new word "section"

On page 1, line 4 delete the words "and 23-14-02"

On page 1, line 5 delete the word "innoculation" and insert in lieu thereof the following new word "inoculation"

On page 2, line 20 before the comma delete the remainder of the line.

On page 2, delete line 21

On page 2, line 22 delete the word "immunization,"

On page 2, after the last printed line of section five insert the following



new language: "6. Before any child is immunized the school authorities shall notify the parent or guardian of their right to refuse such immunization."

On page 2, line 24 delete the word "Sections" and insert in lieu thereof the new word "Section"

On page 2, line 23 delete the words "and 23-14-02"

Renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1093 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1122 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, after the word "misconduct" insert beginning triple parentheses

On page 1, line 19 after the word "negligence" insert ending triple parentheses

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1122 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1136 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1136 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1138 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1138 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1159 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1159 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1172 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22 following the first comma insert the following new language: "with such juncture defined as the bridge crossing of State Highway 22 in Section 34, Range 95 West, Township 148 North"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1172 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1182 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1182 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1242 has had the same under consideration and

recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

House Bill No. 1242 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1254 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1254 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1255 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1255 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1281 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1281 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1299 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1299 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1300 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1300 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1306 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1306 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1313 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1313 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1320 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR MORGAN, Chairman

House Bill No. 1320 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1330 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1330 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1452 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 following the numeral "15-22-05" delete the word "and".

On page 1, line 2 following the numeral "23-03-06" insert the following: "58-06-02, 58-07-01, 58-08-01, and 58-09-02"

On page 1, line 5 after the comma delete the word "and"

On page 1, line 5 after the word "members" insert the following new language: "and mileage rate for township supervisors, clerks, treasurers, and assessors; and declaring an emergency"

On page 3, after line 14, insert the following new sections:

"SECTION 5. AMENDMENT.) Section 58-06-02 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-06-02. COMPENSATION OF SUPERVISORS.) A township supervisor shall receive as compensation for his services ten dollars a day for each day necessarily devoted to the work of his office and (((ten))) fifteen cents per mile for each mile necessarily traveled in the performance of his duties, but his compensation shall not exceed one hundred fifty dollars in any one year.

SECTION 6. AMENDMENT.) Section 58-07-01 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-07-01. COMPENSATION AND FEES OF CLERK.) The township clerk shall receive as compensation for his services ten dollars a day for each day necessarily devoted to the work of his office. He shall receive as reimbursement for expenses (((ten))) fifteen cents per mile for each mile actually and necessarily traveled in the performance of his duties. He shall be paid fees and not per diem for the following services:

1. For serving notices of election upon township officers, twenty-five cents each;
2. For filing any papers required to be filed in his office, ten cents each;
3. For posting notices required by law, twenty-five cents each;
4. For recording any order, instrument, or writing authorized by law, ten cents for each one hundred words; and
5. For copying any record or instrument on file in his office and certifying the same, ten cents for each one hundred words to be paid by the person applying for the same.

In those townships in which the offices of township clerk and treasurer have been merged, the person elected to fill the new office shall receive compensation as township treasurer only.

SECTION 7. AMENDMENT.) Section 58-08-01 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-08-01. COMPENSATION.) Each township treasurer shall receive for his services ten dollars a day for each day necessarily devoted to the work of his office and (((ten))) fifteen cents for each mile necessarily traveled in the performance of his duties. He shall not receive more than one hundred fifty dollars in any one year nor shall he be allowed a percentage on the balance turned over by him to his successor in office.

SECTION 8. AMENDMENT.) Section 58-09-02 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

58-09-02. COMPENSATION OF ASSESSOR.) The township assessor shall receive as compensation for his services a sum determined by the board of township supervisors for the time actually and necessarily employed in making and completing the assessment of the township and fifteen cents per mile for each mile necessarily traveled in the per-

formance of his duties. The compensation shall be paid out of the township treasury upon an itemized statement setting forth the actual time spent in the work of assessor, approved by the board of township supervisors.

SECTION 9. 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, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1452 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1461 has had the same under consideration and recommends that the same be amended as follows:

On page 2, delete all of lines 5 and 6

On page 3, line 3, after the period delete the following: "The legislative members shall receive their usual"

On page 3, delete all of line 5

On page 3, line 6, delete the following: "appropriated for the legislative assembly."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1461 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1489 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

House Bill No. 1489 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1516 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, after the numeral "27-08.1-03," delete the following: "27-08.1-04, 27-08.1-05,"

On page 3, delete all of lines 14 through 35

On page 4, delete all of lines 1 through 27

On page 4, line 31, after the word "DOCKETING" delete the beginning triple parentheses

On page 4, line 32, after the word "APPEAL." delete the ending triple parentheses and the underscored period

On page 4, line 32, after the word "If" delete the beginning triple parentheses

On page 4, line 33, after the word "and" delete the ending triple parentheses

On page 5, line 5, after the word "rendered" insert the following new language: "without payment of a filing fee"

On page 5, line 15, after the period delete the beginning triple parentheses

On page 5, line 18, after the period delete the ending triple parentheses

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1516 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to

whom was referred House Bill No. 1537 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2 before the second period insert the following new language: “, and declaring an emergency”

On page 2, after line 33 insert the following new language:

“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 and sections accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1537 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1566 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

House Bill No. 1566 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1580 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1580 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1586 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1586 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3014 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 21 delete the word “courthouse” and in lieu thereof insert the word “courthouse”

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Concurrent Resolution No. 3014 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3015 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

House Concurrent Resolution No. 3015 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Concurrent Resolution No. 3018 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 8 delete the word “one-half” and insert in lieu thereof the words “fifteen per cent”

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Concurrent Resolution No. 3018 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred

House Concurrent Resolution No. 3029 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Concurrent Resolution No. 3029 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Concurrent Resolution No. 3053 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Concurrent Resolution No. 3053 was placed on the 14th order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILLS

House Bill No. 1072. A Bill for an Act to amend and reenact section 54-52.1-03 of the North Dakota Century Code, relating to the eligibility of employees to remain in the uniform group insurance program upon retirement or termination of employment, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER			•	NAADEN	•	SHABLOW	
•			•	JACOBSON			•	NASSET	•	SMYKOWSKI	
•			•	JONES			•	NEHING	•	SOLBERG	
•			•	KALITZMANN			•	PYLE	•	STRAND	
•			•	LARSON			•	RAIT	•	STRINDEN	
•			•	LASKOWITZ			•	REDLIN	•	STROUP	
•			•	LEE			•	REITEN	•	THANE	
•			•	LIPS			•	RINGSACK	•	TWETEN	
•			•	LONGMIRE			•	SANDS	•	VOSPER	
•			•	MAHER			•	SANDNESS	•	WALSH	
•			•	MELAND			•	SCHULTZ, C #14	•	WENSTROM	
•			•	MORGAN			•	SCHULTZ, J #32	•	WRIGHT	
•			•	MUTCH			•	SCHUSTER	•	MR. PRESIDENT	

So the bill passed, the title was agreed to, and the emergency clause carried.

House Bill No. 1095. A Bill for an Act to amend and reenact section 65-05-19 of the North Dakota Century Code, relating to nondependency payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 751), the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER			•	NAADEN	•	SHABLOW	
•			•	JACOBSON			•	NASSET	•	SMYKOWSKI	
•			•	JONES			•	NEHING	•	SOLBERG	
•			•	KALITZMANN			•	PYLE	•	STRAND	
•			•	LARSON			•	RAIT	•	STRINDEN	
•			•	LASKOWITZ			•	REDLIN	•	STROUP	
•			•	LEE			•	REITEN	•	THANE	
•			•	LIPS			•	RINGSACK	•	TWETEN	
•			•	LONGMIRE			•	SANDS	•	VOSPER	
•			•	MAHER			•	SANDNESS	•	WALSH	
•			•	MELAND			•	SCHULTZ, C #14	•	WENSTROM	
•			•	MORGAN			•	SCHULTZ, J #32	•	WRIGHT	
•			•	MUTCH			•	SCHUSTER	•	MR. PRESIDENT	

So the bill passed and the title was agreed to.

**House Bill No. 1097.** A Bill for an Act to provide for issuance of permits to residents sixty years of age or more which would allow such persons free access to 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, 26; nays, 22; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #37		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1108.** A Bill for an Act to create and enact section 15-55-04.1 of the North Dakota Century Code, relating to the authority of the board of higher education to lease revenue producing buildings.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #37		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1131.** A Bill for an Act to amend and reenact section 18-12-04 of the North Dakota Century Code, relating to employment of registered 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, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1198. A Bill for an Act to amend and reenact section 6'-01-20 of the North Dakota Century Code, relating to the Bank of North Dakota being entitled to 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, 27; nays, 22; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER						● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### THIRTY-EIGHTH DAY

Bismarck, February 27, 1975

The Senate convened at 2:00 p.m., the President presiding.

Prayer by Robert Fisher, Pastor, Bismarck Wesleyan Church.

"Dear Father in heaven, we are Your creation, the object of your Divine affection, the apple of Your eye. While our thoughts try to understand Your boundless love, our hearts melt in devotion and adoration. We give ourselves to Thee! Through troubled times, difficult tasks and heavy demands on our time; help us to quiet our hearts until we can clearly see the beauty of Your attention toward us and our every frustration.

You know our needs. You know our efforts to solve those problems we are trying to be responsible to. You know how everyone of us is burdened with the task of communicating to others those values that have become so important to ourselves. You know how we are trying to listen to others, to our conscience, and to Thee, O God.

We ask of You those things which we need for the tasks of today. We ask for wisdom, for peace, and for the ability to understand one another.

We thank You. We love You.

Amen"

Roll Call: All Senators present except L. Christensen, Lee.

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 to be correct.

**SENATOR SANDNESS, Chairman**

Senator Sandness moved that the report be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1212.** A Bill for an Act to amend and reenact section 54-07-06 of the North Dakota Century Code, relating to the creation of the Division of Economic Opportunity.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 24; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill lost due to a lack of a majority.

**House Bill No. 1217.** A Bill for an Act to amend and reenact subsection 1 of section 57-39.2-11 of the North Dakota Century Code, relating to an extension of time to file a return and make payment and providing for interest on such delayed payment.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 752), the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1229.** A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the 1973 Supplement to the North Dakota Century Code, relating to the definition of "purchase price".

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1315. A Bill for an Act to transfer the custody and control of the former executive mansion from the director of institutions to the state historical board, and to repeal chapter 342 of the 1957 Session Laws 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1344. A Bill for an Act to amend and reenact section 57-55-04 of the North Dakota Century Code, relating to the distribution of mobile home tax revenues.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ page 444), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1358. A Bill for an Act to amend and reenact section 21-03-26 and 21-03-31 of the North Dakota Century Code, relating to notices and advertisements required in conjunction with municipal bond 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, 45; nays, 3; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE	•		• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS	•	• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•	• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1363. A Bill for an Act to ban pay toilets in public establishments.

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, 33; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE	•		• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill lost.

House Bill No. 1377. A Bill for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to definitions used in Title 39.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 730), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE	•		• REITEN		• THANE

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

MOTION

Senator Ringsak moved that House Bill No. 1380 be re-referred to the Committee on Judiciary, which motion lost.

SECOND READING OF HOUSE BILLS

House Bill No. 1380. A Bill for an Act to create and enact section 51-07-01.1 of the North Dakota Century Code, relating to franchise and other sales arrangements between retailers and distributors, manufacturers, and wholesalers; providing that such arrangements cannot be terminated except for good cause; and defining good cause.

Which has been read.

Senator Nothing moved that those Senators who asked to be excused from voting due to a conflict be permitted to vote, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED		●	● LEE		●	● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK		●	● TWETEN		
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1414. A Bill for an Act to amend and reenact section 27-05-05 of the North Dakota Century Code, relating to the method by which presiding judges of district courts are determined.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE		●	● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1415.** A Bill for an Act to repeal section 27-03-10 of the North Dakota Century Code, relating to the furnishing of opinions, abstracts and briefs by the clerk of the supreme court to the supreme court reporter.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1425.** A Bill for an Act to amend and reenact sections 12-51-05, 12-59-05, 12-59-07, 12-59-15, and 12-59-16 of the North Dakota Century Code, to provide that inmates at the state farm are eligible for parole.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN	●		● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH	●	
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1439.** A Bill for an Act to amend and reenact section 40-18-06 of the North Dakota Century Code, relating to salaries for municipal 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, 44; nays, 6; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		

• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSACK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1445.** A Bill for an Act to amend and reenact sections 40-08-07 and 40-09-06 of the North Dakota Century Code, relating to compensation of aldermen and city 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, 47; nays, 3; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		• NAADEN			• SHABLOW			
• BERUBE			• JACOBSON		• NASSET			• SMYKOWSKI			
• CHRISTENSEN, H. #5			• JONES		• NETHING			• SOLBERG			
• CHRISTENSEN, L. #3			• KAUTZMANN		• PYLE			• STRAND			
• CONLIN			• LARSON		• RAIT			• STRINDEN			
• ERDMAN			• LASHKOWITZ		• REDLIN			• STROUP			
• FREED			• LEE		• REITEN			• THANE			
• FRITZELL			• LIPS		• RINGSACK			• TWETEN			
• GOODMAN			• LONGMIRE		• SANDS			• VOSPER			
• GRONHOVD			• MAHER		• SANDNESS			• WALSH			
• HOFFNER			• MELLAND		• SCHULTZ, C. #14			• WENSTROM			
• HOLAND			• MORGAN		• SCHULTZ, J. #32			• WRIGHT			
• HOMUTH			• MUTCH		• SCHUSTER			• MR. PRESIDENT			

So the bill passed and the title was agreed to.

**House Bill No. 1459.** A Bill for an Act to amend and reenact section 15-47-05 of the North Dakota Century Code relating to qualifications of school electors and 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, 23; nays, 27; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		• NAADEN			• SHABLOW			
• BERUBE			• JACOBSON		• NASSET			• SMYKOWSKI			
• CHRISTENSEN, H. #5			• JONES		• NETHING			• SOLBERG			
• CHRISTENSEN, L. #3			• KAUTZMANN		• PYLE			• STRAND			
• CONLIN			• LARSON		• RAIT			• STRINDEN			
• ERDMAN			• LASHKOWITZ		• REDLIN			• STROUP			
• FREED			• LEE		• REITEN			• THANE			
• FRITZELL			• LIPS		• RINGSACK			• TWETEN			
• GOODMAN			• LONGMIRE		• SANDS			• VOSPER			
• GRONHOVD			• MAHER		• SANDNESS			• WALSH			
• HOFFNER			• MELLAND		• SCHULTZ, C. #14			• WENSTROM			
• HOLAND			• MORGAN		• SCHULTZ, J. #32			• WRIGHT			
• HOMUTH			• MUTCH		• SCHUSTER			• MR. PRESIDENT			

So the bill lost.

**House Bill No. 1466.** A Bill for an Act to amend and reenact section 27-18-03 of the North Dakota Century Code, relating to compensation of county justices.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1472. A Bill for an Act to amend and reenact section 16-04-04 of the North Dakota Century Code, relating to the filing dates for candidates' petitions.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 753 & 754), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1508. A Bill for an Act to amend and reenact subsection 1 of section 57-27-02 and section 57-28-03 of the North Dakota Century Code, relating to the contents of a notice of expiration of the period of redemption of lands sold by tax sale.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 754), the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1579.** A Bill for an Act to amend and reenact section 57-38-36 of the North Dakota Century Code, relating to the payment of tax in quarterly installments and providing for an effective date.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 754), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1595.** A Bill for an Act relating to the admissibility of certain evidence regarding the character of complaining witnesses in criminal prosecutions for gross sexual imposition or sexual imposition, and to certain procedures to be followed in such proceedings.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Concurrent Resolution No. 3022.** A concurrent resolution urging the Congress not to pass legislation which would regulate abandoned unclaimed lands nor to pass legislation which would put a per-ton charge on surface mined coal.

Which has been read.

The question being on the final adoption of the resolution.

Senator Vosper moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3022 was adopted.

**House Concurrent Resolution No. 3041.** A concurrent resolution urging the Board of University and School Lands to sell state school lands to private citizens whenever possible.

Which has been read.

The question being on the final adoption of the resolution.



Senator Jones moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3041 was adopted.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1025  
House Bill No. 1026  
House Bill No. 1119  
House Bill No. 1139  
House Bill No. 1201  
House Bill No. 1223  
House Bill No. 1234  
House Bill No. 1235  
House Bill No. 1283  
House Bill No. 1361  
House Bill No. 1437  
House Bill No. 1479  
House Bill No. 1486  
House Bill No. 1490  
House Bill No. 1564  
House Concurrent Resolution No. 3006  
House Concurrent Resolution No. 3008  
House Concurrent Resolution No. 3019  
House Concurrent Resolution No. 3051  
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1090  
House Bill No. 1210  
House Bill No. 1230  
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2131 - 2261.

LEO LEIDHOLM, Secretary of Senate

MESSAGE FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2086  
Senate Bill No. 2096  
Senate Bill No. 2119  
Senate Bill No. 2120  
Senate Bill No. 2123  
Senate Bill No. 2140  
Senate Bill No. 2149  
Senate Bill No. 2151  
Senate Bill No. 2153  
Senate Bill No. 2176  
Senate Bill No. 2179  
Senate Bill No. 2196  
Senate Bill No. 2211  
Senate Bill No. 2217  
Senate Bill No. 2228

Senate Bill No. 2246  
 Senate Bill No. 2290  
 Senate Bill No. 2311  
 Senate Bill No. 2336  
 Senate Bill No. 2367  
 Senate Bill No. 2463  
 Senate Bill No. 2472  
 Senate Concurrent Resolution No. 4066

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2162

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2162

On page 1 after line 23 of the engrossed bill insert the following:

"However, the polls shall not be closed until every person at the polling place prior to the hour for closing the polls and desiring to vote has been given the opportunity to vote and the inspector shall so proclaim to everyone entering the polling place within twenty minutes prior to the hour of closing the polls."

And renumber the lines and pages accordingly.

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2337  
 Senate Bill No. 2124

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 2208.

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1210 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Kretschmar  
 Royse  
 Kelly

Very respectfully,  
 ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1110

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. 2021  
 Senate Bill No. 2023  
 Senate Bill No. 2044  
 Senate Bill No. 2048  
 Senate Bill No. 2076  
 Senate Bill No. 2082  
 Senate Bill No. 2083

Senate Bill No. 2105  
Senate Bill No. 2137  
Senate Bill No. 2169  
Senate Bill No. 2188  
Senate Bill No. 2191

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Maher 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. 2021  
Senate Bill No. 2023  
Senate Bill No. 2044  
Senate Bill No. 2048  
Senate Bill No. 2076  
Senate Bill No. 2082  
Senate Bill No. 2083  
Senate Bill No. 2105  
Senate Bill No. 2137  
Senate Bill No. 2169  
Senate Bill No. 2188  
Senate Bill No. 2191

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2021  
Senate Bill No. 2023  
Senate Bill No. 2044  
Senate Bill No. 2048  
Senate Bill No. 2076  
Senate Bill No. 2082  
Senate Bill No. 2083  
Senate Bill No. 2105  
Senate Bill No. 2137  
Senate Bill No. 2169  
Senate Bill No. 2188  
Senate Bill No. 2191

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1019  
House Bill No. 1051  
House Bill No. 1053  
House Bill No. 1054  
House Bill No. 1055  
House Bill No. 1123

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2021  
Senate Bill No. 2023

Senate Bill No. 2044  
 Senate Bill No. 2048  
 Senate Bill No. 2076  
 Senate Bill No. 2082  
 Senate Bill No. 2083  
 Senate Bill No. 2105  
 Senate Bill No. 2137  
 Senate Bill No. 2169  
 Senate Bill No. 2188  
 Senate Bill No. 2191  
 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. 1019  
 House Bill No. 1051  
 House Bill No. 1053  
 House Bill No. 1054  
 House Bill No. 1055  
 House Bill No. 1123

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1019  
 House Bill No. 1051  
 House Bill No. 1053  
 House Bill No. 1054  
 House Bill No. 1055  
 House Bill No. 1123

Which the President has signed.

LEO LEIDHOLM, Secretary

#### REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2021  
 Senate Bill No. 2023  
 Senate Bill No. 2044  
 Senate Bill No. 2048  
 Senate Bill No. 2076  
 Senate Bill No. 2082  
 Senate Bill No. 2083  
 Senate Bill No. 2105  
 Senate Bill No. 2137  
 Senate Bill No. 2169  
 Senate Bill No. 2188  
 Senate Bill No. 2191

Were delivered to the Governor for his approval at the hour of 4:15 o'clock p.m., Feb. 27, 1975.

SENATOR STRAND, Chairman

Senator Nothing moved that after the reading of House Bills Nos. 1084, 1088, 1136, 1182, 1254, 1255, 1281, 1299, 1300, 1306, 1313, 1330, 1398, 1554, 1580 and HCR's 3029 and 3053, that the Senate recess until 1:00 p.m., February 28, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

THIRTY-EIGHTH DAY AFTER RECESS  
AND THIRTY-NINTH DAY

Bismarck, February 28, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

## CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to House Bills Nos. 1083, 1093, 1122, 1172, 1452, 1461, 1516, 1537 and HCR's 3014 and 3018 be dispensed with, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1083 as recommended by the Committee on Agriculture as printed on page 794 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1093 as recommended by the Committee on Social Welfare & Veterans Affairs as printed on pages 794 and 795 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1122 as recommended by the Committee on Judiciary as printed on page 795 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1172 as recommended by the Committee on State and Federal Government as printed on page 795 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1452 as recommended by the Committee on State and Federal Government as printed on pages 797 and 798 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1461 as recommended by the Committee on Judiciary as printed on page 798 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1516 as recommended by the Committee on Judiciary as printed on page 798 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1537 as recommended by the Committee on State and Federal Government as printed on pages 798 and 799 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Concurrent Resolution No. 3014 as recommended by the Committee on State and Federal Government as printed on page 799 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Concurrent Resolution No. 3018 as recommended by the Committee on State and Federal Government as printed on page 799 of the Senate Journal be adopted, which motion prevailed.

## MOTIONS

Senator Nething moved that the Senate request the return of House Bills 1121 and 1177, which motion prevailed.

Senator Nething moved that the Senate reconsider the action by which House Bill No. 1459 was lost, which motion prevailed.

Senator Nething moved that House Bill No. 1459 be re-referred to the Committee on Education, which motion prevailed.

Senator Mutch moved that the Senate accede to the request of the House, that we return Senate Bill No. 2208, which motion prevailed.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Freed moved that the Committee Report on House Bill No. 1159, as printed on page 795 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1159, the roll was called and there were 44 ayes; 3 nays; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN					• SHABLOW
• BERUBE	•		• JACOBSON			• NASSET					• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		•	• NETHING					• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE					• STRAND
• CONLIN			• LARSON			• RAIT					• STRINDEN
• ERDMAN			• LASHKOWITZ			• REILIN					• STROUP
• FREED			• LEE			• REITEN					• THANE
• FRITZELL		•	• LIPS			• RINGSACK					• TWETEN
• GOODMAN			• LONGMIRE			• SANDS					• VOSPER
• GRONHOVD			• MAHER			• SANDNESS					• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14					• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32					• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		•			• MR. PRESIDENT

The motion prevailed, and House Bill No. 1159 was indefinitely postponed.

Senator Jacobson moved that the Committee Report on House Bill No. 1242, as printed on pages 795 and 796 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1242, the roll was called and there were 47 ayes; 0 nays; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN					• SHABLOW
• BERUBE	•		• JACOBSON			• NASSET					• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING					• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE					• STRAND
• CONLIN			• LARSON			• RAIT					• STRINDEN
• ERDMAN			• LASHKOWITZ			• REILIN					• STROUP
• FREED			• LEE			• REITEN					• THANE
• FRITZELL			• LIPS			• RINGSACK					• TWETEN
• GOODMAN			• LONGMIRE			• SANDS					• VOSPER
• GRONHOVD			• MAHER			• SANDNESS					• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14					• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32					• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER					• MR. PRESIDENT

The motion prevailed, and House Bill No. 1242 was indefinitely postponed.

Senator Mutch moved that the Committee Report on House Bill No. 1489, as printed on page 798 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1489, the roll was called and there were 43 ayes; 4 nays; absent and not voting, 4.

NORTH DAKOTA SENATE										
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
		●	●	ISZLER		●	NAADEN		●	SHABLOW
	●		●	JACOBSON		●	NASSET		●	SMYKOWSKI
●			●	JONES		●	NETHING		●	SOLBERG
			●	KAUTZMANN		●	PYLE			STRAND
●			●	LARSON			RAIT	●		STRINDEN
●			●	LASHKOWITZ		●	REDLIN		●	STROUP
●			●	LEE		●	REITEN		●	THANE
●			●	LIPS		●	RINGSAK		●	TWETEN
●			●	LONGMIRE		●	SANDS		●	VOSPER
●			●	MAHER		●	SANDNESS		●	WALSH
	●		●	MELAND		●	SCHULTZ, C. #14		●	WENSTROM
●			●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT
●			●	MUTCH			SCHUSTER	●		MR. PRESIDENT

The motion prevailed, and House Bill No. 1489 was indefinitely postponed.

**RECOGNITION**

Senator Nothing announced that we have with us in the Chambers today, the Governor's choir from Jamestown College and that the Senate stand at ease while they perform for us. After the performance, President Wayne Sanstead was presented with an album from the spring 1974 concert tour of the choir on behalf of Professor Smith and the college choir.

The Senate reconvened, the President presiding.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

**THIRTY-NINTH DAY**

Bismarck, February 28, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Father Donald Hill, St. Hildegard's Church, Menoken, North Dakota.

"Let us pray: O Lord, we ask your presence in our deliberations as State Senators, of the State of North Dakota. Guide us in your Wisdom and Grace to meet the obligations we have undertaken, and to bring about social justice and order through the work we accomplish for Your people whom we serve. We ask this through Christ Our Lord. Amen."

Roll Call: All Senators present except Berube, L. Christensen, Ringsak, Shablow & Tweten.

A quorum was declared by the President.

**CORRECTION AND REVISION**

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-seventh day after recess and thirty-eighth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Ringsak moved that the Committee Report on House Bill No. 1566, as printed on page 799 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1566, the roll was called and there were 40 ayes; 3 nays; absent and not voting, 8.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and House Bill No. 1566 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on House Bill No. 1586, as printed on page 799 of the Senate Journal be adopted.

Senator Nething moved that all those Senators who have a conflict of interest with House Bill No. 1586 be permitted to vote, which motion prevailed.

#### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1586, the roll was called and there were 38 ayes; 9 nays; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and House Bill No. 1586 was indefinitely postponed.

Senator Morgan moved that the Committee Report on House Concurrent Resolution No. 3015, as printed on page 799 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on House Concurrent Resolution No. 3015, the roll was called and there were 46 ayes; 0 nays; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT



The motion prevailed, and House Concurrent Resolution No. 3015 was indefinitely postponed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution 4056 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 23, after the word "states" delete ", particularly the"

On page 2, line 24, delete the entire line

On page 2, line 25, delete "Center project in Minneapolis-St. Paul,"

On page 2, line 26, delete "such as the National"

On page 2, line 27, delete "Center for Resource Recovery, Inc.;"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution 4056 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1082 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 4, before the "period" insert a "comma" and the following words: "and declaring an emergency"

On page 2, line 4, following the numerals "24-06-30." insert the following new language: "Where an issue arises as to whether the situation is better served by the installation of a gateway or a cattleguard, the ultimate decision will be left to the board of county commissioners or board of township supervisors, as the case may be.

On page 2, after the last printed line of the bill, 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 and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1082 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1107 has had the same under consideration and recommends that the same be amended as follows:

On page 4 of the engrossed bill, delete lines 21 through 31 and insert in lieu thereof the following:

"SECTION 6. REGISTRATION DISTRICTS.) Each county of this state shall constitute a registration district for purposes of this Act, and the clerk of each district court in this state is hereby designated as a local registrar. The local registrar may appoint one or more deputy local registrars for each registration district."

On page 5, line 15, of the engrossed bill, delete the comma and the remainder of the line

On page 5, line 16, of the engrossed bill, delete the following: "sent of the state registrar,"

On page 5, line 17, of the engrossed bill, following the period, insert the following: "Each licensed funeral home shall be entitled to have one of its staff members appointed as a subregistrar for all registration districts served by that funeral home."

On page 5, line 19, of the engrossed bill, after the word "receive" delete the words "birth and"

On page 5, line 20, of the engrossed bill, after the word "for" delete the words "the portion of the" and insert in lieu thereof the word "those"; and

on the same line after the word "registration" delete the following: "district assigned to"

On page 5, line 21, of the engrossed bill, delete the word "him" and insert the following words before the period: "districts served by the funeral home he is employed by"

On page 5, line 23, of the engrossed bill, following the word "within" delete the rest of the line and insert in lieu thereof the words: "twenty-one days after death"

On page 5, line 24, of the engrossed bill, delete the words: "following month"

On page 13, line 4, of the engrossed bill, delete the word "seven" and insert in lieu thereof the word "fifteen"; and on the same line after the word "death" delete the rest of the line

On page 13, line 5, of the engrossed bill, delete the following: "of the dead body from the state"

On page 13, line 11, of the engrossed bill, delete the word "seven" and insert in lieu thereof the word "fifteen"

On page 13, line 24, of the engrossed bill, after the word "within" delete the words "forty-eight hours" and insert in lieu thereof the words "fifteen days"

On page 13, line 33, of the engrossed bill, after the word "within" delete the words "forty-eight hours" and insert in lieu thereof the words "fifteen days"

On page 14, line 1, of the engrossed bill, delete the following: "forty-eight hours of" and insert in lieu thereof the words "fifteen days after"

On page 14, line 27, of the engrossed bill, after the word "within" delete the word "seven" and insert in lieu thereof the word "fifteen"

On page 14, line 28, of the engrossed bill, after the word "delivery" delete the rest of the line

On page 14, line 29, of the engrossed bill, delete the words "fetus from this state"

On page 14, line 35, of the engrossed bill, after the word "within" delete the word "seven" and insert in lieu thereof the word "fifteen"

On page 15, line 17, of the engrossed bill, after the word "within" delete the words "forty-eight hours of" and insert in lieu thereof the words "fifteen days after"

On page 15, line 24, of the engrossed bill, delete the words "forty-eight hours" and insert in lieu thereof the words "fifteen days"

On page 15, line 26, of the engrossed bill, after the word "within" delete the words "forty-eight hours of" and insert in lieu thereof the words "fifteen days after"

On page 16, line 10, of the engrossed bill, after the word "fetus" delete the words "and within seven days after the death"

On page 16, line 12, of the engrossed bill, after the word "registrar" insert the words "or subregistrar"

On page 16, line 13, of the engrossed bill, after the second word "death" delete the word "is" and insert in lieu thereof the words "will be"

On page 16, line 23, of the engrossed bill, after the word "licensed" delete the following: "funeral dir."

On page 16, line 24, of the engrossed bill, delete the following: "ector," and on the same line after the word "embalmer" delete the following: "or other person acting as such."

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1107 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was

referred House Bill No. 1109 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1109 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1111 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1111 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1145 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1145 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1271 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1273 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1273 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1274 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 14, of the engrossed bill, delete the word "tenth" and insert in lieu thereof the word "fifteenth"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1274 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1279 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 3, of the engrossed bill, following the word "districts" and before the period insert the following: ", and declaring an emergency"

On page 2, after the last printed line 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 lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill 1279 was placed on the sixth order of business for the next legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1302 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the words "sections 14-03-01 and"

On page 1 of the engrossed bill, line 2, after the word "the" add the words "contract of marriage and the"

On page 1, after line 7 of the engrossed bill, insert the following new section:

"SECTION 1. AMENDMENT.) Section 14-03-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

14-03-01. WHAT CONSTITUTES MARRIAGE.) Marriage is a personal relation arising out of a civil contract between a male and a female to which the consent of the parties is essential. The marriage relation shall be entered into, maintained, annulled, or dissolved only as provided by law."

On page 1, line 21 of the engrossed bill, after the first word "the" delete the following: "parents or guardian and the"

On page 1, line 23 of the engrossed bill, after the word "applicants" insert the following new language: ", together with the consent of the parents or guardian of said applicant"

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1302 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1334 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1334 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1352 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1352 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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 be indefinitely postponed.

SENATOR JACOBSON, Chairman

House Bill No. 1359 was placed on the sixth order of business on the calendar for the succeeding legislative day.

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 be indefinitely postponed.

SENATOR JACOBSON, Chairman

House Bill No. 1376 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1382 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1382 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

House Bill No. 1391 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1393 has had the same under consideration and recom-

mends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1393 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1418 has had the same under consideration and recommends that the same be amended as follows:

On page 7, delete lines 13 through 21.

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1418 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1420 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1420 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1429 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1429 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1436 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1436 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1442 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1442 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1474 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1474 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1475 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1475 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1482 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1482 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1485 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

House Bill No. 1485 was placed on the 6th order of business on the

calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1488 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 8, of the engrossed bill, delete the triple parentheses before the word "that", and on the same line place triple parentheses around the word "under"

On page 2, line 9, of the engrossed bill, before the word "a" insert the following: "with or without", and on the same line, delete the triple parentheses after the word "anesthetic"

On page 2, line 30, of the engrossed bill, after the period insert beginning triple parentheses and on the same line delete the beginning triple parentheses after the word "licensed"

On page 2, line 31, of the engrossed bill, after the period insert ending triple parentheses

On page 2, line 32, of the engrossed bill, place triple parentheses around the number "5" and insert in lieu thereof the number "4"

On page 2, line 32, of the engrossed bill, after the word "of" place triple parentheses around the word "orthopedic" and on the same line after the word "or" insert the word "performed"

On page 2, line 33, of the engrossed bill, after the word "state" delete the ending triple parentheses and the word "chiropractors"

On page 8, line 8, of the engrossed bill, after the word "class" delete the letter "A" and insert in lieu thereof the letter "B"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass:

SENATOR RINGSAK, Chairman

House Bill No. 1488 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1492 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

House Bill No. 1492 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1499 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 20 of the engrossed bill, following the period, insert the following words: "However, a member of any municipal board of directors of a public library and reading room who was appointed to such position by a school board prior to the effective date of this Act may serve upon such board for the residue of his unexpired term unless such position shall otherwise become vacant."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1499 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1502 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSAK, Chairman

House Bill No. 1502 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1506 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR MUTCH, Chairman

House Bill No. 1506 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1515 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR RINGSACK, Chairman

House Bill No. 1515 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1577 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR RINGSACK, Chairman

House Bill No. 1577 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1588 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1588 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### MOTION

Senator Jones moved that House Concurrent Resolution No. 3018 be re-referred to the Committee on State and Federal Government, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2162 as printed on page 812 of the Senate Journal, 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. 2162.

Senator Freed

Senator H. Christensen

Senator Schuster

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sands moved that the Senate do concur in the House amendments to Senate Bill No. 2270, as printed on page 787 of the Senate Journal, which motion prevailed.

Senator Sands moved that the rules be suspended and that Senate Bill No. 2270 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2270. A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to bond issues by counties.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 9.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

Senator Sands 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. 1210, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1210, Senators:

Reiten  
Smykowski  
Berube

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1084.** A Bill for an Act to amend and reenact subdivision b of subsection 1 of section 38-08-04, subsection 1 of section 38-12-01, and subdivision b of subsection 1 of section 38-12-02 of the North Dakota Century Code, relating to the authority of the industrial commission and to the definition of "subsurface minerals".

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1088.** A Bill for an Act to amend and reenact subsection 1 of section 40-61-14 of the North Dakota Century Code, relating to tax exemptions for property of municipal parking 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, 46; nays, 0; absent and not voting, 5.



NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE	●		● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELAND			● SCHULTZ, C.#14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1136. A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, relating to weekly compensation allowances for death claims.

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, 13; absent and not voting, 6.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELAND			● SCHULTZ, C.#14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1138. A Bill for an Act to create and enact chapter 26-17.1 of the North Dakota Century Code and to amend and reenact subsection 9 of section 26-09-01, sections 26-09B-01, 26-09B-02, 26-09B-06, 26-09B-07, 26-09B-10, 26-09B-11, 26-09B-12, 26-10-10, 26-10-11, 26-10-13.1, 26-13-17 and 26-14-22 of the North Dakota Century Code, all relating to the qualifications and procedures for the licensing of insurance agents, insurance brokers, surplus lines brokers, insurance consultants and limited insurance representatives and grounds for license denial, non-renewal, or termination; and to repeal subsection 10 of section 26-09-01, sections 26-09B-03, 26-10-08 and 26-10-12, and chapter 26-17 of the North Dakota Century Code, relating to the qualifications and procedures for the licensing of insurance agents; and providing a penalty for the violation 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, 39; nays, 6; absent and not voting, 6.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP

● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1182. A Bill for an Act to amend and reenact section 6-03-59.1 of the North Dakota Century Code, relating to leasing of personal property, regarding limitation and amount.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1254. A Bill for an Act to provide notice and opportunity for hearing prior to cancellations, revocation, suspension or rescision of a motor vehicle registration or a 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, 41; nays, 2; absent and not voting, 8.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1255. A Bill for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to the office of the motor vehicle registrar.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1281. A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting election day as a holiday. Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1299. A Bill for an Act to amend and reenact sections 11-11-35, 11-25-01, 21-05-07, 40-01-13, 40-09-13, subsection 15 of section 40-16-03, section 40-49-14, subsection 3 of section 40-58-16, and sections 40-61-07, 58-08-02, and 58-11-06 of the North Dakota Century Code, relating to the method of approval of vouchers for claims and accounts submitted to the governing bodies of cities, counties, and townships, city park districts, urban renewal agencies, and municipal parking 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, 44; nays, 1; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1300.** A Bill for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code, relating to the distribution of payments to county equalization funds.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1306.** A Bill for an Act to amend and reenact section 40-19-03 of the North Dakota Century Code, relating to return of the assessment roll by the city assessor.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1313.** A Bill for an Act to amend and reenact section 4-28.1-01 of the North Dakota Century Code, relating to a tax levy on flax.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN	●	

● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1330.** A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of section 40-51.2-07, and section 40-51.2-16 of the North Dakota Century Code, relating to the annexation of land by a municipal 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, 42; nays, 1; absent and not voting, 8.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK	●		● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1398.** A Bill for an Act to amend and reenact section 54-02-01 of the North Dakota Century Code, relating to the great seal of the state and providing a penalty for its commercial use, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 774), the roll was called and there were ayes, 41; nays, 3; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE	●		● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REITEN			● STROUP	●	
● FREED			● LEE			● RINGSACK			● THANE		
● FRITZELL			● LIPS			● SANDS			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDNESS			● VOSPER		
● GRONHOVD			● MAHER			● SCHULTZ, C. #14			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, J. #32			● WENSTROM		
● HOLAND			● MORGAN			● SCHUSTER			● WRIGHT		
● HOMUTH			● MUTCH						MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

**MOTION**

Senator Nasset moved that House Bill No. 1554 be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1580.** A Bill for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, to prohibit retail



ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 10.

REGULAR SESSION									NORTH DAKOTA SENATE			1975 LEGISLATURE		
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
●			●			●			●					
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW				
●	BERUBE	●	●	JACOBSON		●	NASSET		●	SMYKOWSKI				
●	CHRISTENSEN, H. #5		●	JONES	●	●	NETHING		●	SOLBERG				
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND				
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN				
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	●			
●	FREED		●	LEE		●	REITEN		●	THANE				
●	FRITZELL		●	LIPS		●	RINGSAK		●	TWETEN	●			
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER				
●	GRONHOVD		●	MAHER		●	SANDNESS		●	WALSH	●			
●	HOFFNER		●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM				
●	HOLAND		●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT				
●	HOMUTH		●	MUTCH	●	●	SCHUSTER			MR. PRESIDENT				

So the bill passed and the title was agreed to.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

February 28, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on February 28, 1975, I signed the following Senate Bills:

- 2021            2083
- 2023            2105
- 2044            2137
- 2048            2169
- 2076            2188
- 2082            2191

Sincerely yours,  
ARTHUR A. LINK  
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. 2241

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Strand 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. 2241

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2241

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following:  
Senate Bill No. 2241  
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. 2241

Was delivered to the Governor for his approval at the hour of 2:10 o'clock p.m., Feb. 28, 1975.

SENATOR STRAND, Chairman

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to transmit herewith the following:  
House Bill No. 1089  
House Bill No. 1094  
House Bill No. 1213  
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. 1089

House Bill No. 1094

House Bill No. 1213

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1089

House Bill No. 1094

House Bill No. 1213

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1072

House Bill No. 1097

House Bill No. 1108

House Bill No. 1131

House Bill No. 1198

House Bill No. 1229

House Bill No. 1315

House Bill No. 1358

House Bill No. 1380

House Bill No. 1414

House Bill No. 1415

House Bill No. 1425

House Bill No. 1439

House Bill No. 1445

House Bill No. 1466

House Bill No. 1595

House Concurrent Resolution No. 3022

House Concurrent Resolution No. 3041



Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1095

House Bill No. 1217

House Bill No. 1344

House Bill No. 1377

House Bill No. 1472

House Bill No. 1508

House Bill No. 1579

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1017

House Bill No. 1030

House Bill No. 1212

House Bill No. 1363

House Bill No. 1438

House Bill No. 1454

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

Senate Bill No. 2208

Which the House requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1210.

Senator Reiten

Senator Smykowski

Senator Berube

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has Refused to concur in the House amendment to Senate Bill No. 2162, and the President has appointed as a conference committee to act with a like committee from the House,

Senator Freed

Senator H. Christensen

Senator Schuster

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2270

Very respectfully,

LEO LEIDHOLM, Secretary of Senate

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bills Nos. 1121 and 1177.

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2219  
 Senate Bill No. 2220  
 Senate Bill No. 2257  
 Senate Bill No. 2258  
 Senate Concurrent Resolution No. 4026

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2237  
 Senate Bill No. 2263  
 Senate Bill No. 2287  
 Senate Bill No. 2329  
 Senate Bill No. 2386

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2237

On page 1, line 12, place beginning triple parentheses before the word "and"

On page 1, line 14, delete the word "Saturdays."

On page 1, line 14, place ending triple parentheses after the word "holidays"

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2263

On page 1, line 12, place beginning triple parentheses before the second word "the" and place ending triple parentheses after the word "February."

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2287

On page 1, line 13, delete the triple parentheses before the comma and also on line 13 place triple parentheses around the word "eighteen" and insert in lieu thereof the word "twenty-six"

On page 1, line 14, place beginning triple parentheses before the word "In"

And renumber the lines and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2329

On page 1, line 16, delete the words "golden gloves."

On page 1, line 17, place beginning triple parentheses before the first "and" and also on line 17 place ending triple parentheses after the word "associations" and insert in lieu thereof the following: "or amateur boxing, sparring and wrestling sponsored by non-profit organizations"

And renumber the lines and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2386

On page 1, line 17, after the word "written", insert the words: "or oral"

On page 1, line 18, after the period insert the following language: "The prescription shall not be filled or refilled more than six months after the date thereof or be refilled more than five times unless renewed by the practitioner. Any oral prescription for such compound, mixture, or preparation shall be promptly reduced to writing by the pharmacist on a new prescription blank and shall be signed within seventy-two hours by the practitioner who issued same."

And renumber the lines and pages accordingly.

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2252

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of House Bills Nos. 1083, 1093, 1109, 1111, 1122, 1145, 1172, 1271, 1273, 1334, 1352, 1382, 1391, 1393, 1420, 1429, 1436, 1442, 1452, 1461, 1474, 1475, 1482, 1516, 1537, 1588 and HCR 3014, that the Senate recess until 1:00 P.M., Monday, March 3, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



THIRTY-NINTH DAY AFTER RECESS  
AND FORTIETH DAY

Bismarck, March 3, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

## CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Concurrent Resolution No. 4056 and House Bills Nos. 1082, 1107, 1274, 1279, 1302, 1418, 1488 and 1499 be dispensed with, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Concurrent Resolution No. 4056 as recommended by the Committee on Natural Resources as printed on page 819 of the Senate Journal be adopted, which motion prevailed. Senator Fritzell moved that Senate Concurrent Resolution No. 4056 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1082 as recommended by the Committee on Agriculture as printed on page 819 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1107 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on pages 819 and 820 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to House Bill No. 1274 as recommended by the Committee on Political Subdivisions as printed on page 821 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to House Bill No. 1279 as recommended by the Committee on Political Subdivisions as printed on page 821 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1302 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on pages 821 and 822 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1418 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 823 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1488 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 824 of the Senate Journal be adopted, which motion prevailed.

Senator Sands moved that the amendments to House Bill No. 1499 as recommended by the Committee on Political Subdivisions as printed on page 824 of the Senate Journal be adopted, which motion prevailed.

## COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Jacobson moved that the Committee Report on House Bill No. 1359, as printed on page 822 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1359, the roll was called and there were 43 ayes; 8 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and House Bill No. 1359 was indefinitely postponed.

Senator Jacobson moved that the Committee Report on House Bill No. 1376, as printed on page 822 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1376, the roll was called and there were 47 ayes; 3 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and House Bill No. 1376 was indefinitely postponed.

Senator Sands moved that the Committee Report on House Bill No. 1485, as printed on page 823 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1485, the roll was called and there were 45 ayes; 6 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		



Senator Strand  
 Senator L. Christensen

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2329, which motion prevailed, as printed on page 836 of the Senate Journal.

Senator Stroup moved that the rules be suspended and that Senate Bill No. 2329 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2329. A Bill for an Act to amend and reenact section 53-01-18 of the North Dakota Century Code, relating to exemptions granted boxing, sparring, and wrestling exhibitions in educational institutions. 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2386, as printed on page 836 of the Senate Journal, which motion prevailed.

Senator Kautzmann moved that the rules be suspended and that Senate Bill No. 2386 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2386. A Bill for an Act to amend and reenact subsection 4 of section 19-03.1-22 of the North Dakota Century Code, relating to the requirements of a prescription for dispensing certain controlled substances. 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		



● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance & Taxation to whom was referred Senate Concurrent Resolution 4058 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, Chairman

Senate Concurrent Resolution No. 4058 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred Senate Concurrent Resolution No. 4059 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR KAUTZMANN, Chairman

Senate Concurrent Resolution No. 4059 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred Senate Concurrent Resolution No. 4060 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR KAUTZMANN, Chairman

Senate Concurrent Resolution No. 4060 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4063 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4063 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4069 has had the same under consideration and recommends that the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4069 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1020 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1020 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education 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 2 of the engrossed bill, line 30, after the period, insert the following: "Provided, however, that no school district shall receive more than one per pupil payment for transportation, regardless of the number of times any pupil is transported in any one day."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass and be referred to the Committee on Appropriations.

SENATOR NASSET, Chairman

House Bill No. 1022 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1058 has had the same under consideration and recommends that the same be amended as follows:

On page 8, line 24, of the engrossed bill delete "including a reasonable amount for attorneys' fees,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1058 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1059 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 28, delete ", in."

On page 3, line 29, delete "cluding reasonable attorneys' fees,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1059 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1066 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1066 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1135 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1135 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1144 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1144 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1183 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1183 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1245 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1245 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1263 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1263 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1284 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1284 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1318 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1318 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1356 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1356 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1412 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1412 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1542 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1542 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1543 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1543 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1544 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1544 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1555 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 14, insert beginning triple parentheses before the word "within"

On page 1, line 16, insert ending triple parentheses after the word "will" and insert in lieu thereof the word "can"; insert beginning triple parentheses before the word "enable" and insert ending triple parentheses after the word "raise" and insert in lieu thereof the word "levy"

On page 1, line 17, place beginning and ending triple parentheses around the word "funds" and insert in lieu thereof the word "taxes"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1555 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1569 has had the same under consideration and recommends that the same be amended as follows:

On page 4, line 14 of the engrossed bill, delete the underscored word "twelve" and insert in lieu thereof the underscored word "eight"

On page 4, line 33 of the engrossed bill, delete the underscored word "nine" and insert in lieu thereof the underscored word "eight"

On page 5, line 5 of the engrossed bill, following the word tax insert the following: " , after the deduction of any of the following: income taxes withheld, declaration of estimated income taxes paid, credit for taxes paid to another state, or any credits or deductions,

On page 5, line 13 of the engrossed bill, delete the beginning and ending parentheses around the word "eight"

On page 5, line 14 of the engrossed bill, delete the underscored word "nine"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1569 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTIETH DAY

Bismarck, March 3, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Father Matthew Fettig, Pastor, Cathedral of the Holy Spirit, Bismarck.

"God, our Father, look kindly upon us this day, as we gather here under the laws of Your Sovereignty and of our State, as we seek, liberty, justice, equity and charity for you people.

We have come here to consider the needs of the people of the State of North Dakota who have made us their mouthpiece in our representation. We have come here to consider and adopt legislation that will make it possible for these needs to be filled.

Throughout our deliberations we ask you, heavenly Father, to give us Your spirit of wisdom, knowledge, understanding and the vision that will enable us to legislate for the good of Your people in accordance with Your manifest eternal will.

Help us realize that the authority we exercise here is a sacred gift of trust, none other than a share in the authority which is Yours from the very beginning of time.

From this day till the closing hour of our deliberations help us to respect one another and the convictions that each may have and to listen and speak with charity, honesty and truthfulness.

We ask this through our Lord Jesus Christ. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-eighth day after recess and thirty-ninth day and recommends that the same be corrected as follows:

On page 823, after line 9, insert "and renumber the lines and pages accordingly"

On page 832, after line 46, insert "and renumber the lines and pages accordingly"

On page 834, line 14, delete "TO THE SENATE" and insert in lieu thereof "FROM THE HOUSE"

On page 837, line 11, delete "3018"

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1083. A Bill for an Act to provide for notice of drilling operations; requiring the plugging of drill holes; and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 794), the roll was called and there were ayes, 50; nays, 1; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER		•	NAADEN		•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	
•			•	JONES		•	NOTHING		•	SOLBERG	
•			•	KAUTZMANN		•	PYLE		•	STRAND	
•			•	LARSON		•	RAIT		•	STRINDEN	
•			•	LASHKOWITZ		•	REDLIN		•	STROUP	
•			•	LEE		•	REITEN		•	THANE	
•			•	LIPS		•	RINGSAK		•	TWETEN	
•			•	LONGMIRE		•	SANDS		•	VOSPER	
•			•	MAHER		•	SANDNESS		•	WALSH	
•			•	MELLAND		•	SCHULTZ, C. #14		•	WENSTROM	•
•			•	MORGAN		•	SCHULTZ, J. #32		•	WRIGHT	
•			•	MUTCH		•	SCHUSTER		•	MR. PRESIDENT	

So the bill passed and the title was agreed to.

House Bill No. 1093. A Bill for an Act to provide for a safe level of immunization for the people of North Dakota against diphtheria, pertussis, tetanus, measles (rubeola), rubella, mumps, and poliomyelitis; and to repeal sections 23-07-17 and 23-14-02 of the North Dakota Century Code, relating to compulsory vaccination or inoculation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 795), the roll was called and there were ayes, 47; nays, 3; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER		•	NAADEN	•	•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	
•			•	JONES		•	NOTHING		•	SOLBERG	
•			•	KAUTZMANN		•	PYLE		•	STRAND	
•			•	LARSON		•	RAIT		•	STRINDEN	
•			•	LASHKOWITZ		•	REDLIN		•	STROUP	
•			•	LEE		•	REITEN		•	THANE	
•			•	LIPS		•	RINGSAK		•	TWETEN	
•			•	LONGMIRE		•	SANDS		•	VOSPER	
•			•	MAHER		•	SANDNESS		•	WALSH	
•			•	MELLAND		•	SCHULTZ, C. #14		•	WENSTROM	•
•			•	MORGAN		•	SCHULTZ, J. #32		•	WRIGHT	
•			•	MUTCH	•	•	SCHUSTER		•	MR. PRESIDENT	

So the bill passed and the title was agreed to.

**House Bill No. 1109.** A Bill for an Act to amend and reenact section 57-02.1-05 of the North Dakota Century Code, relating to the computation of payments in lieu of real estate taxes by the game and fish commissioner.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 2; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3	●		● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS		●	● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1111.** A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of platforms in the hunting of big game animals.

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, 8; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1122.** A Bill for an Act to amend and reenact section 41-09-46.1 of the North Dakota Century Code relating to the liability of the filing officer in performing his responsibilities under the Uniform Commercial Code.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 795), the roll was called and there were ayes, 46; nays, 5; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING			● SOLBERG		

● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1145. A Bill for an Act to amend and reenact section 20.1-01-11 and subsection 15 of section 20.1-02-05 of the North Dakota Century Code, relating to the prohibition of aerial hunting and the power of the commissioner to permit such under certain circumstances.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1172. A Bill for an Act to provide for classification of the Little Missouri River as a state scenic river, and for its protection and preservation as a free-flowing and navigable river.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 795), the roll was called and there were ayes, 47; nays, 3; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**RECOGNITION**

President Sanstead appointed Senators Nething and Hoffner to escort to the rostrum, the State Easter Seal Poster child, 4½-year-old Scott Andes, and State Campaign Chairman, Wallace J. Dockter. The





So the bill passed and the title was agreed to.

**MEMORIAL SERVICE**

Senator Nething moved that the Senate recess the regular business of the session for the purpose of conducting the Senate Memorial Service, which motion prevailed.

The following Memorial Service was then held:

**MEMORIAL SERVICE**

State of North Dakota  
44th Legislative Assembly

**SENATE MEMORIAL SERVICE**

Monday  
March 3, 1975  
3:00 P.M.

**SENATE CHAMBERS**

**INVOCATION**  
Father Blaine Cook  
Corpus Christi Church  
Bismarck, North Dakota

**READING OF  
MEMORIAL RESOLUTION**  
Leo Leidholm  
Secretary

**SOLO**  
"I Will Sing New Songs of Gladness"

Rev. Albert Sandness  
Abercrombie, North Dakota  
Accompianist, Mrs. Harold Haakenstad, Bismarck

**POEM**  
"A Psalm of Life"  
Senator Hal Christensen

**BENEDICTION**  
Father Blaine Cook  
Corpus Christi Church

**FIRST READING OF A SENATE MEMORIAL RESOLUTION**  
Senators H. Christensen, Fritzell; Gronhovd introduced:

**Senate Memorial Resolution No. 5.** A memorial resolution for deceased members of the Senate of the State of North Dakota.

Was read the first time.

Senator H. Christensen moved that the rules be suspended, that Senate Memorial Resolution No. 5 not be printed as a resolution, not be referred to a committee, but printed in the Journal, read in its entirety, and placed on the calendar for second reading and final passage, which motion prevailed.

## SENATE MEMORIAL RESOLUTION No. 5

1 A memorial resolution for deceased members of the Senate of  
2 the State of North Dakota.

3

4 WHEREAS, God in His wisdom has seen fit to summon to  
5 eternal rest His servants and our former colleagues:

6 JOHN W. BENSON, who served in the Fifteenth through  
7 the Twentieth Legislative Assemblies, from the nineteenth  
8 district, died November 26, 1973.

9 JOHN D. "JACK" COUGHLIN, who served in the Fortieth  
10 through the Forty-third Legislative Assemblies, from the  
11 fifth district, died June 30, 1973.

12 FRED KRAUSE, who served in the Thirty-fifth and Thirty  
13 sixth Legislative Assemblies, from the forty-seventh district,  
14 died February 6, 1975.

15 ROSAMOND O'BRIEN LOWE, who served in the Thirty-third  
16 through the Thirty-sixth Legislative Assemblies, from the  
17 third district, died February 6, 1974.

18 JEROME NESVIG, who served in the Thirty-sixth and  
19 Thirty-seventh Legislative Assemblies, from the eighth dis-  
20 trict, died November 20, 1974.

21 R. A. OWINGS, who served in the Twenty-fourth through  
22 the Twenty-seventh Legislative Assemblies, from the fortieth  
23 district, died May 9, 1974.

24 LEON A. SAYER, who served in the Thirty-third through  
Page Two

1 the Thirty-fifth Legislative Assemblies, from the sixteenth  
2 district, died February 21, 1975.

3 JOSEPH SPIEKERMEIER, who served in the Thirty-first  
4 and Thirty-second Legislative Assemblies, from the eleventh  
5 district, died May 9, 1974.

6 JOHN E. WILLIAMS, who served in the Twelfth and  
7 Thirteenth Legislative Assemblies, from the forty-sixth  
8 district, died May 21, 1973.

9 WHEREAS, today, we, as members of the Senate of the  
10 Forty-fourth Legislative Assembly of the State of North  
11 Dakota, pause to mourn the passing of our former colleagues,  
12 and to honor their memories; and

13 WHEREAS, these legislators rendered outstanding service  
14 to the people of the State by their contribution to their  
15 fellowmen and their communities;

16 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF  
16a THE

17 FORTY-FOURTH LEGISLATIVE ASSEMBLY OF THE STATE OF  
17a NORTH

18 DAKOTA:

19 That we express our keen sorrow on their passing and  
20 our appreciation, on behalf of the people of North Dakota,  
21 of the loyal and devoted service of these, our former  
22 colleagues; and

23 BE IT FURTHER RESOLVED, that, for the perpetuation  
24 of their memory, this token of respect and sympathy by their  
25 successors in trust be printed in the journal of the Senate,  
26 and that duly enrolled copies of this resolution be presented  
27 by the Secretary of State to the surviving families of these  
28 deceased Senators.

SECOND READING OF  
A SENATE MEMORIAL RESOLUTION

**Senate Memorial Resolution No. 5.** A memorial resolution for deceased members of the Senate of the State of North Dakota.

Was read the second time.

The question being on the final adoption of the Resolution.

Senator Gronhovd moved that Senate Memorial Resolution No. 5 be adopted, which motion prevailed.

Senator Hal Christensen:

Over the years we all gather a collection of memories from experiences and from people. This is a treasure which we have that no one can take away from us and, if you think about it, these memories are really what give life meaning. Many of you remember the former senators that we are honoring today, especially those of you who have been in the Senate for many sessions.

We are happy to have with us today many of the relatives of those we are honoring. I would like to mention that John Williams, who is one of those being honored, was the father of Senator Shirley Lee. He goes back the farthest into our history having served in the 12th and 13th Legislative Assembly — 12th goes back to 1911.

I might also mention that Jack Coughlin, the most recent member, was a member of this body during the last session.

#### A PSALM OF LIFE

#### What The Young Man Said To The Psalmist

Tell me not, in mournful numbers,  
Life is but an empty dream! —  
For the soul is dead that slumbers,  
And things are not what they seem.

Life is real! Life is earnest!  
And the grave is not its goal;  
Dust thou art, to dust returnest,  
Was not spoken of the soul.

Not enjoyment, and not sorrow,  
Is our destined end or way;  
But to act, that each tomorrow  
Find us farther than today.

Art is long, and Time is fleeting,  
And our hearts, though stout and brave,  
Still, like muffled drums, are beating  
Funeral marches to the grave.

In the world's broad field of battle,  
In the bivouac of Life,  
Be not like dumb, driven cattle!  
Be a hero in the strife!

Trust no Future, howe'er pleasant!  
Let the dead Past bury its dead!  
Act, — act in the living Present!  
Heart within, and God o'erhead!

Lives of great men all remind us  
We can make our lives sublime,  
And, departing, leave behind us  
Footprints on the sands of time;

Footprints, that perhaps another,  
Sailing o'er life's solemn main,  
A forlorn and shipwrecked brother,  
Seeing, shall take heart again.

Let us, then, be up and doing,  
With a heart for any fate;  
Still achieving, still pursuing,  
Learn to labor and to wait.

— Henry Wadsworth Longfellow

It is a truism to say that it is not how long you live, how fast you live . . . "How" you lived. It would be well if time permitted us to recount the contributions made by all nine of the persons we honor today. I'm sure the list would be long. May their lives inspire us to bigger and better things.

**MOTION**

Senator Fritzell moved that Senator H. Christensen's remarks be printed in the Journal, which motion prevailed.

Senator Nething moved that the Memorial session be dissolved, which motion prevailed.

The Senate reconvened, the President presiding.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1334.** A Bill for an Act to amend and reenact section 40-45-08 and 40-45-09 of the North Dakota Century Code, relating to police pensions in cities, membership fees and assessments, and who may be retired on pension.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNORIS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1352.** A Bill for an Act to amend and reenact section 57-15-19.4 of the North Dakota Century Code, relating to use of the township five-mill levy for federal aid 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, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		

● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNES	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1382. A Bill for an Act to amend and reenact section 57-15-42 of the North Dakota Century Code, relating to city fire department reserve fund 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, 47; nays, 0; absent and not voting, 4.

REGULAR SESSION			NORTH DAKOTA SENATE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		● SHABLOW
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SMYKOWSKI
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● SOLBERG
● CONLIN			● LARSON			● RAIT		● STRAND
● ERDMAN			● LASHKOWITZ			● REDLIN		● STRINDEN
● FREED			● LEE			● REITEN		● STROUP
● FRITZELL			● LIPS			● RINGSAK		● THANE
● GOODMAN			● LONGMIRE			● SANDS		● TWETEN
● GRONHOVD			● MAHER			● SANDNES		● VOSPER
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WALSH
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WENSTROM
● HOMUTH			● MUTCH			● SCHUSTER		● WRIGHT
								MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1391. A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the organization of annual or special township meetings.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

REGULAR SESSION			NORTH DAKOTA SENATE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		● SHABLOW
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SMYKOWSKI
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● SOLBERG
● CONLIN			● LARSON			● RAIT		● STRAND
● ERDMAN			● LASHKOWITZ			● REDLIN		● STRINDEN
● FREED			● LEE			● REITEN		● STROUP
● FRITZELL			● LIPS			● RINGSAK		● THANE
● GOODMAN			● LONGMIRE			● SANDS		● TWETEN
● GRONHOVD			● MAHER			● SANDNES		● VOSPER
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WALSH
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WENSTROM
● HOMUTH			● MUTCH			● SCHUSTER		● WRIGHT
								MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1393. A Bill for an Act to amend and reenact section 61-21-46 of the North Dakota Century Code, relating to the maximum levy for cleaning and repairing drains.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1420. A Bill for an Act to amend and reenact section 40-24-18 of the North Dakota Century Code, relating to a fund for special improvement moneys.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1429. A Bill for an Act to amend and reenact sections 20.1-01-07 and 20.1-01-11 of the North Dakota Century Code, relating to the use of motor vehicles for hunting.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1436. A Bill for an Act to amend and reenact subsections 2 and 3 of section 40-40-06 of the North Dakota Century Code, relating to notice of municipal preliminary budget statements.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1442. A Bill for an Act to repeal section 40-14-07 of the North Dakota Century Code, relating to holding of other offices by city auditor.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 3.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1452. A Bill for an Act to amend and reenact sections 11-10-15, 11-15-12, 15-22-05, 23-03-06, 58-06-02, 58-07-01, 58-08-01, and 58-09-02 of the North Dakota Century Code, relating to the mileage rate for county officials, sheriff's mileage, mileage rate for the county superintendent of schools, mileage rate of county board of health members and mileage rate for township supervisors, clerks, treasurers, and assessors; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 797 & 798), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause carried.

**House Bill No. 1461.** A Bill for an Act to amend and reenact sections 27-15-01, 27-15-02, and 27-15-10 of the North Dakota Century Code, relating to additional memberships on the judicial Council, and providing for the term of office and compensation for such additional members.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 798), the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1474.** A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a final deadline date for any taxing district to amend its current budget.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1475.** A Bill for an Act to provide for the licensing of food vending machines and the revocation of such licenses by the state laboratories department, to provide for the promulgation of rules and regulations, and to provide for the inspection of vending machines.

Which has been read.





House Bill No. 1242  
 House Bill No. 1489  
 House Bill No. 1566  
 House Bill No. 1586  
 House Concurrent Resolution No. 3015  
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:  
 House Bill No. 1254  
 House Bill No. 1398  
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:  
 House Bill No. 1084  
 House Bill No. 1088  
 House Bill No. 1136  
 House Bill No. 1182  
 House Bill No. 1255  
 House Bill No. 1281  
 House Bill No. 1299  
 House Bill No. 1300  
 House Bill No. 1306  
 House Bill No. 1313  
 House Bill No. 1330  
 House Bill No. 1580  
 House Concurrent Resolution No. 3053  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1090.

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return:  
 House Bill No. 1121 and 1177  
 Which the Senate has requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1230.

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2018  
 Senate Bill No. 2071  
 Senate Bill No. 2101  
 Senate Bill No. 2168  
 Senate Bill No. 2170  
 Senate Bill No. 2175  
 Senate Bill No. 2185  
 Senate Bill No. 2192

Senate Bill No. 2209  
 Senate Bill No. 2213  
 Senate Bill No. 2227  
 Senate Bill No. 2229  
 Senate Bill No. 2264  
 Senate Bill No. 2274  
 Senate Bill No. 2291  
 Senate Bill No. 2358  
 Senate Bill No. 2363  
 Senate Bill No. 2394  
 Senate Bill No. 2433  
 Senate Bill No. 2437

ROY GILBREATH, Chief Clerk  
 House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2115  
 Senate Bill No. 2136  
 Senate Bill No. 2208  
 Senate Bill No. 2273  
 Senate Bill No. 2439

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2115

On page 1, line 2, after "15-53.1-41" insert the following: "and section 15-53.1-42"

On page 1, line 15, delete the triple parentheses after the first word "to" and place ending triple parentheses after the word "raise" and insert in lieu thereof the word "levy" and also on line 15, place triple parentheses around the word "funds" and insert in lieu thereof the word "taxes"

On page 1, after line 16, insert the following: "SECTION 2. AMENDMENT.) Section 15-53.1-42 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-53.1-42 NOTICE OF HEARING—ORDER OF ATTACHMENT—JOINT COUNTY ACTION.) The county superintendent, upon order of the county committee, shall notify the clerk of each school district adjoining any district which is to be dissolved pursuant to section 15-53.1-41, and any unorganized territory recommended for attachment as therein provided, that a hearing will be held and the time and the place of the hearing by the county committee, for the purpose of determining to which school district or districts the dissolved or unorganized territory will be attached. At such hearing, the county committee shall receive testimony for the purpose of adjusting properties, debts and liabilities of the district to be dissolved in accordance with the provisions of section 15-53.1-06. Upon or after such hearing the county committee shall by resolution order the district dissolved and its territory attached, or the unorganized territory attached, to one or more adjoining school districts in such manner as will, in its judgment, provide the best educational opportunities for pupils of the public schools and the wisest use of public funds for the support of the public school system in such school districts and attached territory. The district to be dissolved shall be attached to a contiguous district operating an accredited high school if the district to be dissolved is contiguous to such a district or districts. The order shall become effective July first following the date of the order or resolution and after approval by the state committee, unless another effective date is provided for by the county committee, as provided in section 15-53.1-41. If that portion of the order providing for attachment of the dissolved or unorganized territory is rendered ineffective or suspended for any reason, the portion of the

order providing for the dissolution shall also be suspended until such time as the attachment becomes effective. If any of such adjoining district is situated wholly or partly in a county other than that which included the district to be dissolved or the unorganized territory affected, any order attaching territory to such adjoining school district shall become effective only upon the adoption of a concurring resolution by the county committee of the other county in which it is situated. In the event that the county committees cannot agree upon an order attaching the territory to adjoining districts, the county superintendent of the county in which the majority of the district being dissolved is located shall submit the dissolution and attachment to the state committee, and in such instance the state committee shall dissolve and attach the district to be dissolved, or the unorganized territory, in the manner as will, in its judgment, provide the best educational opportunities for pupils of the public school system in such school districts and attached territories. The action of the state committee shall have the same effect as approval by all county committees."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2136

On page 2, line 20, of the engrossed bill, after the period add the following: "Provided, however, that the reduction allowed under this paragraph shall apply only to such adoption expenses of a child who qualifies under the provisions of paragraph (3) of this subdivision."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2208

On page 1, line 17, delete "alxes" and insert in lieu thereof "axles"

On page 1, line 20, delete "limiations" and insert in lieu thereof "limitations"

#### HOUSE AMENDMENT TO SENATE BILL No. 2273

On page 1 after line 23 insert the following new paragraph:

"There shall be no violation of any of the provisions of this chapter for any act done or omitted to be done in conformity with properly promulgated rules and regulations issued under section 13-03-11; notwithstanding that such orders, rules and regulations may, after such act or omission, be amended, rescinded or be determined by judicial or other authority to be invalid for any reason."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2439

On page 1, line 2, delete the following: ", a new subsection to section 57-39.2-04, and"

On page 1, line 3, delete the following: "a new subsection to section 57-40.2-04"

On page 1, line 5, delete the words "and sales and use taxes"

On page 1, line 6, after the word "structures" insert the words "and to provide for a time limitation"

On page 1, line 20, following the period insert the following sentence:

"Provided, however, that any exemptions granted by this subsection shall be valid for a five-year period following installation of any such system."

On page 1, delete lines 22 through 24.

On page 2, delete the lines 1 through 9.

And renumber the lines, pages and sections accordingly.

House Chamber

Mr. President: I have the honor to return herewith the following, which

the House has indefinitely postponed:

Senate Bill No. 2418

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2035

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of House Bills Nos. 1020, 1066, 1082, 1107, 1135, 1144, 1183, 1245, 1274, 1279, 1284, 1302, 1318, 1356, 1412, 1418, 1488, 1499, 1542, 1543 and 1544, that the Senate recess until 1:00 P.M., March 4, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



**FORTIETH DAY AFTER RECESS  
AND FORTY-FIRST DAY**

Bismarck, March 4, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4055 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the word "resolution" through the end of the resolution and insert in lieu thereof the following: "directing the Legislative Council to study the current and projected land use policies of North Dakota Institutions. This study shall consider the investment in all land and facilities, including those located adjacent to urban areas, so as to establish priorities for best use of State land.

WHEREAS, it is in the best interests of the citizens of North Dakota to put state-owned lands and facilities to most economic and appropriate use; and

WHEREAS, certain tracts of such land may have the potential for higher public or private uses than its current use; and

WHEREAS, certain North Dakota lands utilized by institutions are located in expanding population areas; and

WHEREAS, consideration should be given to possible disposal and/or relocation of such lands to achieve best land use;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE CONCURRING THEREIN;

That the institutions or departments utilizing or managing land in the execution of their mission be directed to report current and projected use of land tracts under their direction, and

That the Legislative Council is hereby authorized and directed to conduct a study to determine the validity of holding lands in expanding urban areas; examine the setting of priorities for the use of state land; develop a plan for the disposal or relocation of such land and attendant facilities; and study whether state lands should be sold by negotiation or by bid; and shall make its report and recommendations, accompanied by any necessary legislation, to the Forty-Fifth Legislative Assembly."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass and be re-referred to the Legislative Council Resolutions Committee.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4055 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4067 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senate Concurrent Resolution No. 4067 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4070 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4070 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1045 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1045 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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 be amended as follows:

On page 2 of the engrossed bill, line 33 after the word "section" delete "9" and insert in lieu thereof "10"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1063 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1100 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 19, after the period, insert the following new language: "In making an award of such attorney's fees, the fee agreement between defendant and his attorney, whether as to hourly rate or percentage of recovery, shall not be considered by the court."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1100 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1102 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR FREED, Chairman

House Bill No. 1102 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1120 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR JONES, Chairman

House Bill No. 1120 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1142 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 word "definitions" delete the following language " , and to create and"

On page 1, delete all of line 3

On page 1, line 4, delete the words "of the commissioner"

On page 1, line 6, delete the word "bird" and insert in lieu thereof the word "gun"



On page 1, line 15, delete the word "Bird" and insert in lieu thereof the word "Gun"

On page 1, delete all of lines 17 through 24

On page 2, delete all of lines 4 through 12 and insert in lieu thereof the following language:

"20.1-04-12. WHEN (((BIRD))) GUN DOGS NOT TO BE TRAINED OR PERMITTED TO RUN LOOSE—(((RETRIEVERS MAY BE USED))) EXCEPTIONS.—No person, classified as a professional trainer, between April first and July fourteenth of each year, both dates inclusive, shall train or run any gun dog (((, known as a "bird dog", including pointers, setters, or droppers,))) or allow any such dog to run loose (((on land where game birds may be found))). (((This section shall not prohibit the use of dogs for retrieving water birds or upland game birds during the respective open season.))) For purposes of this section, a professional trainer is any person who trains any breed of gun dog for remuneration which is the basis for his livelihood. This section shall not prohibit the running of gun dog field trials, nor shall this section prohibit the training of an individual's personal gun dog during that period provided that (1) landowner permission is secured by the trainer, (2) the trainer is present, (3) no native game birds are killed or captured, and (4) the training is not on a designated game management area or designated waterfowl production area."

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1142 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1209 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1209 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1237 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 3, delete the following: "and travel expenses"

On page 1, line 23, after the word "to" delete the beginning triple parentheses

On page 1, line 24, after the word "officials" delete the ending triple parentheses and the words "state employees"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1237 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1252 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1252 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR NASSET, Chairman

House Bill No. 1311 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1317 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1317 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1411 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1411 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1469 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1469 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1473 has had the same under consideration and recommends that the same do pass.

SENATOR MELLAND, Vice-Chairman

House Bill No. 1473 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1496 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1496 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1561 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 21, after the word "the" insert the following: "preliminary hearing and"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1561 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1562 has had the same under consideration and recommends that the same be amended as follows:

On page 3 of the engrossed bill, line 1, after the word "the" insert the following: "preliminary hearing and"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1562 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1592 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, after line 13, add the following: "SECTION 2. LEGISLATIVE INTENT.) The moneys herein appropriated shall only be expended for the purposes stated in SECTION I of this Act. No funds shall be expended from any other state agency, department, or institution appropriation to continue this project once the

funds herein appropriated have been expended. It is the specific intent of the Legislature that this project shall cease in the 1975-1977 biennium and the legislature does not contemplate its continuance in the future bienniums."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MELLAND, Vice-Chairman

House Bill No. 1592 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3056 has had the same under consideration and recommends that the same be amended as follows:

On page 4 of the engrossed resolution, line 19, after the word "judges" delete the words "of the"

On page 4, line 20, delete the following: "supreme court and district court"

On page 4, line 22, after the numeral "196" insert the following: "and removal provided for in section 197"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Concurrent Resolution No. 3056 was placed on the 6th order of business on the calendar for the succeeding legislative day.

CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to House Bills Nos. 1022, 1058, 1059, 1555 and 1569 be dispensed with, which motion prevailed.

Senator Nasset moved that the amendments to House Bill No. 1022 as recommended by the Committee on Education as printed on pages 843 and 844 of the Senate Journal be adopted, and House Bill No. 1022 be referred to the Committee on Appropriations, which motion prevailed.

Senator Jacobson moved that the amendments to House Bill No. 1058 as recommended by the Committee on Natural Resources as printed on page 844 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to House Bill No. 1059 as recommended by the Committee on Natural Resources as printed on page 844 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to House Bill No. 1555 as recommended by the Committee on Education as printed on page 845 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1569 as recommended by the Committee on Finance and Taxation as printed on page 846 of the Senate Journal be adopted, which motion prevailed.

COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT

Senator Lips moved that the Committee Report on House Bill No. 1263, as printed on page 844 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1263, the roll was called and there were 46 ayes; 1 nays; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•	BARTH		•	ISZLER		•	NAADEN		•	SHABLOW	
•	FRITZ		•	JACOBSON		•	NASSET		•	SHYKOWSKI	
						•	HETTINGER		•	SOLBERG	

● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAM	● TWETEN
● GOODMAN	● LONGMAIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and House Bill No. 1263 was indefinitely postponed.

### MOTION

Senator Lips moved that House Bill No. 1052 be returned to the Senate from the Committee on Appropriations and placed on the calendar, which motion prevailed.

Senator Nothing moved that the Senate reconsider the action by which House 1121 passed, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1121.** A Bill for an Act to amend and reenact section 51-15-06.3 of the North Dakota Century Code, relating to the authority of county commissioners to amend the official county road program without an election; and declaring an emergency.

Which has been read.

Senator Nothing moved that House Bill No. 1121 be amended as follows:

On page 1 of the engrossed bill, line 1, delete the following: "51-15-06.3", and insert in lieu thereof the following: "57-15-06.3".

Senator Nothing moved that the amendments be adopted, which motion prevailed.

Senator Nothing moved that the rules be suspended, that House Bill No. 1121 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1121.** A Bill for an Act to amend and reenact section 51-15-06.3 of the North Dakota Century Code, relating to the authority of county commissioners to amend the official county road program without an election; 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, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMAIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### MOTION

Senator Nothing moved that the Senate reconsider the action by which House Bill No. 1177 passed, which motion prevailed.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		●
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTW			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Mutch moved that the Senate do concur in the House amendments to Senate Bill No. 2208, as printed on page 862 of the Senate Journal, which motion prevailed.

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2208 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2208. A Bill for an Act to amend and reenact subsection 2 of section 39-12-05.1 of the North Dakota Century Code, relating to weight limitations for vehicles on designated highways; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTW			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jones moved that the Senate do concur in the House amendments to Senate Bill No. 2263, as printed on page 836 of the Senate Journal, which motion prevailed.

Senator Jones moved that the rules be suspended, that Senate Bill No. 2263 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2263. A Bill for an Act to amend and reenact section 1-03-02 of the North Dakota Century Code, to provide that when November 11 falls on a Sunday, the following Monday is a holiday.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 4.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SHYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN	●		● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2273, as printed on page 862 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2273 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2273. A Bill for an Act to amend and reenact sections 13-03-22 and 57-50-08 of the North Dakota Century Code, providing criminal penalties for violation of certain statutory provisions.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SHYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN	●		● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Stroup moved that the Senate do not concur in the House amendments to Senate Bill No. 2439 as printed on page 862 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.





we need You. We need Your strength, Your guidance, Your wisdom for problems far greater than any wisdom of man can solve. Lord Jesus, when we get sick of ourselves, ashamed of our littleness, our selfishness, and the petty things that irritate us, then let it be the beginning of spiritual health by making us willing to have you create in us clean hearts and renew right spirits within us. In our differences may we be kind. Where we are wrong, make us willing to change, and where we are right, make us humble, easy to live with. Where we differ in approaches to a problem, may we be open to consider another and a better way, guided not by whether it be popular, or expedient, or practical, but always whether it be right. O God, forgive the poverty and pettiness of our prayers. Listen not to our words but to the yearnings of our hearts. Hear beneath our petitions the crying of our need. We pray in Jesus' Name, Amen."

Roll Call: All Senators present except Homuth, Jones and Larson.  
A quorum was declared by the President.

**CORRECTION AND REVISION**

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the thirty-ninth day after recess and fortieth day and recommends that the same be corrected as follows:

On page 841, line 8, correct the spelling of the word "there"  
And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1020. A Bill for an Act to provide for the creation of multidistrict vocational education boards, and to provide for the establishment, control, and administration of multidistrict vocational education 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, 47; nays, 1; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● COLLIN			● LARSON			● RAIT			● STRIDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZEL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**RECOGNITION**

Senator Nothing moved that the President appoint a committee of two to escort the Honorable Arthur A. Link to the rostrum to present his message to the Senate, which motion prevailed.

The President appointed as such committee, Senators Jacobson and Berube.

Governor Link addressed the Senate and Senator Nothing moved that his remarks be printed in the Journal, which motion prevailed.

Governor Link:

I appreciate the opportunity to come before the Legislative Assembly to share with you my deep concerns regarding legislation of long lasting significance to the future economic, social and environmental well being of the people of North Dakota.

I am here not to confront the Legislature or to find fault or criticize what has or has not been done to date. In these Legislative Chambers, you, the duly elected representatives of the people, debate the issues of the day as you perform your duties of enacting legislation deemed necessary and desirable to run the future affairs of our state. Following your action, however, the Governor in a sense becomes your co-equal in that I am required to pass judgment on the results of your deliberations. Because of this grave responsibility, a feeling of increasing urgency has developed in my mind to the point of requesting this person to person meeting.

#### A Matter of Urgency

The urgency I am referring to is that of establishing an adequate severance tax on coal for future decades in North Dakota. This legislative session will soon be over, and, frankly, I am concerned that we may be selling North Dakota's coal resources and risking North Dakota's clean air, productive land, and water at cut rate prices.

In January I proposed a severance tax plan that called for a graduated approach to a 30 per cent severance tax in 1979. I believed then that North Dakotans deserve at least a 30 per cent severance tax during the period of expanded coal development.

You have disapproved that proposal in favor of a flat fee per ton tax. I emphasize once again that I believe it is our responsibility to enact a severance tax of at least 30 per cent of price per ton in anticipation of future accelerated coal mining in our state.

A flat fee per ton tax in the 30-40- or 50 cent per ton range is simply not enough. We must lay the foundation for the future by establishing a reasonable percentage severance tax in the legislation you pass now. Postponing the job won't make it easier — it could make it impossible.

I have asked to speak to you today to underscore the seriousness of this issue. We are facing expanded coal development, and with it, risks to our quality of life.

In the development of our coal, you are the business agents for the people. The resources of air — land — water — coal belong to the people of North Dakota. If we sell these products too cheaply, we risk economic and environmental depression in the decades ahead. The people are depending on this legislature. You are drawing the blueprint which will establish the selling price of our resources. Don't underprice that which belongs to the people.

I am going to re-emphasize some of my thoughts about a coal severance tax and I hope that you will weigh them very carefully as you make your decision in the days ahead.

#### 1. Risks for North Dakota.

Energy production is a unique industry with substantial risks for our state and its people.

While we have a responsibility to share our natural resources, I will not sit back and watch the people of North Dakota assume all of the risks without adequate compensation while others reap most of the benefits.

The scientists that have appeared before the Governor's Energy Council indicate that technology is not currently available to fully reclaim strip mined land in North Dakota. We are being asked to risk the

productivity of some of the best agricultural land in the country.

The reclamation risk is emphasized in a recent New York Times article which quotes Terry Dudley, reclamation specialist for North American Coal at Bismarck: "We have the technology to turn the land back to productivity if it is just grazing land or pasture. But if you're talking about cropland, agricultural soil — and that's maybe 50 per cent of the area we are going to strip — we just don't know yet if we can do it. The deeper you go after lignite — 80, 90, 100 feet — the more you bring up a lot of very bad stuff. And the rainfall here, it's not anything like what we're used to in the East. But, on the other hand, if you go to irrigation, with the saline seep problem we've got out here, you could be creating a monster."

Also, there is the possibility of substantial degradation to North Dakota's clean air. The conversion of coal, unfortunately, produces emissions of hundreds of tons of noxious gases daily. Additionally there are risks to our water tables and to our water supply.

2. Can we learn from our neighbors? What information can we rely upon in developing an energy taxation program?

Minnesota has a taconite range which is barren and lifeless and suffers from a troubled, local economy. Minnesota now realizes that their taxation policies on taconite were not adequate, and now, after the fact, they are considering changing from a flat rate per ton to a percentage tax which will quadruple the tax on taconite ore pellets. Governor Anderson has said and I quote "the future could bring a barren landscape of deserted cities and empty mines. We must insure that our citizens are protected from such disaster and that the people of our state derive adequate compensation as this non-renewable resource is depleted."

Montana's elected leaders are taking a strong stand on a coal severance tax. The state Senate in Montana has just passed a 30 per cent severance tax on coal. They are planning wisely for the future and North Dakota must do likewise. A severance tax significantly below that levied by Montana would invite out-of-state developers to come in and purchase North Dakota resources at cut-rate prices and that's not fair to the North Dakota citizens.

3. A severance tax makes good economic sense for the North Dakota citizen.

For years North Dakota has been producing and selling low priced agricultural products to the rest of this nation. Additionally, we have been sending oil, coal and electricity to locations outside of North Dakota. At the same time, we have imported many consumer goods and have always paid the taxes imposed by producing states which they add to the finished products to be sold in North Dakota. Yet, when we export our low priced, raw products to be processed out of state, it creates jobs and generates taxes for other states to provide services that our people are denied.

Why is our pay scale in the field of education and in other related services, near the bottom of the list? Why is it difficult for us to fund public kindergarten (one of three states in the nation without) or educational television or adequate state and institutional buildings or adequate agricultural experiment stations?

It's because for too long we've been sharing the agricultural and natural resources of our state with the rest of the nation for too cheap a price. Let's not repeat this error. In order to not repeat this error in our future coal development, we need an adequate severance tax and it should be a percentage of the price per ton of coal. Nothing less than that will give our citizens future economic protection. North Dakotans will be sharing a state product that can never be replaced. Once this coal is gone, we'll have to look elsewhere for a comparable resource. This is more than a tax, it represents a selling price of a physical material part of our state,

and as negotiators for the North Dakota citizens we had better make sure we get an adequate price for it. The coal industry will generate substantial economic activity and then cease altogether once the coal is mined. Because of this boom-bust situation, North Dakota must raise sufficient revenue through taxation to build an alternate industrial base. The energy industry has stated many times that lignite is only a short term energy source. Without adequate foresight we may bequeath our future generations with a declining energy industry, no available lignite reserves and no developing alternate industry.

Possible alternatives are fertilizer manufacturing and liquid petroleum production from lignite — both of which would compliment our tremendous agricultural industry. However, planning — which costs money — must begin now since both industries would require huge capitalization, lengthy research, and available lignite reserves.

4. Why must a severance tax be a percentage of the price of a ton of coal?

A percentage severance tax will keep up with inflation. We know by the double digit inflation we have faced in past years that the state's buying power is subject to the same inflation as all other purchasers. A tax rate once established is difficult to increase and I think we are kidding ourselves if we really believe that we can establish a tax rate during this session of the legislature and then increase it in any succeeding session. History tells us differently. A 30 to 33 per cent severance tax coupled with the repeal of the sales tax from electricity will not cost the North Dakota electrical users one additional penny. In fact, it will save them money. Let's not postpone the day of reckoning for an adequate severance tax. It should be a percentage severance tax in the neighborhood of 30 to 33 per cent so that industry can plan and the North Dakota citizen can be assured that you exacted a fair, but reasonable price for the risks they are going to assume. We have established a percentage tax on oil; a percentage sales tax, and a percentage income tax. If the percentage tax concept is proper for North Dakota citizens, it is certainly proper for the coal industry.

5. What will the consumer states get from a ton of North Dakota coal?

Plain logic should tell us that the coal producing state (where all the risks are incurred) should benefit at least as much from the taxation of coal as the consumer state. One ton of North Dakota coal will produce 7.5 MCF of synthetic natural gas which will sell in Michigan for \$37.50 and raise \$1.50 sales tax for the State of Michigan (at a 4 per cent sales tax rate).

The gas from one gasification plant sold in Michigan will yield over \$18 million in sales tax to help run their state government each year. The ten million tons of North Dakota lignite used to produce that gas at a 30 per cent tax would yield our North Dakota treasury only \$12 million if coal were selling at \$4 per ton. And a flat 50 cent per ton rate would yield North Dakota a low \$5 million per year.

It is also interesting to note the \$12 million represents only 2.64 per cent of the retail cost of synthetic gas. This modest increase to consumers could be more than offset by a sales tax repeal by the consumer state — as is being contemplated in North Dakota.

If Michigan is going to reap \$1.50 in retail taxes from the product of one ton of North Dakota coal, why should North Dakota assume all of the environmental risks and socio-economic impact and receive only a 30-40-50 cent a ton coal severance tax? It just doesn't make sense. Similar results apply to out of state tax earnings on North Dakota produced electric energy. Must we settle for less than one-third of what consuming states will earn on our coal?

6. Will the type of severance tax I discussed cost the North Dakota consumer more money?



• HOFFNER	• MELLAND	SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1082.** A Bill for an Act to amend and reenact sections 24-06-28 and 24-06-30 of the North Dakota Century Code, relating to construction and removal of fences along or across section lines; and providing a penalty; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 819), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1107.** A Bill for an Act to provide for the responsibilities of the state department of health relative to health statistics and the registration of vital events, and providing for a penalty; and to repeal Chapter 23-02 of the North Dakota Century Code.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 819 and 820), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1135.** A Bill for an Act relating to the establishment of health maintenance organizations and to provide for the licensing of such organizations by the state department of health and the commissioner of insurance; to provide for the regulation of such organization by the commissioner of insurance; to provide grounds and procedure for the suspension, revocation and denial of a certificate of authority for such organizations; and to provide a penalty for the violation 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, 37; nays, 8; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON		•	• NASSET			• SHYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		•
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1144. A Bill for an Act to amend and reenact sections 15-34.2-14 and 39-21-18' of the North Dakota Century Code, relating to definition and size of a school bus.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		•
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1183. A Bill for an Act to amend and reenact section 6-09-15.2 of the North Dakota Century Code, relating to investments of the state 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, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1245. A Bill for an Act to create and enact section 15-20.1-16.1 of the North Dakota Century Code, relating to the authorization of the State Board for Vocational Education to accept and use gifts.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTW			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1274. A Bill for an Act to amend and reenact section 40-08-10 of the North Dakota Century Code, relating to the meetings of city councils.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 821), the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTW			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1279. A Bill for an Act to amend and reenact section 18-10-08 of the North Dakota Century Code, relating to indebtedness of rural fire protection districts, and declaring an emergency.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 821), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI



• CHRISTENSEN, H. #5	• JONES	• NETHING	• SOLBERG
• CHRISTENSEN, L. #3	• KAUTZMANN	• PYLE	• STRAND
• CONLIN	• LARSON	• RAIT	• STRINDEN
• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSACK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause carried.

House Bill No. 1284. A Bill for an Act to authorize the public service commission to fix the terms under which the facilities of one public utility will be permitted to cross those of another public utility.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSACK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1302. A Bill for an Act to amend and reenact section 14-03-02 of the North Dakota Century Code, relating to the lawful age for marriage.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 821 and 822), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSACK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1318. A Bill for an Act to amend and reenact section 7-02-13 of the North Dakota Century Code, relating to savings and loan association investment in a service 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUT#			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1356. A Bill for an Act to amend and reenact section 18-02-07 of the North Dakota Century Code, relating to aid, contracts, and cooperation between the state forester and other entities, and to provide an appropriation 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, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUT#			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1412. A Bill for an Act to amend and reenact subsection 1 of section 57-55-10 of the North Dakota Century Code, relating to exemption of mobile homes 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, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUT#			● MUTCH			● SCHUSTER			MR. PRESIDENT		



House Bill No. 1145  
 House Bill No. 1271  
 House Bill No. 1273  
 House Bill No. 1334  
 House Bill No. 1352  
 House Bill No. 1382  
 House Bill No. 1391  
 House Bill No. 1393  
 House Bill No. 1420  
 House Bill No. 1429  
 House Bill No. 1436  
 House Bill No. 1442  
 House Bill No. 1474  
 House Bill No. 1475  
 House Bill No. 1482

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1083  
 House Bill No. 1093  
 House Bill No. 1122  
 House Bill No. 1172  
 House Bill No. 1452  
 House Bill No. 1461

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return House Bill 1212, which the Senate failed to reconsider.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2115-2208-2263-2273.

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2439, and the President has appointed as a conference committee to act with a like committee from the House:

Senator J. Schultz  
 Senator Wright  
 Senator Conlin

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you the Senate requests the return of House Bill No. 1566.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1611  
 House Concurrent Resolution No. 3003

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2171  
Senate Bill No. 2347  
Senate Bill No. 2478

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2473

ROY GILBREATH, Chief Clerk

**HOUSE AMENDMENTS TO SENATE BILL No. 2473**

On page 1, line 1, of the engrossed bill after the word "sections" insert "27-07-42,"

On page 1, line 4, after the second comma add "county courts,"

On page 1 after line 14 add the following new section:

"SECTION 1.) Section 27-07-42 of the North Dakota Century Code is hereby created and enacted to read as follows:

27-07-42. CONTINUING EDUCATION OF JUDGE OF COUNTY COURT REQUIRED.) Each judge of a county court shall be required, within one year after his election, and at least once each calendar year thereafter, to attend and participate in an educational session designated for that purpose by the supreme court, unless the judge is excused from such attendance by the supreme court.

If any such judge shall fail to attend such educational session within any calendar year, without being excused therefrom by the supreme court, the state court administrator shall report such fact to the commission on judicial qualifications for such action as it deems appropriate."

And renumber the lines, pages and sections accordingly.

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2387  
Senate Bill No. 2422  
Senate Concurrent Resolution No. 4019

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2162 and 2287.

On Senate Bill No. 2162

Rep. Kretschmar

Rep. Wentz

Rep. Irving

On Senate Bill No. 2287

Rep. Leibhan

Rep. G. Larson

Rep. Berger

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1095 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Ed Metzger  
Vander Vorst  
Orange

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1083, 1254, 1093 and 1172, refused to concur in the Senate amendment to House Bill No. 1461, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Winkjer  
Olson  
R. Meiers

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1122 and 1452, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

On Bill 1122  
Lee  
Kermott  
Rocheleau  
On Bill No. 1452  
Berg  
Rivinius  
Schuett

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2439:

Rep. Murphy  
Rep. Timm  
Rep. Glasshiem

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of House Bills Nos. 1045, 1058, 1059, 1102, 1209, 1311, 1317, 1469, 1473, 1496, 1555 and 1569, that the Senate recess until 1:00 P.M., March 5, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

**FORTY-FIRST DAY AFTER RECESS  
AND FORTY-SECOND DAY**

Bismarck, March 5, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, President Pro Tempore Melland presiding.

**REPORT OF PROCEDURAL COMMITTEE**

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Resolution No. 4

Senate Concurrent Resolution No. 4001

Senate Memorial Resolution No. 3

Senate Memorial Resolution No. 4

And find the same correctly Enrolled.

**SENATOR STRAND, Chairman**

Senator Fritzell moved that the report be adopted, which motion prevailed.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

Senate Resolution No. 4

Senate Memorial Resolution No. 3

Senate Memorial Resolution No. 4

Senate Concurrent Resolution No. 4001

And the President signed the same in the presence of the Senate.

**FIRST READING OF HOUSE BILLS**

**House Bill No. 1611.** A Bill for an Act to amend and reenact section 61-06-22 of the North Dakota Century Code, relating to the salary of the directors of irrigation districts.

Which was read the first time and referred to the Committee on Political Subdivisions.

**House Concurrent Resolution No. 3003.** A concurrent resolution directing the State Departments of Health and Social Services and the directors and boards responsible for the operation of area social service centers and comprehensive mental health and retardation centers to coordinate and consolidate human services provided by comprehensive mental health and retardation centers and area social service centers.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**CONSIDERATION OF AMENDMENTS**

Senator Pyle moved that the reading of the amendments to Senate Concurrent Resolution No. 4055, House Bills Nos. 1063, 1100, 1142, 1237, 1561, 1562, 1592 and House Concurrent Resolution No. 3056 be dispensed with, which motion prevailed.

Senator Jones moved that the amendments to Senate Concurrent Resolution No. 4055 as recommended by the Committee on State and Federal Government as printed on page 865 of the Senate Journal be

adopted, and Senate Concurrent Resolution No. 4055 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1063 as recommended by the Committee on Industry, Business and Labor as printed on page 866 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1100 as recommended by the Committee on Judiciary as printed on page 866 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to House Bill No. 1142 as recommended by the Committee on Natural Resources as printed on pages 866 and 867 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1237 as recommended by the Committee on Judiciary as printed on page 867 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1561 as recommended by the Committee on Judiciary as printed on page 868 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1562 as recommended by the Committee on Judiciary as printed on page 868 of the Senate Journal be adopted, which motion failed, and House Bill 1562 will go on the calendar without the amendments.

Senator Melland moved that the amendments to House Bill No. 1592 as recommended by the Committee on Appropriations as printed on pages 868 and 869 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Concurrent Resolution No. 3056 as recommended by the Committee on Judiciary as printed on page 869 of the Senate Journal be adopted, which motion prevailed.

#### MOTIONS

Senator Nething moved that the Senate request the return of House Bills 1025 and 1171, which motion prevailed.

Senator Homuth moved that Senate Concurrent Resolution No. 4071 be returned to the Senate from the Committee on Education, which motion prevailed.

Senator Homuth requested the unanimous consent of the Senate to withdraw Senate Concurrent Resolution No. 4071. There being no objection, the request was granted.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker:

I have the honor to inform you the Senate requests the return of House Bills Nos. 1025 and 1171.

LEO LEIDHOLM, Secretary

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Jones moved that the Committee Report on Senate Concurrent Resolution No. 4070, as printed on page 866 of the Senate Journal be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4070, the roll was called and there were 29, ayes; 21, nays; absent and not voting, 1.



NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5		•	• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE			• STRAND		
• CONLIN		•	• LARSON			• RAIT			• STRINDEN		
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN			• STROUP		
• FREED		•	• LEE			• REITEN			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK			• TWETEN		
• GOODMAN		•	• LONGMIRE		•	• SANDS			• VOSPER		
• GRONHOVD		•	• MAHER		•	• SANDNESS			• WALSH		
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH		•	• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4070 was indefinitely postponed.

Senator Freed moved that the Committee Report on House Bill No. 1252, as printed on page 867 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1252, the roll was called and there were 48, ayes; 0, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and House Bill No. 1252 was indefinitely postponed.

Senator Freed moved that the Committee Report on House Bill No. 1411, as printed on page 868 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1411, the roll was called and there were 46, ayes; 4, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS		•	• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE		•	• SANDS			• VOSPER		
• GRONHOVD			• MAHER		•	• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and House Bill No. 1411 was indefinitely postponed.

## MOTION

Senator Naaden moved that the Senate reconsider the action by which House Bill No. 1359 was Indefinitely Postponed, which motion prevailed.

Senator Naaden moved that House Bill No. 1359 be re-referred to the Committee on Natural Resources, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Education to whom was referred Senate Concurrent Resolution No. 4064 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

SENATOR NASSET, Chairman

Senate Concurrent Resolution No. 4064 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4068 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Legislative Council Resolutions Committee.

SENATOR FREED, Chairman

Senate Concurrent Resolution No. 4068 was re-referred to the Legislative Council Resolutions Committee.

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Concurrent Resolution No. 4073 has had the same under consideration and recommends that the same be amended as follows:

On page 2, after line 11, insert the following new language:

"BE IT FURTHER RESOLVED, that the Forty-fourth Legislative Assembly urges the Attorney General of the State of North Dakota, as chief legal officer of the State, to provide the necessary legal assistance on behalf of the citizens of the State of North Dakota in this Federal Power Commission proceeding, and further, that the Attorney General of the State of North Dakota urge his counterpart in the State of Montana to do likewise for the benefit of the citizens of the State of Montana; and"

On page 2, line 14, delete the word "and"

On page 2, line 15, before the period, insert the following words:

“, and the Attorney General of the State of North Dakota”

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

Senate Concurrent Resolution No. 4073 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1009 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 9, delete the figure “2,962,941.00” and insert in lieu thereof the figure “3,087,941.00”

On page 1, line 22, delete the figure “45,900” and insert in lieu thereof the figure “45,900”

On page 1, after line 22, add the following: “Contingent fund 125,000”

On page 1, line 23, delete the figure “2,962,941” and insert in lieu thereof the figure “3,087,941”

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

Is to provide a contingent fund in the appropriation to the motor vehicle department.

SENATOR LIPS, Chairman

House Bill No. 1009 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1081 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 20, after the word "a" insert the words "regular or"

On page 1, line 22, after the word "a" insert the words "regular or"

On page 2, line 7, after the word "four" insert triple parentheses around the word "folios" and insert in lieu thereof the word "pages"

On page 2, line 8, after the word "additional" insert triple parentheses around the word "folio" and insert the word "page"

On page 2, line 15, after the word "four" insert triple parentheses around the word "folios" and insert the word "pages"

On page 2, line 16, after the word "additional" insert triple parentheses around the word "folio" and insert the word "page"

On page 2, line 29, after the word "each" insert triple parentheses around the word "folio" and insert the word "page"

On page 3, line 11, after the word "an" delete the words "eighteenth birthday" and insert in lieu thereof the word "identification"

On page 3, line 13, after the word "dollars" insert triple parentheses around the "period" and insert in lieu thereof a semicolon

On page 3, following line 13, insert the following new subsections:

"26. For filing a satisfaction of judgment, one dollar;

27. For preparing a subpoena, one dollar."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1081 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1101 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR FREED, Chairman

House Bill No. 1101 was re-referred to the Committee on Appropriations.

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 amended as follows:

On page 2, line 16, after the word "official" delete the rest of the line and insert the following new language:

"before the closing of the polls on"

On page 2, line 17, delete the following: "day following"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1103 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1118 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1118 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1180 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1180 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1185 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1185 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1189 has had the same under consideration and recommends that the same be amended as follows:

On page 2 of the engrossed bill, line 4, delete the word "twenty" and insert in lieu thereof the word "sixteen"

On page 2, line 27, delete the words "one hundred" and insert in lieu thereof the words "seventy-five"

On page 3, line 16, delete the word "twelve" and insert in lieu thereof the word "twenty"

On page 3, line 23, delete the word "seven" and insert in lieu thereof the word "eleven"

On page 4, line 2, delete the word "twelve" and insert in lieu thereof the word "fifteen"

On page 4, after line 21, insert the following new language:

"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, sections and pages accordingly.

And be re-referred to the Committee on Appropriations.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1189 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1207 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1207 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1233 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 2, delete the words "to add" and insert in lieu thereof the words "relating to"

On page 2, line 5, delete the words "the executive director"

Delete all of lines 6, 7 and 8

On page 2, line 9, delete the words "school administrators association"

On page 2, line 12, delete the beginning and ending triple parentheses around the word "association"; and delete the word "associations"

On page 2, line 14, place beginning triple parentheses before the word "Any"

On page 2, line 18, place ending triple parentheses after the word "year."

On page 2, subsection c, insert following new language:

"The executive director of the North Dakota school boards association, the executive secretary of the teachers' fund for retirement, and the secretary of the North Dakota school administrators association, provided that such persons were previously members of and have credits in the fund."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1233 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1261 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1261 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1278 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 13, after the triple parentheses delete the following: "CLERK OF DISTRICT COURT" and insert in lieu thereof the following:

"COMMISSIONER OF SECURITIES"

On page 1, line 15, place beginning triple parentheses before the word "licensed" and on the same line insert ending triple parentheses after the word "association" and insert the following new language: "cemetery association or licensed funeral establishment that has entered into any pre-need funeral service contracts"

On page 1, line 17, after the ending triple parentheses, delete the words "clerk of"

On page 1, line 18, delete the words "district court" and insert in lieu thereof the words "commissioner of securities"

On page 1, line 24, place triple parentheses around the word "executed" and insert in lieu thereof the words "entered into"

On page 2, line 3, insert triple parentheses around the word "such" and insert in lieu thereof the word "each"

On page 2, line 4, insert triple parentheses around the word "executed" and insert the word "made"

On page 2, line 6, after the word "contract" insert the following new language: "required to be reported under subsection 2 of this section" and on the same line, after the word "or" insert beginning triple parentheses before the comma

On page 2, line 7, insert ending triple parentheses after the comma

On page 2, line 8, insert beginning triple parentheses before the word "such"

On page 2, line 9, after the word "year" insert ending triple parentheses and the following new language: "any installments paid upon each pre-need funeral service contract required to be reported under subsection 2 of this section"

On page 2, line 27, after the ending triple parentheses, delete the words: "clerk of"

On page 2, line 28, delete the words "district court" and insert in lieu thereof the following: "commissioner of securities"

On page 3, line 4, after the ending triple parentheses delete the following: "clerk of district court" and insert in lieu thereof the following: "commissioner of securities"

On page 3, line 5, after the ending triple parentheses delete the words "clerk of dis."

On page 3, line 6, delete the words "trict court" and insert in lieu thereof the following: "commissioner of securities"

On page 3, line 7, after the word "state" delete the ending triple parentheses and the words "clerk of district court"

On page 3, line 10, insert ending triple parentheses after the numeral "43-10.1-03" and insert the following: "commissioner of securities"

On page 3, line 11, insert beginning triple parentheses before the word "be"

On page 3, line 12, after the word "shall" insert ending triple parentheses

On page 3, line 13, after the ending triple parentheses delete the words "clerk of district"

On page 3, line 14, delete the word "court" and insert the following new language: "state of North Dakota, and in such form and style as the commissioner of securities may require"

On page 3, line 24, delete the words "CLERK OF DISTRICT COURT" and insert in lieu thereof the words "COMMISSIONER OF SECURITIES"

On page 3, line 26, after the ending triple parentheses delete the words "clerk of district court" and insert in lieu thereof "commissioner of securities"

On page 3, line 34, after the ending triple parentheses, delete the words "The clerk of"

On page 3, line 35, delete the words "district court" and insert the following: "The commissioner of securities"

On page 4, line 1, after the word "the" delete the word "clerk" and insert in lieu thereof the word "commissioner"

On page 4, line 11, after the ending triple parentheses delete the words "clerk of dis-"

On page 4, line 12, delete the words "trict court" and insert the following: "commissioner of securities"

On page 4, line 19, after the word "the" delete the word "clerk" and insert in lieu thereof the word "commissioner"

On page 4, line 20, delete the beginning triple parentheses before the first comma and delete the ending triple parentheses after the second comma

On page 4, line 21, delete the triple parentheses around the word "him" and delete the words "the clerk"

On page 5, line 6, insert beginning triple parentheses after the comma

On page 5, line 7, after the word "shall" insert ending triple parentheses and the following new language: "the commissioner may"

On page 5, line 18, after the ending triple parentheses delete the words "clerk of district court" and insert in lieu thereof the words "commissioner of securities"

On page 5, line 23, after the word "he" delete the ending triple parentheses and the words "the clerk"

On page 5, line 23, insert ending triple parentheses after the word "shall" and insert the following: "the commissioner of securities may"

On page 6, line 1, after the ending triple parentheses delete the words "clerk of district court" and insert the following in lieu thereof: "commissioner of securities"

On page 6, line 2, delete the beginning triple parentheses after the comma

On page 6, line 3, delete the ending triple parentheses following the comma

On page 6, line 4, after the word "class" delete the letter "B" and insert in lieu thereof the letter "A"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1278 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1282 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1282 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1295 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1295 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1339 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1339 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1357 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

House Bill No. 1357 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1360 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

House Bill No. 1360 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1402 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

House Bill No. 1402 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 KAUTZMANN, Chairman

House Bill No. 1424 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1430 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1430 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Bill No. 1434 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JONES, Chairman

House Bill No. 1434 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1458 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, on line 16 after the period, delete the words "It is the intent of the legislative assembly that the"

On page 1, delete all of line 17

And renumber the lines accordingly.

And when so amended recommends the same do pass.

**Statement of the Purpose of the Amendment:**

Is to remove the responsibility from the University of North Dakota for the maintenance and preservation of the Oxford House.

SENATOR LIPS, Chairman

House Bill No. 1458 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1507 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1507 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3016 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Concurrent Resolution No. 3016 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State and Federal Government to whom was referred House Concurrent Resolution No. 3018 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 8 delete the word "one-half" and insert in lieu thereof the words "eighty-five per cent"

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Concurrent Resolution No. 3018 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

**FORTY-SECOND DAY**

Bismarck, March 5, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Donald DeKok, Pastor, Bismarck Reformed Church.

"Our most gracious Father in heaven, Your Bible tells us that our chief end in life is to glorify You. Your Word tells us that You are the one who chooses the officials who will rule in the land. And so before the votes were ever taken, You knew exactly who would be sitting in this chamber. And so the responsibility of office does not end with the people represented or the bills that must be decided upon, but the responsibility of office ultimately is to the living, just, and true God.

Therefore it is our prayer to the God who sees all our actions, who knows all our thoughts, that the actions of these men and women here assembled with be actions of justice and righteousness in the sight of the living God. Bearing in mind that it is for the personal actions of injustice and unrighteousness that we will be held personally accountable to the living and just God.

Dear Father, forgive us this day of the sins of the past, and prepare us for the future, that we may today glorify the name of Jesus Christ Your son.

We offer this prayer not on our own merits, but on the merits of Jesus Christ who died that we might live. AMEN."

Roll Call: All Senators present except Erdman, Homuth, Larson, Strinden and Walsh.

A quorum was declared by the President.





Senator Freed moved that the rules be suspended, that Senate Bill No. 2473 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2473. A Bill for an Act to create and enact sections 27-07-42, 27-08-43, 27-18-08, and 40-18-22 of the North Dakota Century Code, to require each judge of the county courts of increased jurisdiction, county justice courts, county courts, and municipal courts to attend and participate in educational sessions annually unless excused by the supreme court; to provide for referral to the commission on judicial qualifications any judge who fails to attend and participate in such educational sessions; and to repeal sections 12-61-07 and 12-61-08 of the North Dakota Century Code, relating to training of municipal judges and county justices.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MESSAGE TO THE SENATE**  
House Chamber

Mr. President:

I have the honor to return House Bills Nos. 1566, 1025 and 1171 which the Senate has requested.

ROY GILBREATH, Chief Clerk

**SECOND READING OF HOUSE BILLS**

House Bill No. 1418. A Bill for an Act to provide for the construction and operation of county nursing homes by county nursing home authorities.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 823), the roll was called and there were ayes, 40; nays, 8; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		

FRITZELL	LIPS	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GRONHOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1488. A Bill for an Act to amend and reenact sections 43-05-01, 43-05-02, 43-05-03, 43-05-09, 43-05-10, 43-05-11, 43-05-12, 43-05-14, 43-05-15, 43-05-16, and 43-05-17 of the North Dakota Century Code, relating to definitions of podiatrists, and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 824), the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		
● CHRISTENSEN, H. #5			● JONES			● NETHING		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		
● CONLIN			● LARSON			● RAIT		
● ERDMAN			● LASHKOWITZ			● REDLIN		
● FREED			● LEE			● REITEN		
● FRITZELL			● LIPS			● RINGSAK		
● GOODMAN			● LONGMIRE			● SANDS		
● GRONHOVD			● MAHER			● SANDNESS		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		
● HOLAND			● MORGAN			● SCHULTZ, J. #32		
● HOMUTH			● MUTCH			● SCHUSTER		
								● SHABLOW
								● SMYKOWSKI
								● SOLBERG
								● STRAND
								● STRINDEN
								● STROUP
								● THANE
								● TWETEN
								● VOSPER
								● WALSH
								● WENSTROM
								● WRIGHT
								MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1499. A Bill for an Act to create and enact a new subsection to section 40-38-04 of the North Dakota Century Code, relating to employment of personnel for a public library; and to amend and reenact section 40-38-03 of the North Dakota Century Code, relating to appointment of the board of directors of a public library.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 824), the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		
● CHRISTENSEN, H. #5			● JONES			● NETHING		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		
● CONLIN			● LARSON			● RAIT		
● ERDMAN			● LASHKOWITZ			● REDLIN		
● FREED			● LEE			● REITEN		
● FRITZELL			● LIPS			● RINGSAK		
● GOODMAN			● LONGMIRE			● SANDS		
● GRONHOVD			● MAHER			● SANDNESS		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		
● HOLAND			● MORGAN			● SCHULTZ, J. #32		
● HOMUTH			● MUTCH			● SCHUSTER		
								● SHABLOW
								● SMYKOWSKI
								● SOLBERG
								● STRAND
								● STRINDEN
								● STROUP
								● THANE
								● TWETEN
								● VOSPER
								● WALSH
								● WENSTROM
								● WRIGHT
								MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1516. A Bill for an Act to amend and reenact sections 27-08.1-01, 27-08.1-03, 27-08.1-04, 27-08.1-05, and 27-08.1-06 of the North Dakota Century Code, relating to the jurisdictional limits of the small claims court, the informal hearing, and the right to appeal.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 798), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON	●		● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNEBS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1537. A Bill for an Act to provide for the sale of land belonging to the school for the deaf to Devils Lake public school district no. 1, and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 798 & 799), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON	●		● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNEBS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

House Bill No. 1542. A Bill for an Act to create and enact section 6-09-34 of the North Dakota Century Code, to create the authority in the Bank of North Dakota to establish electronic fund transfer services to customers of the Bank of North Dakota and of all state and federally chartered banks and other financial institutions otherwise authorized to utilize the services of electronic fund transfer 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, 45; nays, 3; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON	●		● RAIT			● STRINDEN		

● FROMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1543.** A Bill for an Act to create and enact new sections to chapter 50-22 and to amend and reenact sections 50-22-01, 50-22-02, and 50-22-05 of the North Dakota Century Code, relating to registration of charitable organizations, professional fund raising counsel, and professional solicitors; 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, 2; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PHLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● FROMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1544.** A Bill for an Act to amend and reenact section 6-03-60 of the North Dakota Century Code, relating to loans to and purchases from bank directors, officers and employees, 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● FROMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1554.** A Bill for an Act to amend and reenact section 15-53.1-02 of the North Dakota Century Code, relating to boundary changes in school districts.

Which has been read.





NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1058.** A Bill for an Act to create an Environmental Policy Act for North Dakota setting forth citizens' rights and responsibilities, giving general directions to state agencies, providing for environmental impact statements and procedures for preparing and distributing these statements, and providing for citizen action to compel compliance with this Act.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 844), the roll was called and there were ayes, 27; nays, 22; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1059.** A Bill for an Act to provide for the enforcement of environmental laws in the state of North Dakota through actions brought in the district courts.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 844), the roll was called and there were ayes, 32; nays, 15; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		



So the bill passed and the title was agreed to.

House Bill No. 1102. A Bill for an Act to create and enact a new section to chapter 16-20 of the North Dakota Century Code, and to amend and reenact section 16-20-01 of the North Dakota Century Code, relating to the use of state services or property for political 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, 43; nays, 5; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3		●	● KAUTZMANN			● PYLE			● STRAND		●
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH		●	● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1209. A Bill for an Act to create and enact section 54-01-27 of the North Dakota Century Code, relating to the acceptance of legislative jurisdiction by the state of North Dakota, over lands owned or controlled by the United States of America, where the United States of America relinquishes partially or entirely legislative jurisdiction over 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, 1; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK		●	● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

EXPLANATION OF VOTE

Senator Ringsak:

The reason I voted "no" was that we had a real good hearing on this bill, as our chairman said, and we never did get the purpose of this bill. We asked the Attorney General's Office, who drew this bill, why we had this bill before us. I was never satisfied with the answer because it never got answered.

I asked him what he meant by non-Indian lands he couldn't explain it. Also asked what he meant by legislative jurisdiction and that wasn't answered by the Attorney General's Office. And, therefore, I voted "no."

House Bill No. 1311. A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code relating to residency determination of nonresident school pupils.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GROHNOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUT			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1317. A Bill for an Act to amend and reenact section 44-02-08 of the North Dakota Century Code, relating to the appointment and term of persons appointed to fill elective 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, 44; nays, 4; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GROHNOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUT			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1469. A Bill for an Act to create and enact a new section to chapter 10-21 of the North Dakota Century Code, relating to involuntary dissolution of a corporation by the secretary of state; to amend and reenact sections 10-21-13 and 10-21-14 of the North Dakota Century Code, relating to involuntary dissolution of a corporation by court decree in an action filed by the attorney general and to notifying the attorney general of all corporations which failed to file annual reports; and to repeal section 10-23-03.1 of the North Dakota Century Code, relating to corporations that fail to file annual reports.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1473. A Bill for an Act to amend and reenact section 43-29-11 of the North Dakota Century Code, relating to the disposition of fees collected by the North Dakota state board of veterinary medical examiners.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1496. A Bill for an Act to provide for an identification card; and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		●
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Finance and Taxation to whom was

referred House Bill No. 1428 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1428 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1552 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1552 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1570 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1570 was placed on the 14th order of business on the calendar for the succeeding legislative day.

#### MOTIONS

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. 1095, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1095:

Senator Kautzmann  
 Senator Fritzell  
 Senator Homuth

Senator Jones 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. 1452, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1452:

Senator Vosper  
 Senator Smykowski  
 Senator Rait

Senator Freed moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1122, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1122:

Senator Freed  
 Senator H. Christensen  
 Senator Lashkowitz

Senator Freed moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1461, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1461:

Senator Ringsak  
 Senator Iszler  
 Senator Lashkowitz

#### REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2017  
 Senate Bill No. 2019

Senate Bill No. 2056  
Senate Bill No. 2057  
Senate Bill No. 2067  
Senate Bill No. 2068

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Walsh moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2008  
Senate Bill No. 2114  
Senate Bill No. 2132  
Senate Bill No. 2269

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1020  
House Bill No. 1066  
House Bill No. 1135  
House Bill No. 1144  
House Bill No. 1183  
House Bill No. 1245  
House Bill No. 1284  
House Bill No. 1318  
House Bill No. 1356  
House Bill No. 1412  
House Bill No. 1492  
House Bill No. 1502

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1082  
House Bill No. 1107  
House Bill No. 1121  
House Bill No. 1177  
House Bill No. 1274  
House Bill No. 1279  
House Bill No. 1302

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1263  
House Bill No. 1376  
House Bill No. 1485

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

## MESSAGES FROM THE HOUSE

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2166  
Senate Bill No. 2272

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2058  
Senate Bill No. 2142  
Senate Bill No. 2147  
Senate Bill No. 2155  
Senate Bill No. 2184  
Senate Bill No. 2189

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2061  
Senate Bill No. 2139  
Senate Bill No. 2177

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2061

On page 1, line 18, following the word "and" insert the following:

" , if the claimant is not the person for whom such work was done, then also"

On page 2, line 6, following the word "and" insert the following:

"if the claimant is not the same person for whom such work was done,"  
And renumber the lines and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2139

On page 1, line 15, delete the word "To" and insert in lieu thereof the words "Subject to section 3 of this Act, to"

On page 2, line 1, delete the word "The" and insert in lieu thereof the words "Subject to section 3 of this Act, the"

On page 2, line 14, following the period, insert the following words:

"Provided, however, that the board with the consent of the legislative council committee on budget may terminate the program should the rate of federal financial participation in administrative costs provided under Public Law 93-347 be decreased or limited, or should the state or counties become financially responsible for all or a portion of the coupon bonus payments under the Food Stamp Act."

And renumber the pages and lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2177

On page 1, line 14 of the engrossed bill delete the word "direct" and insert in lieu thereof the word "request"

And renumber the lines accordingly.

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3087

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit herewith the following:  
House Bill No. 1033

House Bill No. 1034  
House Bill No. 1035  
House Bill No. 1036  
House Bill No. 1037  
House Bill No. 1038  
House Bill No. 1092  
House Bill No. 1098  
House Bill No. 1105  
House Bill No. 1106  
House Bill No. 1137  
House Bill No. 1143  
House Bill No. 1160  
House Bill No. 1162  
House Bill No. 1174

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of House Bills Nos. 1063, 1100, 1118, 1142, 1180, 1185, 1237, 1261, 1295, 1339, 1360, 1428, 1430, 1458, 1507, 1552, 1561, 1562, 1570, 1592, HCR's 3016 and 3056 that the Senate recess until 1:00 P.M., March 6, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





FORTY-SECOND DAY AFTER RECESS  
AND FORTY-THIRD DAY

Bismarck, March 6, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Memorial Resolution No. 3

Senate Memorial Resolution No. 4

Senate Resolution No. 4

Were delivered to the Secretary of State March 6, 1975.

SENATOR STRAND, Chairman

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. 4055

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Strand moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Concurrent Resolution No. 4073 and House Bills Nos. 1009, 1081, 1103, 1189, 1233, 1278, 1458 and House Concurrent Resolution No. 3018 be dispensed with, which motion prevailed.

Senator Stroup moved that the amendments to Senate Concurrent Resolution No. 4073 as recommended by the Committee on Finance and Taxation as printed on page 892 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1009 as recommended by the Committee on Appropriations as printed on page 892 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1081 as recommended by the Committee on Judiciary as printed on page 893 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1103 as recommended by the Committee on Judiciary as printed on page 893 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1189 as recommended by the Committee on State and Federal Government as printed on page 894 of the Senate Journal be adopted, and House Bill No. 1189 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Nasset moved that the amendments to House Bill No. 1233 as recommended by the Committee on Education as printed on page 894 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1278 as recommended by the Committee on Judiciary as printed on pages 895 and 896 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1458 as recommended by the Committee on Appropriations as printed on pages 897 and 898 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Concurrent Resolution No. 3018 as recommended by the Committee on State and Federal Government as printed on page 898 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Freed moved that the Committee Report on House Bill No. 1207, as printed on page 894 of the Senate Journal be adopted.

Senator Pyle moved that those Senators who feel they have a conflict of interest with this bill be permitted to vote, which motion prevailed.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1207, the roll was called and there were 46 ayes; 2 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS	●		● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and House Bill No. 1207 was indefinitely postponed.

**EXPLANATION OF VOTE**

Senator Lashkowitz: Mr. President, I would like to explain my vote. My reasons ladies and gentlemen for voting nay on the indefinite postponement is based on Section 2 of the bill that was before us. It is my feeling that in a criminal action where a person has been wrongfully accused and ultimately acquitted then that person should be indemnified and made whole and I thought that probably 1207 would accomplish that.

Senator Kautzmann moved that the Committee Report on House Bill No. 1282, as printed on page 896 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1282, the roll was called and there were 27 ayes; 23 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER		●	● NAADEN			● SHABLOW		
● BERUBE		●	● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5		●	● JONES			● NETHING	●		● SOLBERG		
● CHRISTENSEN, L. #3		●	● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON		●	● RAIT			● STRINDEN		
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

The motion prevailed, and House Bill No. 1282 was indefinitely postponed.

Senator Nasset moved that the Committee Report on House Bill No. 1357, as printed on page 897 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1357, the roll was called and there were 38 ayes; 12 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN			● SHABLOW		
● BERUBE		●	● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5		●	● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3		●	● KAUTZMANN			● PYLE			● STRAND		
● CONLIN		●	● LARSON			● RAIT			● STRINDEN		
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED		●	● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN		●	● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD		●	● MAHER			● SANDNESS			● WALSH		
● HOFFNER		●	● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND		●	● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH		●	● MUTCH			● SCHUSTER		●	● MR. PRESIDENT		

The motion prevailed, and House Bill No. 1357 was indefinitely postponed.

Senator Nasset moved that the Committee Report on House Bill No. 1402, as printed on page 897 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1402, the roll was called and there were 50 ayes; 0 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and House Bill No. 1402 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on House Bill No. 1424, as printed on page 897 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1424, the roll was called and there were 42 ayes; 7 nays; absent and not voting, 2.





So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Ringsak moved that the Senate do concur in the House amendments to Senate Bill No. 2139, as printed on page 912 of the Senate Journal, which motion prevailed.

Senator Ringsak moved that the rules be suspended, that Senate Bill No. 2139 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2139. A Bill for an Act to create and enact a new subsection to section 50-01-09, a new section to chapter 50-03, and a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the administration and financing of the food stamp program in North Dakota and relating to the powers and duties of the county welfare board and the social service board of North Dakota.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 8.

NORTH DAKOTA SENATE									
REGULAR SESSION			ROLL-CALL				1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS
• BARTH			• ISZLER			• NAA DEN			• SHABLOW
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND
• CONLIN			• LARSON			• RAIT			• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP
• FREED			• LEE			• REITEN			• THANE
• FRITZELL			• LIPS			• RINGSAK			• TWETEN
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER
• GRONHOVD			• MAHER			• SANDNESS			• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT

So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Mutch moved that the Senate do not concur in the House amendments to Senate Bill No. 2177 as printed on page 912 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2177:

Senator Mutch  
Senator Tweten  
Senator Gronhovd

### MOTION

Senator Nething moved that the Senate reconsider the action by which House Bill No. 1025 passed, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 1025. A Bill for an Act to create and enact section 15-40.2-13 of the North Dakota Century Code, relating to nonresident tuition and to provide for the charging of interest for nonpayment of tuition charges.

Which has been read.

Senator Nething moved that House Bill No. 1025 be amended as follows: On page 1 of the bill, line 10, delete "15-40.1-13" and insert in lieu thereof the following: "15-40.2-13"

Senator Nething moved that the amendments be adopted, which motion prevailed.

Senator Nething moved that the rules be suspended, that House Bill No. 1025 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1025.** A Bill for an Act to create and enact section 15-40.2-13 of the North Dakota Century Code, relating to nonresident tuition and to provide for the charging of interest for nonpayment of tuition charges.

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, 0; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● FRDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Nething moved that the Senate reconsider the action by which House Bill No. 1171 passed, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1171.** A Bill for an Act to amend and reenact subsection 8 of section 39-03A-01, 39-03A-09, 39-03A-11, 39-03A-12, 39-03A-13, 39-03A-14, 39-03A-16, 39-03A-21 and 39-03A-21.1 of the North Dakota Century Code relating to the North Dakota highway patrolmen's retirement system.

Which has been read.

Senator Nething moved that House Bill 1171 be amended as follows: On page 1 of the engrossed bill, line 2, after the following "39-03A-11," insert the following "39-03A-12".

Senator Nething moved that the amendments be adopted, which motion prevailed.

Senator Nething moved that the rules be suspended, that House Bill No. 1171 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1171.** A Bill for an Act to amend and reenact subsection 8 of section 39-03A-01, 39-03A-09, 39-03A-11, 39-03A-12, 39-03A-13, 39-03A-14, 39-03A-16, 39-03A-21 and 39-03A-21.1 of the North Dakota Century Code relating to the North Dakota highway patrolmen's retirement system.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDJIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZEL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1049 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, after the first comma insert "12-48-14,"

On page 1, line 5, after the first comma insert "compensation of inmates,"

On page 2, line 2, after the word "choice" insert the following new words: "prior to each absence"

On page 2, after line 17, insert the following new section:

SECTION 3. AMENDMENT) Section 12-48-14 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

12-48-14. COMPENSATION OF INMATES.) Prisoners engaged in carrying on the work of the penitentiary and its industries (((, the work of other state institutions and their industries, or upon public highways,))) shall receive (((not less than ten cents nor more than one dollar per day for work actually performed, the maximum))) compensation in an amount to be determined by the director of institutions, provided that compensation for labor, except in a prison industry, shall not exceed one dollar per day. The warden shall assign a reasonable daily task to be performed by each prisoner, and the compensation of the prisoner shall be determined by the amount of work he performs on such task. All prisoners faithfully performing the daily task assigned shall receive the maximum compensation determined by the director of institutions, and whenever it becomes necessary in carrying on this work for a prisoner to labor in excess of ten hours per day, he shall receive such additional compensation as is allowed by the director of institutions (((, not to exceed ten cents per hour))). The compensation of all prisoners working at the penitentiary (((or its))) industries (((shall))) may receive pay based upon actual production of salable items as determined by the director of institutions, to be paid out of such funds as may be appropriated by the legislative assembly (((for that purpose))).

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1049 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1067 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman



House Bill No. 1067 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1099 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1099 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1127 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

House Bill No. 1127 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1250 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1250 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1285 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

House Bill No. 1285 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1307 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSAK, Chairman

House Bill No. 1307 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1332 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 15, delete the following words: "over the last assessment on it" and insert in lieu thereof the following new language: "or fifteen per cent of the last assessment whatever amount is greater"

On page 1, line 15 delete the words "exclusive of" and insert in lieu thereof the following new word, "including"

On page 1, line 18 delete the words "exclusive of" and insert in lieu thereof the following new word "including"

On page 1, line 23 delete the word "less" and insert in lieu thereof the new word "including"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1332 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1335 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

House Bill No. 1335 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred

House Bill No. 1364 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1364 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1426 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1426 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1477 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MORGAN, Chairman

House Bill No. 1477 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1459 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR NASSET, Chairman

House Bill No. 1459 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs 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 of the engrossed bill, line 19, delete the words "This shall not be" and insert in lieu thereof the following: "Physicians' trained assistants shall not be authorized to perform any services which must be performed by persons licensed pursuant to chapter 43-13, notwithstanding the fact that medical doctors need not be licensed specifically to perform the services contemplated under that chapter."

On page 1 of the engrossed bill, delete lines 20, 21, and 22.

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1484 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on State & Federal Government to whom was referred House Bill No. 1528 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" through the end of the bill, and insert the following in lieu thereof: "for an Act to provide for disclosure of interests by candidates for election to statewide, local, or legislative offices and by certain persons appointed to office by the governor, and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DECLARATION OF POLICY.) The legislative assembly declares that public office is a public trust, and, in order to continue the faith and confidence of the people of the state in that trust and in their government, that the people have a right to be assured that the interests of holders of or candidates for public office present no conflict with the public trust.

SECTION 2. STATEMENT OF FINANCIAL INTERESTS TO BE FILED.) Every candidate for elective office shall file a statement of interests as required by this Act. A candidate for a statewide elective office shall file the statement of interests with the secretary of state. A

candidate for election as a member of the legislative assembly and for offices other than statewide shall file the statement of interests with the county auditor, or the city auditor if the candidate is running for city office, of the candidate's county or city of residence. Candidates for elective office who are required to file such statements shall make such filing at the time of filing a certificate of nomination, a certificate of endorsement, or a petition of nomination, pursuant to chapters 16-04, 16-05, or 40-21, as is appropriate, provided that any person who has filed a statement as the result of candidacy in a primary election need not refile prior to running in the following general election. Every person who is appointed by the governor to a state agency, board, bureau, commission, department, or occupational licensing board, shall file a statement of interests as required by this Act with the secretary of state simultaneously with announcement of the appointment.

**SECTION 3. CONTENTS OF STATEMENT OF INTERESTS.)** The statement of interests required to be filed under this Act shall apply to the candidate and his spouse and shall include:

1. An identification of the principal source of income, defined in the state income tax return as "principal occupation", of both the candidate and his spouse.

2. The name of each business or trust, not the principal source of income, in which the person making the statement, and that person's spouse, have a financial interest.

3. A list of the associations or institutions with which the person making the statement, and that person's spouse, are closely associated, or which they serve as a director or officer, and which may be affected by legislative action, in the case of a statement submitted by a legislative candidate, or action by the candidate or appointee in his capacity as an officeholder.

4. The identity by name of all business offices, business directorships, and fiduciary relationships the person making the statement, and that person's spouse, have held in the preceding calendar year.

**SECTION 4. POWERS AND DUTIES OF THE ATTORNEY GENERAL.)** The attorney general shall:

1. Prescribe the forms for statements of interests required to be filed under this Act and furnish such forms, on request, to persons subject to this Act.

2. Prepare and publish guidelines setting forth recommended uniform methods of reporting for use by persons required to file statements under this Act.

3. Adopt such rules and regulations, in the manner prescribed by chapter 28-32, as may be appropriate to effectuate the purposes of this Act.

**SECTION 5. POWERS AND DUTIES OF THE SECRETARY OF STATE AND COUNTY AND CITY AUDITORS.)** The secretary of state or the county or city auditor, where appropriate, shall:

1. Accept and file any statement submitted pursuant to this Act.

2. Make statements filed available for public inspection and copying during regular office hours.

3. Preserve statements filed under this Act for the term of office to which the person making disclosure is elected or appointed or until a new statement is filed, and preserve statements filed pursuant to this Act by those candidates who are not elected or appointed for a period of one year after the date of receipt.

**SECTION 6. PROCEDURE FOR ENFORCEMENT — INVESTIGATION BY ATTORNEY GENERAL, OR STATE'S ATTORNEY.)** Upon a complaint, signed under penalty of perjury, by any person, or upon the motion of the attorney general or state's attorney, the

attorney general or state's attorney shall investigate any alleged violation of this Act. The investigation and its proceedings shall be confidential until a determination has been reached by the investigating officer that enough incriminating evidence exists to bring an action and such action is commenced in the appropriate district court.

SECTION 7. EFFECT OF INTENTIONAL VIOLATION OF ACT — PENALTY. ) Intentional violation of this Act shall constitute an infraction and shall result in the person being deprived of the nomination or office, as the case may be. The vacancy created by intentional violation of this Act shall be filled in the manner provided by law."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR JONES, Chairman

House Bill No. 1528 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1530 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR RINGSACK, Chairman

House Bill No. 1530 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1531 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR MUTCH, Chairman

House Bill No. 1531 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1577 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1577 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1606 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

House Bill No. 1606 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Concurrent Resolution No. 3039 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Concurrent Resolution No. 3039 was placed on the 14th order of business on the calendar for the succeeding legislative day.

## SECOND READING OF HOUSE BILLS

House Bill No. 1555. A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, relating to the dissolution of school districts.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 845), the roll was called and there were ayes, 44; nays, 1; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1569. A Bill for an Act to amend and reenact sections 57-32-03, 57-33.1-05, 57-35-05, 57-35.1-05, 57-35.2-03, subsection 1 of section 57-37-16, subsection 5 of section 57-38-34, sections 57-38-36 and 57-51-10 of the North Dakota Century Code, relating to interest and penalty rates and providing for a standard rate.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 846), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1063. A Bill for an Act to provide for a municipal bond bank to be administered by the Bank of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 866), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1100.** A Bill for an Act to amend and reenact section 32-15-32 of the North Dakota Century Code, relating to costs of taking property by eminent domain.

Which has been read.

Senator Pyle moved that those Senators having a conflict of interest with this bill be permitted to vote, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 866), the roll was called and there were ayes, 20; nays, 30; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED			● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		

So the bill lost.

**House Bill No. 1118.** A Bill for an Act to amend and reenact section 27-08-19 of the North Dakota Century Code, to provide that bailiffs shall be compensated at the same rate that jurors are compensated for required attendance of district and county court sessions.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		●
● FREED			● LEE		●	● REITEN		●	● THANE		●
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		●
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		●
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		●
● HOMUTH			● MUTCH		●	● SCHUSTER		●	● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill 1142.** A Bill for an Act to create and enact a new subsection to 20.1-01-02 relating to definitions, and to amend and reenact section 20.1-04-12 of the 1973 Supplement to the North Dakota Century Code, relating to when gun dogs may not be trained or permitted to run loose.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 866 and 867), the roll was called and there were ayes, 40; nays, 9; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		
● FREED			● LEF		●	● REITEN		●	● THANE		
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER		●	MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1180. A Bill for an Act to provide for the creation of a commission on uniform state laws, the appointment of commissioners thereto, and prescribing the duties of commissioners.

Which has been read.

Senator Freed moved that House Bill No. 1180 be re-referred to the Committee on Appropriations, which motion lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 16; nays, 33; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		
● FREED			● LEF		●	● REITEN		●	● THANE		
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER		●	MR. PRESIDENT		

So the bill lost.

House Bill No. 1185. A Bill for an Act to amend and reenact section 6-05-04 of the North Dakota Century Code, relating to surety deposit investments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON		●	● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES		●	● NETHING		●	● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		●	● STRAND		
● CONLIN			● LARSON		●	● RAIT		●	● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN		●	● STROUP		
● FREED			● LEF		●	● REITEN		●	● THANE		
● FRITZELL			● LIPS		●	● RINGSAK		●	● TWETEN		
● GOODMAN			● LONGMIRE		●	● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS		●	● WALSH		
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		●	● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER		●	MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill 1237.** A Bill for an Act to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to salaries of juvenile supervisors.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 867), the roll was called and there were ayes, 45; nays, 5; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1261.** A Bill for an Act to amend and reenact subsection 1 of section 14-15-11 of the North Dakota Century Code, relating to persons entitled to notice of petition for adoption.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1295.** A Bill for an Act to create and enact chapter 14-02.1 of the North Dakota Century Code, relating to the control of abortions and related matters, and providing penalties; and to repeal chapter 12.1-19 of the North Dakota Century Code, as contained in section 19 of chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to the control of abortions and related matters and providing penalties; 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, 5; absent and not voting, 2.



NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN	●		● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT		●	● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to and the emergency clause carried.

EXPLANATION OF VOTES

Senator Kautzmann: I voted no on House Bill No. 1295 fully realizing that the courts of our nation have indeed ruled that abortion under certain circumstances is permissible. I do not subscribe to that decision because I subscribe to the theory that abortion puts to an end, with absolute irreversible finality, both the existence and the destiny of a developing human being.

Senator Freed: I wish to state, Mr. President, that I know and am aware of the drive to overturn to legislation the Supreme Court decision on abortion, and if that is done, I would be the first in line to re-do our abortion law.

House Bill No. 1339. A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school age.

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, 19; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN	●		● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER	●		● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1360. A Bill for an Act relating to the establishment of guidelines for the management and use of investments held by educational, religious, or charitable institutions; and to repeal section 15-10-35 of the North Dakota Century Code, relating to investment of endowment funds by institutions under board of higher education control.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSACK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1428. 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 1971 Bond Validating Act" to "The 1975 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, 1975.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSACK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1430. A Bill for an Act to amend and reenact sections 16-20-08 and 16-20-09 of the North Dakota Century Code, relating to prohibiting labor organizations, occupational and professional associations, farm organizations, and cooperative associations from using funds in political campaigns.

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, 22; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSACK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

House Bill No. 1033  
House Bill No. 1034  
House Bill No. 1035  
House Bill No. 1036  
House Bill No. 1037  
House Bill No. 1038  
House Bill No. 1092  
House Bill No. 1098  
House Bill No. 1105  
House Bill No. 1106  
House Bill No. 1137  
House Bill No. 1143  
House Bill No. 1160  
House Bill No. 1162  
House Bill No. 1174

And the President signed the same in the presence of the Senate.

**MESSAGE TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1033  
House Bill No. 1034  
House Bill No. 1035  
House Bill No. 1036  
House Bill No. 1037  
House Bill No. 1038  
House Bill No. 1092  
House Bill No. 1098  
House Bill No. 1105  
House Bill No. 1106  
House Bill No. 1137  
House Bill No. 1143  
House Bill No. 1160  
House Bill No. 1162  
House Bill No. 1174

Which the President has signed.

LEO LEIDHOLM, Secretary

**SIGNING OF BILLS**

The Secretary announced that the President was about to sign:

Senate Bill No. 2008  
Senate Bill No. 2017  
Senate Bill No. 2019  
Senate Bill No. 2056  
Senate Bill No. 2057  
Senate Bill No. 2067  
Senate Bill No. 2068  
Senate Bill No. 2114  
Senate Bill No. 2132  
Senate Bill No. 2269

And the President signed the same in the presence of the Senate.

**MESSAGES TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2008

Senate Bill No. 2017

Senate Bill No. 2019

Senate Bill No. 2056

Senate Bill No. 2057

Senate Bill No. 2067

Senate Bill No. 2068

Senate Bill No. 2114

Senate Bill No. 2132

Senate Bill No. 2269

Senate Concurrent Resolution No. 4001

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on House Bills Nos. 1095, 1122, 1452, 1461.

Senators on House Bill No. 1095

Kautzmann

Fritzell

Homuth

Senators on House Bill No. 1122

Freed

H. Christensen

Lashkowitz

Senators on House Bill No. 1452

Vosper

Smykowski

Rait

Senators on House Bill No. 1461

Ringsak

Iszler

Lashkowitz

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2061-2139, refused to concur in the House amendment to Senate Bill No. 2177 and the President has appointed as a conference committee to act with a like committee from the House:

Senator Mutch

Senator Tweten

Senator Gronhovd

LEO LEIDHOLM, Secretary of Senate

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1252

House Bill No. 1411

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1045

House Bill No. 1052

House Bill No. 1102  
House Bill No. 1209  
House Bill No. 1311  
House Bill No. 1317  
House Bill No. 1469  
House Bill No. 1473  
House Bill No. 1496  
House Bill No. 1542  
House Bill No. 1543  
House Bill No. 1544  
House Bill No. 1588  
House Concurrent Resolution No. 3029  
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1059  
House Bill No. 1418  
House Bill No. 1488  
House Bill No. 1499  
House Bill No. 1516  
House Bill No. 1537  
House Bill No. 1554  
House Concurrent Resolution No. 3014  
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2237-2473, refused to concur in the House amendment to Senate Bill No. 2136, and the President has appointed as a conference committee to act with a like committee from the House:

Senator Lee  
Senator Wright  
Senator Shablow

Very respectfully,

LEO LEIDHOLM, Secretary of Senate

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1021  
House Bill No. 1027  
House Bill No. 1028  
House Bill No. 1029  
House Bill No. 1056  
House Bill No. 1057  
House Bill No. 1061  
House Bill No. 1073  
House Bill No. 1079  
House Bill No. 1096  
House Bill No. 1112  
House Bill No. 1116  
House Bill No. 1140  
House Bill No. 1164  
House Bill No. 1165  
House Bill No. 1173  
House Bill No. 1184

House Bill No. 1199  
 House Bill No. 1216  
 House Bill No. 1226  
 House Bill No. 1240  
 House Bill No. 1253  
 House Bill No. 1258  
 House Bill No. 1259  
 House Bill No. 1291

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2148  
 Senate Bill No. 2238  
 Senate Bill No. 2249  
 Senate Bill No. 2365  
 Senate Bill No. 2374  
 Senate Bill No. 2431  
 Senate Bill No. 2454  
 Senate Bill No. 2456  
 Senate Bill No. 2471  
 Senate Bill No. 2484  
 Senate Concurrent Resolution No. 4008  
 Senate Concurrent Resolution No. 4020  
 Senate Concurrent Resolution No. 4028  
 Senate Concurrent Resolution No. 4035

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2343

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 1377, and subsequently failed to pass House Bill No. 1377.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 1083, 1093, 1172, 1217, 1254, 1344, 1398, 1472, 1508, 1579.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Bill No. 2093  
 Senate Bill No. 2195  
 Senate Bill No. 2210  
 Senate Bill No. 2245  
 Senate Bill No. 2265  
 Senate Bill No. 2432  
 Senate Bill No. 2434  
 Senate Concurrent Resolution No. 4009  
 Senate Concurrent Resolution No. 4034  
 Senate Concurrent Resolution No. 4040

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO  
SENATE BILL No. 2093

On page 2, line 1 of the engrossed bill delete the following: "person holding" and insert in lieu thereof "surface owner"

On page 2, line 2 delete the following: "the title or fee to the overlying strata or land"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2195

On page 1, line 17 of the engrossed bill, insert an "underlined hyphen" after the word "one" and delete the triple parentheses before and after the word "twentieth" and also on line 17, delete the following: "fifteenth"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2210

On page 1, line 2 after the word "season" delete the word "and" and insert a comma

On page 1, line 4 after the word "license" insert the words: "and providing that the provisions of this Act shall be temporary"

On page 1, line 12 delete the word "permit"

On page 1, line 13 insert a period after the word "sheep", delete the remainder of the line, and insert in lieu thereof the following: "The number of licenses available shall be limited to twelve each year, and shall allow the recipient to take a mature ram, with one-half curl or greater. The licenses shall be issued by lottery, with only residents eligible to apply. Landowners living within the open area shall not be given a preference in the lottery. Each hunter, or party of hunters shall be accompanied by a game warden or other person designated by the commissioner and shall hunt and kill only such sheep specifically designated by the warden or other person designated by the commissioner"

On page 1, line 14 delete all the language before the period.

On page 1, line 17 after the period, insert the following: "The governor by proclamation shall prescribe the manner, places and times in which big horn sheep may be hunted or taken.

SECTION 2. PROVISIONS OF THIS ACT TEMPORARY.) This Act shall be effective during the period beginning July 1, 1975 and ending June 30, 1977, and thereafter shall be of no force and effect."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2245

On page 4, after line 4, of the engrossed bill, insert the following section:

SECTION 5. ARTIFICIAL INSEMINATION.)

1. If, under the supervision of a licensed physician and with the consent of her husband, a wife is inseminated artificially with semen donated by a man not her husband, the husband is treated in law as if her were the natural father of a child thereby conceived. The husband's consent must be in writing and signed by him and his wife. The physician shall certify their signatures and the date of the insemination, and file the husband's consent with the state department of health, where it shall be kept confidential and in a sealed file. However, the physician's failure to do so does not affect the father and child relationship. All papers and records pertaining to the insemination, whether part of the permanent record of a

court or of a file held by the supervising physician or elsewhere, are subject to inspection only upon an order of the court for good cause shown.

2. The donor of semen provided to a licensed physician for use in artificial insemination of a married woman other than the donor's wife is treated in law as if he were not the natural father of a child thereby conceived.

On page 4, line 35, of the engrossed bill, after the word and comma, "child," insert the following: "the authorities charged with the support of the child,"

And renumber the lines, pages, and sections accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2265

On page 3, line 34 of the engrossed bill insert beginning triple parentheses before the word "The"

On page 4, line 5 delete the underlined language

On page 4, line 6 delete the underlined language

On page 4, line 7 delete the beginning triple parentheses before the word "the" and delete the ending triple parentheses after the word "game" and delete the word "antelope"

On page 4, line 8 delete the beginning triple parentheses before the comma

On page 4, line 11 delete the ending triple parentheses after the word "season" and insert ending triple parentheses after the period and insert in lieu thereof the following: "The governor in his proclamation or order, may determine the number of resident and nonresident big game licenses to be issued for the taking of each species, age or sex. When a limited number of big game licenses or special permits are to be issued, he shall by order or proclamation declare the manner of issuance of such licenses and permits. The time period for which a recipient of a big game license or special permit obtained by lottery shall be ineligible to again apply for the same license or special permit shall be as follows:

e. Five ensuing seasons for an antelope gun license; or

f. A period to be set by governor's proclamation for a deer gun license or special permit."

And also in line 11 delete the words "For big game"

On page 4, delete all of lines 12 through 15.

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2432

On page 1, line 3, after the word "accident" insert the following: ", and to increase the minimum amount of damage below which such report is not required"

On page 1, line 14, insert triple parentheses before and after the word "two" and insert in lieu thereof the word "three"

On page 1, line 19, insert triple parentheses before and after the word "five" and insert in lieu thereof the word "ten"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2434

On page 1, line 1 of the engrossed bill, after the word "to" insert the following: "create and enact a new section to the North Dakota Century Code, declaring beekeeping to be an agricultural enterprise for all purposes and to"

On page 1, after line 6, insert the following:

"SECTION 1.) A new section to the North Dakota Century Code is



hereby created and enacted to read as follows:

**"BEEKEEPING CONSIDERED AGRICULTURAL ENTERPRISE.)**  
**Beekeeping shall be considered an agricultural enterprise for all purposes under the laws of North Dakota."**

And renumber the lines, pages and sections accordingly.

**HOUSE AMENDMENTS TO  
 SENATE CONCURRENT RESOLUTION No. 4009**

On page 3 of the engrossed resolution, after line 3 insert the following:  
**"WHEREAS, a segment of Interstate Highway I-94 is being threatened by erosion, and bank erosion has occurred and continues to consume large portions of the public scenic area lying adjacent to I-94; and"**

And renumber the lines and pages accordingly.

**HOUSE AMENDMENTS TO  
 SENATE CONCURRENT RESOLUTION No. 4034**

On page 1, line 2, delete the words "to Frontier Airlines" and insert in lieu thereof the words "for airline service"

On page 1, line 3, delete the word "serve"

On page 1, line 13 delete the words "Frontier Airlines has" and insert in lieu thereof the words "Several airlines have" and also on line 13 delete the word "its" and insert in lieu thereof the word "their"

On page 1, line 21, after the word "authority" insert the words "for this additional airline service"

On page 1, line 22, delete the words "Frontier Airlines to serve"

On page 1, line 23 after the first word "desires" insert the words "and needs" and also on line 23 delete the words "and the desires of"

On page 1, line 24, delete the words "Frontier Airlines"

And renumber the lines and pages accordingly.

**HOUSE AMENDMENTS TO  
 SENATE CONCURRENT RESOLUTION No. 4040**

On page 2, line 14 after the word "Agriculture" insert the following: "  
 the Administrator of the Soil Conservation Service in Washington, D.C." and also in line 14 delete the word "Area" and insert the word "State"

And renumber the lines accordingly.

**House Chamber**

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2008

Senate Bill No. 2017

Senate Bill No. 2019

Senate Bill No. 2056

Senate Bill No. 2057

Senate Bill No. 2067

Senate Bill No. 2068

Senate Bill No. 2114

Senate Bill No. 2132

Senate Bill No. 2269

Senate Concurrent Resolution No. 4001

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. 2008

Senate Bill No. 2017

Senate Bill No. 2019  
Senate Bill No. 2056  
Senate Bill No. 2057  
Senate Bill No. 2067  
Senate Bill No. 2068  
Senate Bill No. 2114  
Senate Bill No. 2132  
Senate Bill No. 2269

Were delivered to the Governor for his approval on March 6, 1975.  
SENATOR STRAND, Chairman

#### REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4001

Was delivered to the Secretary of State March 6, 1975.

SENATOR STRAND, Chairman

Senator Nething moved that after the reading of Senate Concurrent Resolution No. 4073 and House Bills Nos. 1009, 1067, 1081, 1099, 1103, 1189, 1233, 1250, 1278, 1307, 1364, 1426, 1434, 1459, 1577 and House Concurrent Resolutions Nos. 3018 and 3039, that the Senate recess until 1:00 P.M., March 7, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-THIRD DAY AFTER RECESS  
AND FORTY-FOURTH DAY

Bismarck, March 7, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4073  
And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Walsh 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. 2208  
And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2184  
Senate Bill No. 2336

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Nething moved that the reading of the amendments to House Bills Nos. 1049, 1332, 1484 and 1528 be dispensed with, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1049 as recommended by the Committee on State and Federal Government as printed on page 922 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1332 as recommended by the Committee on State and Federal Government as printed on page 923 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1484 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 924 of the Senate Journal be adopted, which motion prevailed.

Senator Jones moved that the amendments to House Bill No. 1528 as recommended by the Committee on State and Federal Government as

printed on pages 924 to 926 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Morgan moved that the Committee Report on House Bill No. 1127, as printed on page 923 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1127, the roll was called and there were 35, ayes; 13, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and House Bill No. 1127 was indefinitely postponed.

Senator Sands moved that the Committee Report on House Bill No. 1285, as printed on page 923 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1285, the roll was called and there were 47, ayes; 1, nay; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and House Bill No. 1285 was indefinitely postponed.

Senator Morgan moved that the Committee Report on House Bill No. 1335, as printed on page 923 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1335, the roll was called and there were 47, ayes; 1, nay; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NOTHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

The motion prevailed, and House Bill No. 1335 was indefinitely postponed.

Senator Morgan moved that the Committee report on House Bill No. 1477, as printed on page 924 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1477, the roll was called and there were 19, ayes; 30, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		
● BERUBE			● JACOBSON	●		● NASSET	●		● SHYKOWSKI	●	
● CHRISTENSEN, H. #5	●		● JONES	●		● NOTHING	●		● SOLBERG	●	
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●		● STRAND	●	
● CONLIN			● LARSON			● RAIT	●		● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN	●		● STROUP	●	
● FREED			● LEE			● REITEN	●		● THANE	●	
● FRITZELL	●		● LIPS	●		● RINGSAK	●		● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS	●		● VOSPER	●	
● GRONHOVD			● MAHER			● SANDNESS	●		● WALSH	●	
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●		● WENSTROM	●	
● HOLAND	●		● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			● MR. PRESIDENT		

The motion failed, and House Bill No. 1477 was placed on the 14th Order of Business for the next succeeding legislative day.

**SIXTH ORDER OF BUSINESS**

Senator Mutch moved that the Committee Report on House Bill No. 1606, as printed on page 926 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1606, the roll was called and there were 28, ayes; 20, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		
● BERUBE			● JACOBSON	●		● NASSET	●		● SHYKOWSKI	●	
● CHRISTENSEN, H. #5	●		● JONES	●		● NOTHING	●		● SOLBERG	●	
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●		● STRAND	●	
● CONLIN			● LARSON			● RAIT	●		● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN	●		● STROUP	●	
● FREED			● LEE			● REITEN	●		● THANE	●	
● FRITZELL	●		● LIPS	●		● RINGSAK	●		● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS	●		● VOSPER	●	
● GRONHOVD			● MAHER			● SANDNESS	●		● WALSH	●	
● HOFFNER	●		● MELLAND			● SCHULTZ, C. #14	●		● WENSTROM	●	
● HOLAND	●		● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER	●		● MR. PRESIDENT		

The motion prevailed, and House Bill No. 1606 was indefinitely postponed.

**REPORTS OF STANDING COMMITTEES**

Mr. President: Your Committee on Judiciary to whom was referred Senate Concurrent Resolution No. 4061 has had the same under con-

sideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

Senate Concurrent Resolution No. 4061 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1008 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1008 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1013 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1013 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1060 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR JACOBSON, Chairman

House Bill No. 1060 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1091 has had the same under consideration and recommends that the same be amended as follows:

In addition to the amendments to House Bill No. 1091 adopted by the Senate and printed on page 620 of the Journal of the Senate, the following amendments are hereby proposed:

On page 1, line 5, after the word "citizens" insert the following new language: ", and a new section authorizing a political subdivision to expend federal revenue sharing moneys for any purpose for which general or special fund moneys may be expended; and declaring an emergency"

On page 2, line 21, after the word "from" insert the following new word: "state,"

On page 2, following the last line of SECTION 2, insert the following new sections:

**SECTION 3. EXPENDITURE OF FEDERAL REVENUE SHARING MONEYS.)** A political subdivision may expend federal revenue sharing moneys for any purpose for which general or special fund moneys of the political subdivision may be expended, regardless of whether a tax levy by a vote of the political subdivision electorate has been made or is required for such purpose. For the purposes of this Act, "political subdivision" means any county, city, township, or other unit of local government.

**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, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSAK, Chairman

House Bill No. 1091 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1206 has had the same under consideration and recommends that the same be amended as follows:

On page 3, of the engrossed bill, line 3, after the single parenthesis delete the remainder of the line

On page 3, delete lines 4 through 22 and insert in lieu thereof the following:

"1. Any sheriff, police officer, ((or)) licensed veterinarian, or investigator may ((remove, shelter,)) take custody of, and care for any animal found abandoned, unjustifiably exposed to cold or inclement weather, or not properly fed and watered ((, and, when)). It shall be a responsibility of such sheriff, police officer, licensed veterinarian, or investigator to care for the same until it is redeemed by the owner, and when necessary ((,)) may deliver the animal to another person to be sheltered, cared for, and furnished suitable food and drink. In all cases the owner, if known, shall be immediately notified, ((and the)) or if the owner is unknown, notice shall be given by publication in the manner prescribed by law. Such notice shall inform the owner that such animal may be sold pursuant to court order if the animal is not redeemed within five days after receiving the notice or after publication.

2. The sheriff, police officer, licensed veterinarian, investigator, or whoever has custody of the animal ((,)) shall have a lien thereon, superior to any other claim or lien, for its care and keeping, the reasonable value of the food and drink furnished, and the expenses of notifying the owner. If ((the owner or custodian is unknown, and cannot by reasonable effort be ascertained, or shall not,)) such lien is not discharged and satisfied by the owner within five days after notice, ((redeem the animal by paying the expenses incurred as aforesaid)) the person holding such claim may apply to the district court for an order to sell such animal to discharge such lien. Upon order of the court, the animal shall be sold at a public market to pay the charges for keeping the same, and the title to the animal shall pass by the sale. The court may award costs and reasonable attorney's fees to the person bringing the action to enforce the lien, and the remainder, if any, shall be paid over to the owner, if known, or if the owner is not known, the remainder shall be deposited in the county general fund. If no purchaser is found, the animal, at the discretion of the board, may be offered for adoption or disposed of consistent with this chapter or with any other provision of law.

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1206 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1246 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1246 was placed on the sixth order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1266 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 7 of the engrossed bill, delete the underscored word "ten" and insert in lieu thereof the underscored word "fifteen"

On page 2, line 9, delete the triple parentheses around the word "fifteen" and delete the underscored word "ten"

On page 2, line 33, delete the underscored word "ten" and insert in lieu thereof the underscored word "fifteen"

On page 3, line 14, delete the underscored word "ten" and insert in lieu thereof the underscored word "fifteen"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1266 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 KAUTZMANN, Chairman

House Bill No. 1288 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1327 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1327 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1378 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR MUTCH, Chairman

House Bill No. 1378 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1388 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1388 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1403 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1403 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 SANDS, Chairman

House Bill No. 1409 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1471 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1471 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Bill No. 1478 has had the same under consideration and recommends that the same be amended as follows:

On page 6 of the engrossed bill, line 20, delete the underscored word "ten" and insert in lieu thereof the underscored word "eight"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

House Bill No. 1478 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1497 has had the same under consideration and recommends that the same do pass.

SENATOR MUTCH, Chairman



House Bill No. 1497 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1517 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1517 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: The Majority of your Committee on Industry, Business and Labor to whom was referred House Bill No. 1527 has had the same under consideration and recommends that the same be indefinitely postponed.

For the majority:  
 Senator Kautzmann  
 Senator Reiten  
 Senator Jacobson  
 Senator Mutch

SENATOR KAUTZMANN, Chairman

Mr. President: The Minority of your Committee on Industry, Business and Labor to whom was referred House Bill No. 1527 has had the same under consideration and recommends that the same do pass.

For the minority:  
 Senator Homuth  
 Senator Fritzell  
 Senator Gronhøvd

Senator Homuth moved that the report of the minority be substituted for the report of the majority, which motion prevailed.

House Bill No. 1527 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation 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 14, following the second comma insert the underscored words "subject however, to just compensation as is hereinafter provided,"

On page 2, line 15, insert beginning triple parentheses before the word "before"

On page 2, line 16, insert closing triple parentheses after the word "nonconforming"

On page 2, line 34, following the word "law" delete the rest of the line

On page 2 delete the underscored line 35

On page 3 delete the underscored line 1

On page 3, line 2, delete the underscored words "regulations promulgated thereunder" and insert in lieu thereof the underscored words "provided that federal matching funds are made available to the state highway commission for purposes of such compensation"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1534 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1539 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1539 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to

whom was referred House Bill No. 1546 has had the same under consideration and recommends that the same be amended as follows:

On page 2 of the engrossed bill, line 12 after the word "including" delete the word "vistibular" and insert in lieu thereof the word "vestibular"

On page 4, following line 31 add the following subsections:

"9. Any person holding a valid credential as a teacher of the hearing impaired issued by the Council on Education of the Deaf from engaging in the practice of habilitation and rehabilitation of hearing impaired persons.

10. No speech pathologist or audiologist licensed pursuant to this Act shall receive any remuneration of any kind from the sale of any type of hearing aid unless he is licensed as provided in chapter 43-33."

On page 11, line 29 delete the first word "The" and insert in lieu thereof the following language "Provided that no fee or combination of fees shall exceed fifty dollars per person annually, the"

And renumber the lines, pages and subsections accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1546 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1566 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 20, after the word "a" insert the following new language: "class B"

On page 2, line 5, after the word "a" insert the following new language: "class A"

On page 2, line 6, delete the triple parentheses around the numeral "5-01-08,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1566 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1572 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1572 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1574 has had the same under consideration and recommends that the same be amended as follows:

On page 2 of the engrossed bill, line 2, delete the triple parentheses around the "comma" and on the same line delete the following " ; provided"

On page 2, delete all of lines 3 through 16

On page 2, line 17, delete the words "in principal amount;"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1574 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1576 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 13, delete the underscored word "sections" and insert in lieu thereof the following: "subsections 1 through 6 of section"

On page 1, line 14, following the underscored word "and" insert the underscored word "section"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1576 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1587 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR JACOBSON, Chairman

House Bill No. 1587 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution No. 3036 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Concurrent Resolution No. 3036 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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

House Concurrent Resolution No. 3042 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Agriculture to whom was referred House Concurrent Resolution No. 3046 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 8, delete the words "three and five-tenths miles" and insert in lieu thereof the words "five-tenths of a mile"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR MORGAN, Chairman

House Concurrent Resolution No. 3046 was placed on the 6th order of business on the calendar for the succeeding legislative day.

#### MOTION

Senator Jones moved that the Senate reconsider the action by which House Bill No. 1357 was Indefinitely Postponed, which motion lost.

Senator Pyle moved that the absent Senator be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-FOURTH DAY

Bismarck, March 7, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Reverend Donald Burton, Lord of Life Lutheran Church, Bismarck.

"Father in Heaven: You bless nations in order that they may be servants to the nations of the world. Even now, you have blessed our nation and this state. Judge us until our ideals and aspirations are in accordance with Your will. Give us eyes to see ourselves and others in the light of Your truth. Keep us from hypocrisy in feeling and action. Empower these persons, to lead us to sound government and just laws. Give to our nation a clean, honest, and charitable press. And empower all of us, that our relationship with one another may be ruled by simplicity and justice.

Engender in us and through us, a spirit of service which will abolish pride of place and inequality of opportunity. Above all else, give us thankful hearts, for we pray in the name of Jesus Christ, Amen."

Roll Call: All Senators present except Lee and Strand.

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 921, line 42, delete "30-03A-21" and insert in lieu thereof "39-03A-21"

On line 56 delete "30-03A-21" and insert in lieu thereof "39-03A-21"

On page 924, line 14, delete "1447" and insert in lieu thereof "1477".

On page 924, line 17, delete "1447" and insert in lieu thereof "1477".

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### COMMUNICATION STATE OF NORTH DAKOTA EXECUTIVE OFFICE BISMARCK

March 6, 1975

The Honorable Wayne Sanstead  
President of the Senate  
Senate Chambers  
State Capitol Building  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that I have appointed Mrs. Laura S. Maixner, New England, to the Social Service Board of North Dakota for a regular six-year term beginning April 6, 1975 and extending to April 6, 1981.

Enclosed is a biographical sketch of Mrs. Maixner. This appointment is subject to Senate confirmation.

With best regards,  
Sincerely yours,  
ARTHUR A. LINK  
Governor

President Sanstead referred the above appointment to the committee on Social Welfare and Veterans Affairs.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2093, as printed on page 937 of the Senate Journal, which motion prevailed.

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2093 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2093. A Bill for an Act to amend and reenact section 57-24-30 of the North Dakota Century Code, relating to the rights of surface owners when severed coal and mineral interests are sold for nonpayment of taxes.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHARLOW
● BERUBE			● JACOBSON			● NASSET		● SHYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNES		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J #37		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do not concur in the House amendments to Senate Bill No. 2195 as printed on page 937 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2195:

Senator Wright  
Senator Vosper  
Senator Redlin

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2245 as printed on pages 937 and 938 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2245:

Senator Freed  
Senator H. Christensen  
Senator Schuster

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2432 as printed on page 938 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2432:

Senator Sands  
Senator Iszler  
Senator Lashkowitz

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House

amendments to Senate Bill No. 2434, as printed on pages 938 and 939 of the Senate Journal, which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 2434 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2434. A Bill for an Act to create and enact a new section to the North Dakota Century Code, declaring beekeeping to be an agricultural enterprise for all purposes and to amend and reenact sections 4-12-02 and 4-12-08 of the North Dakota Century Code, relating to rules and regulations of the commissioner on honey bees.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMANN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELIAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Mutch moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 4034 as printed on page 939 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Concurrent Resolution No. 4034:

Senator Solberg

Senator Iszler

Senator Lashkowitz

### SECOND READING OF HOUSE BILLS

House Bill No. 1507. A Bill for an Act to amend and reenact section 11-11-28 of the North Dakota Century Code, relating to bidder's bond 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, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERODMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1552. A Bill for an Act to create and enact new subsections to sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code, relating to exempting artificial devices individually designed for handicapped persons from the sales and use 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, 44; nays, 0; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAOEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERODMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1561. A Bill for an Act to create and enact a new subsection to section 19-03.1-37 of the North Dakota Century Code, relating to burden of proof — liabilities.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 868), the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAOEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERODMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1562. A Bill for an Act to amend and reenact section 39-20-07 of the North Dakota Century Code, relating to interpretation of chemical tests.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1570. A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to the federal income tax as an adjustment to taxable income for individuals and fiduciaries; 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, 40; nays, 6; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### MOTION

Senator Nothing moved that at 3:15 Senators Goodman, C. Schultz, Smykowski, Barth and Holand, who are members of the Reapportionment Committee, be excused so that they may meet with a like committee from the House, which motion prevailed.

### SECOND READING OF HOUSE BILLS

House Bill No. 1592. A Bill for an Act to provide an appropriation to the state historical board for an oral history project.

Which has been read.

Senator Naaden moved that House Bill No. 1592 be amended as follows:

On page 1, line 9 of the engrossed bill, delete the figure "\$84,940.00" and insert in lieu thereof the figure "\$43,300.00"

Senator Naaden moved that the amendments be adopted, which motion failed.



ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 868 and 869), the roll was called and there were ayes, 34; nays, 14; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5	•		• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND	•	
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Concurrent Resolution No. 3016. A concurrent resolution for the amendment of sections 28 and 34 of the Constitution of the State of North Dakota, relating to qualifications of legislators.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were ayes, 30; nays, 14; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

House Concurrent Resolution 3016 was adopted.

House Concurrent Resolution No. 3056. A concurrent resolution creating a new Article IV of the Constitution of the state of North Dakota, relating to the judicial branch of government; the jurisdiction of the supreme, district, and other courts; the location of judicial districts; the election of judges of the supreme and district courts; the qualifications of judges; the procedures for removal of judges and filling vacancies; and to the retirement of judges; and to repeal Article IV, consisting of sections 85 through 120, of the Constitution of the state of North Dakota, relating to the jurisdiction of the Supreme Court, and district, county, and municipal courts; the time of holding court session; the location of judicial districts; and to other judicial matters.

Which has been read.

Senator Larson moved that House Concurrent Resolution No. 3056 be amended as follows:

On page 3, line 32 of the engrossed resolution, delete the words "admitted to the bar in this state" and insert in lieu thereof the words "learned in the law"

And renumber the lines accordingly.

Senator Larson moved that the amendments be adopted, which motion prevailed.

Senator Larson moved that the rules be suspended, that House Concurrent Resolution No. 3056 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF A HOUSE CONCURRENT RESOLUTION**

**House Concurrent Resolution No. 3056.** A concurrent resolution creating a new Article IV of the Constitution of the state of North Dakota, relating to the judicial branch of government; the jurisdiction of the supreme, district, and other courts; the location of judicial districts; the election of judges of the supreme and district courts; the qualifications of judges; the procedures for removal of judges and filling vacancies; and to the retirement of judges; and to repeal Article IV, consisting of sections 85 through 120, of the Constitution of the state of North Dakota, relating to the jurisdiction of the Supreme Court, and district, county, and municipal courts; the time of holding court session; the location of judicial districts; and to other judicial matters.

Was read the second time.

**ROLL CALL**

The question being on the final adoption of the resolution as amended (SJ 869), the roll was called and there were ayes, 39; nays, 3; absent and not voting, 9.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON		•	• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		
• FREED			• LEE		•	• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS		•	• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, J. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUT			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

House Concurrent Resolution No. 3056 was adopted.

**MOTION**

Senator Stroup moved that Senate Concurrent Resolution No. 4073 be laid over one legislative day, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1009.** A Bill for an Act making an appropriation for defraying the expenses of the motor vehicle department.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 892), the roll was called and there were ayes, 39; nays, 1; absent and not voting, 11.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		
• FREED			• LEE		•	• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		



• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSACK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1099.** A Bill for an Act making an appropriation to the American revolution bicentennial commission for the purpose of making grants to bicentennial 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, 23; nays, 16; absent and not voting, 12.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER	•		• NAADEN	•		• SHABLOW	•	
• BERUBE	•		• JACOBSON	•		• NASSET	•		• SMYKOWSKI	•	
• CHRISTENSEN, H. #5	•		• JONES	•		• NETHING	•		• SOLBERG	•	
• CHRISTENSEN, L. #3	•		• KAUTZMANN	•		• PYLE	•		• STRAND	•	
• CONLIN	•		• LARSON	•		• RAIT	•		• STRINDEN	•	
• ERDMAN	•		• LASHKOWITZ	•		• REDLIN	•		• STROUP	•	
• FREED	•		• LEE	•		• REITEN	•		• THANE	•	
• FRITZELL	•		• LIPS	•		• RINGSACK	•		• TWETEN	•	
• GOODMAN	•		• LONGMIRE	•		• SANDS	•		• VOSPER	•	
• GRONHOVD	•		• MAHER	•		• SANDNESS	•		• WALSH	•	
• HOFFNER	•		• MELLAND	•		• SCHULTZ, C. #14	•		• WENSTROM	•	
• HOLAND	•		• MORGAN	•		• SCHULTZ, J. #32	•		• WRIGHT	•	
• HOMUTH	•		• MUTCH	•		• SCHUSTER	•		• MR. PRESIDENT	•	

So the bill lost due to a lack of a majority.

**MOTION**

Senator Nething changed his vote from aye to nay for the purpose of reconsideration on House Bill 1099.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1103.** A Bill for an Act to amend and reenact sections 16-18-14, 16-18-15, and 16-18-16 of the North Dakota Century Code, relating to canvassing of absent voters' ballots received late, care and custody of absent voters' ballots, and submitting absent voters' ballots to inspector of elections.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 893), the roll was called and there were ayes, 20; nays, 20; absent and not voting 11.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER	•		• NAADEN	•		• SHABLOW	•	
• BERUBE	•		• JACOBSON	•		• NASSET	•		• SMYKOWSKI	•	
• CHRISTENSEN, H. #5	•		• JONES	•		• NETHING	•		• SOLBERG	•	
• CHRISTENSEN, L. #3	•		• KAUTZMANN	•		• PYLE	•		• STRAND	•	
• CONLIN	•		• LARSON	•		• RAIT	•		• STRINDEN	•	
• ERDMAN	•		• LASHKOWITZ	•		• REDLIN	•		• STROUP	•	
• FREED	•		• LEE	•		• REITEN	•		• THANE	•	
• FRITZELL	•		• LIPS	•		• RINGSACK	•		• TWETEN	•	
• GOODMAN	•		• LONGMIRE	•		• SANDS	•		• VOSPER	•	
• GRONHOVD	•		• MAHER	•		• SANDNESS	•		• WALSH	•	
• HOFFNER	•		• MELLAND	•		• SCHULTZ, C. #14	•		• WENSTROM	•	
• HOLAND	•		• MORGAN	•		• SCHULTZ, J. #32	•		• WRIGHT	•	
• HOMUTH	•		• MUTCH	•		• SCHUSTER	•		• MR. PRESIDENT	•	

So the bill lost due to a lack of a majority.

MOTION

Senator Nething changed his vote from aye to nay for the purpose of reconsideration on House Bill 1103.

SECOND READING OF HOUSE BILLS

House Bill 1233. A Bill for an Act to amend and reenact subsection 1 of section 15-39.1-04 of the North Dakota Century Code, relating to persons to be covered by Teacher's Fund for Retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 894), the roll was called and there were ayes, 38; nays, 0; absent and not voting, 13.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER	•		• NAADEN	•	• SHABLOW
• BERUBE	•		• JACOBSON	•		• NASSET	•	• SMYKOWSKI
• CHRISTENSEN, H #5	•		• JONES	•		• NETHING	•	• SOLBERG
• CHRISTENSEN, L #3	•		• KAUTZMANN	•		• PYLE	•	• STRAND
• CONLIN	•		• LARSON	•		• RAIT	•	• STRINDEN
• ERDMAN	•		• LASHKOWITZ	•		• REDLIN	•	• STROUP
• FREED	•		• LEE	•		• REITEN	•	• THANE
• FRITZELL	•		• LIPS	•		• RINGSAK	•	• TWETEN
• GOODMAN	•		• LONGMIRE	•		• SANDS	•	• VOSPER
• GRONHOVD	•		• MAHER	•		• SANDNESS	•	• WALSH
• HOFFNER	•		• MELLAND	•		• SCHULTZ, C #14	•	• WENSTROM
• HOLAND	•		• MORGAN	•		• SCHULTZ, J #32	•	• WRIGHT
• HOMUTH	•		• MUTCH	•		• SCHUSTER	•	• MR. PRESIDENT

So the bill passed and the title was agreed to.

MOTION

Senator Solberg moved that House Bill No. 1250 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1278. A Bill for an Act to amend and reenact sections 43-10.1-03, 43-10.1-04, 43-10.1-05, 43-10.1-06, 43-10.1-07, and 43-10.1-08 of the North Dakota Century Code, relating to reports required in relation to pre-need funeral services.

Which has been read.

Senator Sands moved to be excused from voting under Rule 24. Senator Pyle moved that Senator Sands be permitted to vote, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 895 & 896) the roll was called and there were ayes, 37; nays, 1; absent and not voting, 13.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER	•		• NAADEN	•	• SHABLOW
• BERUBE	•		• JACOBSON	•		• NASSET	•	• SMYKOWSKI
• CHRISTENSEN, H #5	•		• JONES	•		• NETHING	•	• SOLBERG
• CHRISTENSEN, L #3	•		• KAUTZMANN	•		• PYLE	•	• STRAND
• CONLIN	•		• LARSON	•		• RAIT	•	• STRINDEN
• ERDMAN	•		• LASHKOWITZ	•		• REDLIN	•	• STROUP
• FREED	•		• LEE	•		• REITEN	•	• THANE
• FRITZELL	•		• LIPS	•		• RINGSAK	•	• TWETEN
• GOODMAN	•		• LONGMIRE	•		• SANDS	•	• VOSPER
• GRONHOVD	•		• MAHER	•		• SANDNESS	•	• WALSH
• HOFFNER	•		• MELLAND	•		• SCHULTZ, C #14	•	• WENSTROM
• HOLAND	•		• MORGAN	•		• SCHULTZ, J #32	•	• WRIGHT
• HOMUTH	•		• MUTCH	•		• SCHUSTER	•	• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1307.** A Bill for an Act to amend and reenact subsection 10 of section 37-01-40 and section 37-14-03.3 of the North Dakota Century Code, relating to the Vietnam era service dates for veterans.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 14.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTRÖM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Nothing moved that House Bill 1426 be moved to the head of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1426.** A Bill for an Act to create a new section to chapter 11-09 of the North Dakota Century Code, relating to the formation of a county manager form of county 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, 37; nays, 1; absent and not voting, 13.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTRÖM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MESSAGE FROM THE HOUSE**  
House Chamber

Mr. President: I have the honor to transmit herewith the following:  
House Bill No. 1072  
House Bill No. 1230  
House Bill No. 1398  
House Bill No. 1475

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. 1072

House Bill No. 1230

House Bill No. 1398

House Bill No. 1475

And the President signed the same in the presence of the Senate.

The Secretary announced that the President was about to sign:

Senate Bill No. 2184

Senate Bill No. 2208

Senate Bill No. 2336

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2184

Senate Bill No. 2208

Senate Bill No. 2336

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. 1021

House Bill No. 1027

House Bill No. 1028

House Bill No. 1029

House Bill No. 1056

House Bill No. 1057

House Bill No. 1061

House Bill No. 1073

House Bill No. 1079

House Bill No. 1096

House Bill No. 1112

House Bill No. 1116

House Bill No. 1140

House Bill No. 1164

House Bill No. 1165

House Bill No. 1173

House Bill No. 1184

House Bill No. 1199

House Bill No. 1216

House Bill No. 1226

House Bill No. 1240

House Bill No. 1253

House Bill No. 1258

House Bill No. 1259

House Bill No. 1291

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1021

House Bill No. 1027  
 House Bill No. 1028  
 House Bill No. 1029  
 House Bill No. 1056  
 House Bill No. 1057  
 House Bill No. 1061  
 House Bill No. 1073  
 House Bill No. 1079  
 House Bill No. 1096  
 House Bill No. 1112  
 House Bill No. 1116  
 House Bill No. 1140  
 House Bill No. 1164  
 House Bill No. 1165  
 House Bill No. 1173  
 House Bill No. 1184  
 House Bill No. 1199  
 House Bill No. 1216  
 House Bill No. 1226  
 House Bill No. 1240  
 House Bill No. 1253  
 House Bill No. 1258  
 House Bill No. 1259  
 House Bill No. 1291  
 Which the President has signed.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following:  
 Senate Bill No. 2184  
 Senate Bill No. 2208  
 Senate Bill No. 2336  
 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. 2184  
 Senate Bill No. 2208  
 Senate Bill No. 2336

Were delivered to the Governor for his approval on March 7, 1975.

SENATOR STRAND, Chairman

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1118  
 House Bill No. 1185  
 House Bill No. 1261  
 House Bill No. 1295  
 House Bill No. 1339  
 House Bill No. 1360  
 House Bill No. 1428  
 House Bill No. 1430

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary



## Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1025

House Bill No. 1063

House Bill No. 1142

House Bill No. 1171

House Bill No. 1237

House Bill No. 1555

House Bill No. 1569

Which the Senate has amended.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2093 and 2434, refused to concur in the House amendments to Senate Bills Nos. 2195, 2245, 2432, Senate Concurrent Resolution No. 4034, and the President has appointed as a conference committee to act with a like committee from the House:

On Senate Bill No. 2195:

Senator Wright

Senator Vosper

Senator Redlin

On Senate Bill No. 2245

Senator Freed

Senator H. Christensen

Senator Schuster

On Senate Bill No. 2432:

Senator Sands

Senator Iszler

Senator Lashkowitz

On Senate Concurrent Resolution No. 4034

Senator Solberg

Senator Iszler

Senator Lashkowitz

LEO LEIDHOLM, Secretary of Senate

## MESSAGES FROM THE HOUSE

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2025

Senate Concurrent Resolution No. 4041

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2009

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2009

On page 1 of the engrossed bill, line 21, delete the numerals "85,137" and insert in lieu thereof the numerals "104,000"

On page 1, line 23, delete the numerals "303,760" and insert in lieu thereof the numerals "322,623"

On page 2, line 14, delete the numerals "160,200" and insert in lieu thereof the numerals "317,368"

On page 2, line 15, delete the numerals "1,000" and insert in lieu thereof the numerals "2,000"

On page 2, line 16, delete the numerals "219,522" and insert in lieu thereof the numerals "377,690"

On page 2, after line 23, insert the following lines:

"Seed law enforcement	40,000
Free testing	<u>6,000</u> "

On page 2, delete line 24

On page 2, line 28, delete the numerals "392,655" and insert in lieu thereof the numerals "411,518"

On page 2, line 29, delete the numerals "1,824,133" and insert in lieu thereof the numerals "1,982,301"

On page 2, line 30, delete the numerals "2,216,788" and insert in lieu thereof the numerals "2,393,819"

And renumber the lines and pages accordingly.

#### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2441

ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Concurrent Resolution No. 4043

ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3085

ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bills Nos. 1516, 1488, and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On House Bill No. 1488

Rep. Nicholas

Rep. Watkins

Rep. Fleming

On House Bill No. 1516:

Rep. Kretschmar

Rep. Rundle

Rep. Irving

ROY GILBREATH, Chief Clerk

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 Bills Nos. 2136 and 2177:

On Senate Bill No. 2136:

Rep. Royse

Rep. Goetz

Rep. Laughlin

On Senate Bill No. 2177:

Rep. Tennefos

Rep. Scofield

Rep. Rocheleau

ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to inform you that the House has

refused to concur in the Senate amendment to House Bill No. 1418 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Rep. Nicholas  
Rep. Watkins  
Rep. Fleming

ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1023  
House Bill No. 1128  
House Bill No. 1130  
House Bill No. 1132  
House Bill No. 1139  
House Bill No. 1151  
House Bill No. 1154  
House Bill No. 1158  
House Bill No. 1169  
House Bill No. 1215  
House Bill No. 1219  
House Bill No. 1223  
House Bill No. 1234  
House Bill No. 1235  
House Bill No. 1241  
House Bill No. 1283  
House Bill No. 1290  
House Bill No. 1294  
House Bill No. 1319  
House Bill No. 1354  
House Bill No. 1361  
House Bill No. 1368  
House Bill No. 1423  
House Bill No. 1432  
House Bill No. 1437  
House Bill No. 1490  
House Bill No. 1486

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Ringsak moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1488, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1488:

Senator Sandness  
Senator Freed  
Senator Holand

Senator Nething moved that after the reading of House Bills Nos. 1008, 1015, 1049, 1288, 1332, 1388, 1409, 1471, 1477, 1484, 1497, 1517, 1527, 1528, 1572 and House Concurrent Resolutions Nos. 3036 and 3042, that the Senate recess until 1:00 P.M., Monday, March 10, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-FOURTH DAY AFTER RECESS  
AND FORTY-FIFTH DAY

Bismarck, March 10, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

COMMUNICATIONS  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 10, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 7, 1975, I signed the following Senate Bills:

2008	2068
2017	2114
2019	2132
2056	2269
2057	2208
2067	2336

Sincerely yours,  
ARTHUR A. LINK  
Governor

March 10, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 9, 1975, I signed Senate Bill 2184.

Sincerely yours,  
ARTHUR A. LINK  
Governor

MOTIONS

Senator Nething moved that the Senate request the return of House Bill No. 1482, which motion prevailed.

Senator Freed moved that the President appoint a committee of three

to act with a like committee from the House as a Conference Committee on House Bill No. 1516, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1516:

Senator H. Christensen

Senator Sands

Senator Schuster

Senator Ringsak moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1418, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1418:

Senator Ringsak

Senator H. Christensen

Senator Rait

### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you the Senate requests the return of House Bill No. 1482.

LEO LEIDHOLM, Secretary

### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3085. A concurrent resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

Was read the first time and referred to the Committee on Education.

### CONSIDERATION OF AMENDMENTS

Senator Nething moved that the reading of the amendments to House Bills 1091, 1206, 1266, 1478, 1534, 1546, 1566, 1574, 1576 and House Concurrent Resolution No. 3046 be dispensed with, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1091 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 944 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1206 as recommended by the Committee on Agriculture as printed on pages 944 and 945 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to House Bill No. 1266 as recommended by the Committee on Transportation as printed on page 945 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Bill No. 1478 as recommended by the Committee on Agriculture as printed on page 946 of the Senate Journal be adopted, which motion prevailed. Senator Lips moved that House Bill 1478 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Mutch moved that the consideration of amendments to House Bill 1534 be laid over one legislative day, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1546 as recommended by the Committee on Industry, Business and Labor as printed on pages 947 and 948 of the Senate Journal be adopted, which motion prevailed.

Senator Ringsak moved that the amendments to House Bill No. 1566 as recommended by the Committee on Social Welfare and Veterans Affairs as printed on page 948 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1574 as recommended by the Committee on Industry, Business and Labor as printed on page 948 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to House Bill No. 1576 as recommended by the Committee on Transportation as printed on pages 948 and 949 of the Senate Journal be adopted, which motion prevailed.

Senator Morgan moved that the amendments to House Concurrent Resolution No. 3046 as recommended by the Committee on Agriculture as printed on page 949 of the Senate Journal be adopted, which motion prevailed.

**MOTION**

Senator Lashkowitz moved that the Senate request the return of House Bill 1430, which motion prevailed.

Senator Holand requested a roll call vote on the motion to request the return of House Bill 1430, which request was granted.

**ROLL CALL**

The question being on the motion to request the return of House Bill 1430, the roll was called and there were 45 ayes; 5, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE ●			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRIDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN ●		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFNER	●		● MELLAND			● SCHULTZ, C. #14 ●			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32 ●			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion to request the return of House Bill 1430 prevailed.

**MESSAGE TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 1430.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1072

House Bill No. 1230

House Bill No. 1398

House Bill No. 1475

Which the President has signed.

LEO LEIDHOLM, Secretary

**COMMITTEE REPORTS  
FOR INDEFINITE POSTPONEMENT**

Senator Freed moved that the Committee Report on Senate Concurrent Resolution No. 4061, as printed on pages 943 and 944 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4061, the roll was called and there were 43 ayes; 6, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4061 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on House Bill No. 1246, as printed on page 945 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1246, the roll was called and there were 48, ayes; 1, nay; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and House Bill No. 1246 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on House Bill No. 1327, as printed on page 946 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1327, the roll was called and there were 50, ayes; 0, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		



The motion prevailed, and House Bill No. 1327 was indefinitely postponed.

Senator Mutch moved that the Committee Report on House Bill No. 1378, as printed on page 946 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1378, the roll was called and there were 41, ayes; 9, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H. #5			• JONES		•	• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP	•	
• FREED			• LEE	•		• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND	•		• SCHULTZ, C. #14	•		• WENSTROM		
• HOLLAND	•		• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and House Bill No. 1378 was indefinitely postponed.

**MOTION**

Senator Kautzmann moved that the committee report for indefinite postponement on House Bill 1403 be laid over one legislative day, which motion prevailed.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Kautzmann moved that the Committee Report on House Bill No. 1539, as printed on page 947 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1539, the roll was called and there were 48, ayes; 1, nay; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP	•	
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER		•	• MR. PRESIDENT		

The motion prevailed, and House Bill No. 1539 was indefinitely postponed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Bill No. 2210, as printed on page 937 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2210 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2210. A Bill for an Act relating to designation of a big horn sheep hunting season, providing that recipients of a big horn sheep hunting license shall not be eligible to apply for another such license and providing that the provisions of this Act shall be temporary.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Bill No. 2265, as printed on page 938 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2265 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2265. A Bill for an Act to amend and reenact sections 20.1-03-04, 20.1-03-11, and 20.1-08-04 of the North Dakota Century Code, relating to the requirement of hunting licenses for residents, to licenses to hunt big game and special permits to hunt deer, and to the contents of the governor's proclamation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 3; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		●
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS	●		● VOSPER		

● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES  
FROM THE HOUSE**

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4040, as printed on page 939 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Concurrent Resolution No. 4040 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF  
A SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution No. 4040.** A concurrent resolution relating to the participation of the Soil Conservation Service in planning relating to the Devils Lake Basin.

Which has been read.

**ROLL CALL**

The question being on the final adoption of the resolution the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

Senate Concurrent Resolution No. 4040 was adopted.

**REPORTS OF CONFERENCE COMMITTEES**

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2162 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Senator Freed

Senator Christensen

Senator Schuster

For the House:

Representative Kretschmar

Representative Wentz

Representative Irving

Senator Freed moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2287 has had the same under consideration and recommends that the House recede from its amendments.

For the Senate:

Senator Nasset

Senator Strand

Senator Christensen

For the House:

Representative Leibhan

Representative G. Larson

Representative Berger

Senator Nasset moved that the report be adopted, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1005 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1005 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1024 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR NASSET, Chairman

House Bill No. 1024 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1074 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1074 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1178 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1178 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1190 has had the same under consideration and recommends that the same do pass.

SENATOR FREED, Chairman

House Bill No. 1190 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1214 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR KAUTZMANN, Chairman

House Bill No. 1214 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1322 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1322 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1338 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 22, delete the word "fifty" and insert in lieu thereof the words "twenty-five"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1338 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1367 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1367 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1397 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR STROUP, Chairman

House Bill No. 1397 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1405 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR FREED, Chairman

House Bill No. 1405 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1444 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1444 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1463 has had the same under consideration and recommends that the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1463 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1465 has had the same under consideration and recommends that the same do pass.

And be re-referred to the Committee on Appropriations.

SENATOR FREED, Chairman

House Bill No. 1465 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1495 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1495 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1526 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1526 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 do pass.

SENATOR SANDS, Chairman

House Bill No. 1532 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1581 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1581 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1593 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 15, following the words "except such" delete the word "state"

On page 1, line 16, delete the words "pasture or grazing" and insert in lieu thereof the word "agricultural"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1593 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1597 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1597 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Concurrent Resolution No. 3003 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Concurrent Resolution No. 3003 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Concurrent Resolution No. 3024 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR SANDS, Chairman

House Concurrent Resolution No. 3024 was placed on the 6th order of business on the calendar for the succeeding legislative day.

#### MOTIONS

Senator Nething moved that the Senate reconsider the action by which House Bill No. 1099 lost, which motion prevailed.

Senator Nething moved that House Bill 1099 be placed on the calendar in its numerical order, which motion prevailed.

Senator Nething moved that the Senate reconsider the action by which House Bill No. 1103 lost, which motion prevailed.

Senator Nething moved that House Bill 1103 be placed on the calendar in its numerical order, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4073. A concurrent resolution supporting the action of Congressman Mark Andrews and Congressman John Melcher in intervening before the Federal Power Commission proceedings, now known as El Paso Alaska Company, Commission Dockets Numbers 75-96, et. al.

Which has been read.



Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 897 & 898), the roll was called and there were ayes, 39; nays, 12; absent and not voting, 0.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER	•		• NAADEN	•	• SHABLOW
• BERUBE			• JACOBSON		• NASSET			• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES		• NETHING			• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN		• PYLE	•		• STRAND
• CONLIN			• LARSON		• RAIT			• STRINDEN
• ERDMAN			• LASHKOWITZ		• REDLIN			• STROUP
• FREED			• LEE	•	• REITEN			• THANE
• FRITZELL			• LIPS		• RINGSAK			• TWETEN
• GOODMAN			• LONGMIRE		• SANDS	•		• VOSPER
• GRONHOVD			• MAHER		• SANDNESS			• WALSH
• HOFFNER			• MELLAND		• SCHULTZ, C. #14	•		• WENSTROM
• HOLLAND			• MORGAN	•	• SCHULTZ, J. #32	•		• WRIGHT
• HOMUTH			• MUTCH	•	• SCHUSTER			• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1459.** A Bill for an Act to amend and reenact section 15-47-05 of the North Dakota Century Code relating to qualifications of school electors and officers.

Which has been read.

Senator Melland moved that House Bill No. 1459 be amended as follows:

On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections"; and after the number "15-47-05" insert the following: "and 15-49-02"

On page 1, line 3, after the word "officers" and before the period insert the words "and the prohibition on personal interest in school district contracts"

On page 1, line 18, delete the word "not"

On page 1, line 20, after the word "elected" and before the period insert the following: ", provided that any such member shall disqualify himself and take no official action as a member with respect to any matter before the board in which he has a personal or private interest and, provided further, that any such member shall not participate in negotiations regarding employment contracts between professional employees and the district"

On page 1, following line 20, insert the following new section:

"SECTION 2. AMENDMENT.) Section 15-49-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-49-02. PERSONAL INTEREST IN SCHOOL DISTRICT CONTRACTS PROHIBITED — EXCEPTIONS.) No school board member or other school officer shall be interested personally, directly or indirectly, in any contract requiring the expenditure of school funds unless such contract has been unanimously approved by the school board, and a finding made and unanimously adopted by the board and entered into the official minutes that the services or property to be furnished are not otherwise obtainable elsewhere at equal cost. Regardless of this section, any school board, by resolution duly adopted, may provide for the contracting at any time thereafter, for minor supplies or incidental expenses with members of its school board or other school officers, except that the amount thereof shall not exceed that amount required for the acceptance of bids as set forth in section 15-47-15. This section shall not apply to school board members contracting as professional employees as permitted in section 15-47-05. Any violation of the provisions of this section shall be a class A misdemeanor."





Which has been read.

Senator Nething moved that House Bill No. 1482 be amended as follows: On page 1, line 1, delete the word "section" and insert in lieu thereof the word "sections", and following the numeral "43-17-31" insert the following: "and 43-17-32".

Senator Nething moved that the amendments be adopted, which motion prevailed.

Senator Nething moved that the rules be suspended, that House Bill No. 1482 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1482.** A Bill for an Act to amend and reenact sections 43-17-31 and 43-17-32 of the North Dakota Century Code, relating to refusal to license or revocation of a physician's license by the state board of medical examiners, and appeal therefrom.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KALITZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN	●		● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Lashkowitz moved that the Senate reconsider the action by which House Bill 1430 passed and explained his reasons as follows:

My primary reasons in asking for reconsideration include the following: First, I honestly and humbly admit that I made a mistake when the matter was before the Senate originally, second, since that time further and more complete research has indicated that House Bill 1430 could have a devastating impact on the personal freedoms and rights of thousands and thousands of North Dakota citizens, unincorporated associations of an organizational or professional nature being listed with the Secretary of State, and third, careful research has uncovered a 1947 Supreme Court case squarely on point indicating that this proposed legislation could very well be unconstitutional, a violation of the rights guaranteed citizens under the amendment of the United States Constitution relating to the freedoms of speech, press and association.

I respectfully ask this distinguished body for the right of reconsideration to enable us to examine the findings of this research and to perhaps correct a regrettable mistake.

Senator Holland requested a roll call vote on the motion to reconsider House Bill 1430.

Which request was granted.

**ROLL CALL**

The roll was called and there were 23, ayes; 28, nays; absent and not voting 0.



may wish to raise funds or engage in political activities totally apart from the usage of membership dues. Let me stress that: what happens to the rights of an association that uses funds or participates in political activities apart from such usage of membership dues? Are these associations to be stripped entirely of their political rights?

The further question arises under the court's decision that what happens when an association or organization expends its funds with the concurrence or unanimous consent of its membership to take a position on a public issue of interest or concern to the membership? Is such an organization and its membership to be stripped entirely of their political rights?

the associations and organizations to publish newspapers or monthly trade journals or magazines and to sell these trade journals or magazines by subscription voluntarily given? The court carefully points out the difference between the broad total sweeping away of political rights exercised through membership dues as contrasted with use of separately gathered funds voluntarily given for political or legislative purposes. The court followed the case *Pennekamp vs. Florida* 328 US 331, 346 which states "Free discussion of the problems of society is a cardinal principle of Americanism — a principle which all are zealous to preserve".

Also quoted favorable is the case of *Bridges vs. California*, 314 US 252, 263 "For the First Amendment does not speak equivocally. It prohibits any law abridging the freedom of speech or of the press. It must be taken as a command of the broadest scope that explicit language, read in the context of a liberty-loving society, will allow."

The court further reasons that the basis for legislation is undue influence not influence per se.

Justice Rutledge continues at page 143 "...any asserted beneficial tendency of restrictions upon expenditures for publicizing political views whether of a group or of an individual, is certainly counter-balanced to some extent by the loss its democratic processes resulting from the restrictions upon free and full public discussion. The claimed evil is not one unmixed with good. And its suppression destroys the good with the bad unless precise measures are taken to prevent this.

The express of bloc sentiment is and always has been an integral part of our democratic electoral and legislative processes. They could hardly go on without it. Moreover, to an extent not necessary now to attempt delimiting, that right is secured by the guaranty of freedom of assembly, a liberty essentially coordinate with the freedoms of speech, the press and conscience. . . . It is not by accident, it is by explicit design . . . that these freedoms are coupled together in the First Amendment's assurance. They involve the right to hear as well as to speak, and any restriction upon either attenuates both."

Rutledge points out that an effect in restricting expenditures for the publicizing of political views, not inherently present as that it "necessarily deprives the electorate, the persons entitled to hear, as well as the author of the utterance, whether an individual or a group, of the advantage of free and full discussion and of the right of free assembly for that purpose."

Rutledge also examines the somewhat vague term "undue influence" in the political sense which need not be correlated with wrong doing or corruption, but may simply imply "no more than convincing weight of argument fully presented, which is the very thing the Amendment (First Amendment) and the electoral processes it protects were intended to bring out. Rutledge further states that "one may question how far legislators may go in accurately assessing undue or disproportionate weight as distinguished from making substantially accurate findings and conclusions concerning corruption." Rutledge further speaks at page 153 of the "vagueness and uncertainty so vast and all-pervasive seeking to

restrict or delimit First Amendment freedoms one wholly at war with the long-established constitutional principles surrounding this delimitation."

In the name of traditional American freedom of expressions of speech, press, associations and conscience, I respectfully ask that we defeat this bill as a threat to the basic freedoms of thousands and thousands of North Dakota Citizens.

May I assure the members of the Senate that I do feel as I stated before the vote that 16-20-08 and 16-20-09 are repugnant to the first amendments and I will carry out my word and prepare a repealer to these two sections of the law that are restrictive of the rights of citizens of this state and I will present this to the Delayed Bills Committee.

#### PERSONAL PRIVILEGE

Senator Nothing:

Mr. President, Ladies and Gentlemen of the Senate:

It seems to me that we have very short memories of what has happened in the past, particularly, in our nation's capital and in the surrounding areas. Much of the problem that was brought about came from the unregulated control of political contributions and because of that legislation on the federal level has been passed contrary to what Justice Rutledge might have written in 1947. We are living now in 1975 and the circumstances are different. I think that we do not have to worry about these associations because they will learn to live just as the corporations and the cooperative corporations have learned to live with 16-20-08. I think they do have the opportunity to influence legislation so long as they comply with the lobby requirements of chapter 54-05. I don't think that we are placing a hardship on anyone. It becomes a sad day in our country when the slogan is "Don't make political contributions, drink milk instead."

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-FIFTH DAY

Bismarck, March 10, 1975

The Senate convened at 2:00 P.M., the President presiding.

The prayer was presented by President Sanstead on behalf of Reverend Dave Steinfeld, Bismarck Baptist Church.

"Our Father in Heaven, The question that comes to our minds, Lord, is "Why are we praying now? What is really on each of our minds and in our hearts? Is this a time in which we truly are seeking your guidance, or fulfilling a state law requirement? Will we forget you after "Amen" in order to get on with "our" business? . . . or are we truly pausing now in order to begin each session in the right perspective: looking first to you, our Lord and God, in all that we think, say, and do. May all our business, no matter whom we are representing, be your business and pleasing in Your sight!

We ask in the privilege of Your Son's Name. The Name of Jesus Christ, our Lord. Amen."

Roll Call: All Senators present except L. Christensen, Homuth and Strand.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the



Senator Holand moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution 3039 was adopted.

MOTION

Senator Lips moved that House Bill 1008 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1013. A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SHYKOWSKI
● CHRISTENSEN, H. #5			● JONES	●		● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS	●	● VOSPER
● GRONHOVD			● MAHER			● SANDNES		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●	● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

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. 2131
- Senate Bill No. 2261
- Senate Bill No. 2270

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Strand moved that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 2016
- Senate Bill No. 2020
- Senate Bill No. 2045
- Senate Bill No. 2046
- Senate Bill No. 2086
- Senate Bill No. 2091
- Senate Bill No. 2096
- Senate Bill No. 2106
- Senate Bill No. 2119
- Senate Bill No. 2120
- Senate Bill No. 2123
- Senate Bill No. 2140
- Senate Bill No. 2141
- Senate Bill No. 2149

Senate Bill No. 2151  
 Senate Bill No. 2153  
 Senate Bill No. 2165  
 Senate Bill No. 2176  
 Senate Bill No. 2179  
 Senate Bill No. 2196  
 Senate Bill No. 2201  
 Senate Bill No. 2211  
 Senate Bill No. 2217  
 Senate Bill No. 2219  
 Senate Bill No. 2220  
 Senate Bill No. 2228  
 Senate Bill No. 2246  
 Senate Bill No. 2257  
 Senate Bill No. 2258  
 Senate Bill No. 2288  
 Senate Bill No. 2290  
 Senate Bill No. 2311  
 Senate Bill No. 2366  
 Senate Bill No. 2367  
 Senate Bill No. 2463  
 Senate Bill No. 2472

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion prevailed.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1067  
 House Bill No. 1307  
 House Bill No. 1426  
 House Bill No. 1507  
 House Bill No. 1552  
 House Bill No. 1562  
 House Bill No. 1570  
 House Concurrent Resolution No. 3016

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1009  
 House Bill No. 1081  
 House Bill No. 1233  
 House Bill No. 1278  
 House Bill No. 1561  
 House Bill No. 1592  
 House Concurrent Resolution No. 3056

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1100  
 House Bill No. 1180  
 House Bill No. 1207  
 House Bill No. 1282  
 House Bill No. 1357



House Bill No. 1402

House Bill No. 1424

Which the Senate has indefinitely postponed.

LEOLEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2129

Senate Bill No. 2159

Senate Bill No. 2172

Senate Bill No. 2259

Senate Bill No. 2260

Senate Bill No. 2278

Senate Bill No. 2300

Senate Bill No. 2312

Senate Bill No. 2346

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2104

Senate Bill No. 2113

Senate Bill No. 2160

Senate Bill No. 2167

Senate Bill No. 2173

Senate Bill No. 2197

Senate Bill No. 2216

Senate Bill No. 2232

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2104

On page 1, line 19, after the word "may" insert the following " , subject to prior approval of the attorney general,"

On page 1, line 23, after the word "may" insert the following "also, subject to prior approval of the attorney general,"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2113

On page 1, line 4, before the period insert the following: " , and declaring an emergency"

On page 1, line 15, delete the words "and the", and insert the following in lieu thereof: " ; provided that the beneficiary may not elect the second option provided under section 15-39.2-02, which option relates to teachers who have at least seventeen years of teaching credit under the teachers' insurance and retirement fund. The"

On page 1, line 16, delete the words "such beneficiary's", and insert the words "the deceased teacher's" in lieu thereof

On page 1, line 17, after the word "had" insert the following: "lived and had"

On page 1, line 18, delete the words "prior to his death"

On page 2, 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.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2160

On page 1, line 4, before the period insert the following: ", and providing a statement of legislative intent"

On page 1, after line 22, insert the following new section:

"SECTION 2. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the board of higher education thoroughly investigate the possibility of entering into appropriate reciprocal agreements with the appropriate institutions in the states of South Dakota, Montana, and Minnesota, and that such agreements, if found feasible, be entered into by the board. It is further declared to be the intent of the legislative assembly that before entering into any such agreement which necessitates the expenditure of state funds, the state board of higher education return to the legislature for approval of such expenditures."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2167

On page 3, line 25, place triple parentheses before and after the word "twelve" and insert in lieu thereof the word "twenty"

#### HOUSE AMENDMENTS TO SENATE BILL No. 2173

On page 1, line 22 of the engrossed bill, delete the words "license numbers" and insert in lieu thereof the word: "names"

On page 1, line 24, after the word "clerk" delete the following: ", immediately following the name of such auctioneer"

On page 2, line 1, delete the words: "and clerk"

On page 2, line 25, delete the following: ", nor shall the provisions of this chapter apply to"

On page 2, line 26, delete the following: "the selling at auction of purebred or registered livestock"

On page 3, line 34, after the word and comma: "time" insert the words and comma: "not exceeding fifteen days,"

On page 4, line 24, after the word "files" add the words "for six years"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2197

On page 1, line 4, before the period insert the following: "; and declaring an emergency"

On page 1, line 16, after the word "fund", insert the following: "prior to July 1, 1971,"

On page 1, line 22, after the period insert the following: "A college teacher who retired from teaching after July 1, 1971, may, notwithstanding the provisions of section 15-39.1-25, elect to receive benefits in accordance with chapter 15-39.1 and section 2 of this Act."

On page 2, line 16, after the period insert the following: "As used in this section, "college teacher" means a retired teacher who is entitled to receive an annuity through the teachers' insurance and annuity association of America — college retirement equities fund (TIAA-CREF), who contributed to TIAA-CREF while teaching at a North Dakota public institution of higher education."

On page 2, line 24, delete the words "those payments", and insert the words "the first payment received after making the election under section 15-39.2-01" in lieu thereof

On page 2, line 28, after the period insert the following: "The difference

payable by the teachers' fund for retirement as first calculated under this section for a particular retiree shall be the maximum amount payable from the fund to that retiree. However, the amount payable pursuant to this section may be decreased if the minimum annuity payable to a retiree under TIAA-CREF should increase."

On page 2, after the last printed line of the bill, 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 and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2216

"On page 1, line 1, delete the word "create" and insert in lieu thereof the word "amend"; in line 1 of the same page delete the word "enact" and insert in lieu thereof the word "reenact"; in line 1 of the same page delete the word "new"; in line 1 of the same page after the word "subsection" add the numeral "6"

"On page 1, line 2, delete the word "to" and insert in lieu thereof the word "of"

"On page 1, line 8, delete the words "A new subsection to" and insert in lieu thereof the words "Subsection 6 of"

"On page 1, line 9, delete the word "created" and insert in lieu thereof the word "amended"

"On page 1, line 10, delete the word "enacted" and insert in lieu thereof the word "reenacted"

"On page 1, delete lines 11 through 24

"On page 2, delete lines 1 and 2, and insert in lieu thereof the following:

"6. Gross receipts from all sales otherwise taxable under this chapter made to the United States or to any state thereof, including the state of North Dakota, or any of the subdivisions, departments, agencies, or institutions thereof. The governmental units exempted by this subsection shall be issued a certificate of exemption by the tax commissioner and such certificate shall be presented to each retailer whenever this exemption is claimed."

And renumber the lines and pages accordingly".

#### HOUSE AMENDMENTS TO SENATE BILL No. 2232

On page 7, line 19, place triple parentheses before the word "and" and after the word "one"

On page 7, line 23, place triple parentheses before and after the word "six" and insert in lieu thereof the word "five" and following the word "thousand" insert the words "nine hundred ninety nine"

On page 10, line 12, underline the word "fifteen"

And renumber the lines accordingly.

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith Senate Bill No. 2236, which the House has amended to include the emergency clause in the title which had been inadvertently omitted when drawn; and subsequently, the House passed Senate Bill No. 2236 but with insufficient majority for the emergency clause to carry.

ROY GILBREATH, Chief Clerk

#### AMENDMENT TO SENATE BILL No. 2236

On line 5, page 1, following the word "purposes" add the following: "and declaring an emergency"

And renumber the lines accordingly.

## MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2304

Senate Bill No. 2351

Senate Bill No. 2354

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1026

House Bill No. 1097

House Bill No. 1119

House Bill No. 1136

House Bill No. 1141

House Bill No. 1194

House Bill No. 1198

House Bill No. 1201

House Bill No. 1255

House Bill No. 1257

House Bill No. 1300

House Bill No. 1306

House Bill No. 1313

House Bill No. 1399

House Bill No. 1414

House Bill No. 1415

House Bill No. 1416

House Bill No. 1439

House Bill No. 1466

House Bill No. 1479

House Bill No. 1580

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1023

House Bill No. 1128

House Bill No. 1130

House Bill No. 1132

House Bill No. 1139

House Bill No. 1151

House Bill No. 1154

House Bill No. 1158

House Bill No. 1169

House Bill No. 1215

House Bill No. 1219

House Bill No. 1223

House Bill No. 1234

House Bill No. 1235

House Bill No. 1241

House Bill No. 1283

House Bill No. 1290

House Bill No. 1294

House Bill No. 1319

House Bill No. 1354

House Bill No. 1361

House Bill No. 1368  
House Bill No. 1423  
House Bill No. 1432  
House Bill No. 1437  
House Bill No. 1486  
House Bill No. 1490

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1023  
House Bill No. 1128  
House Bill No. 1130  
House Bill No. 1132  
House Bill No. 1139  
House Bill No. 1151  
House Bill No. 1154  
House Bill No. 1158  
House Bill No. 1169  
House Bill No. 1215  
House Bill No. 1219  
House Bill No. 1223  
House Bill No. 1234  
House Bill No. 1235  
House Bill No. 1241  
House Bill No. 1283  
House Bill No. 1290  
House Bill No. 1294  
House Bill No. 1319  
House Bill No. 1354  
House Bill No. 1361  
House Bill No. 1368  
House Bill No. 1423  
House Bill No. 1432  
House Bill No. 1437  
House Bill No. 1486  
House Bill No. 1490

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1488:

Senator Sandness  
Senator Freed  
Senator Holand

Very respectfully,

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bills Nos. 1418 and 1516.

Senators on House Bill No. 1418:  
Senator Ringsak

Senator H. Christensen  
 Senator Rait

Senators on House Bill No. 1516:  
 Senator H. Christensen  
 Senator Sands  
 Senator Schuster

Very respectfully,  
 LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to:

Senate Bill No. 2210  
 Senate Bill No. 2265  
 Senate Concurrent Resolution No. 4040

Very respectfully,  
 LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee reports on

Senate Bill No. 2162  
 Senate Bill No. 2287

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 Concurrent Resolution No. 4018  
 Senate Concurrent Resolution No. 4026  
 Senate Concurrent Resolution No. 4066  
 And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

Senator Nething moved that after the reading of House Bills Nos. 1005, 1074, 1091, 1190, 1206, 1266, 1463, 1495, 1532, 1546, 1566, 1574, 1576, 1581, 1597 and House Concurrent Resolutions No. 3003 and 3046 that the Senate recess until 1:00 P.M., March 11, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-FIFTH DAY AFTER RECESS  
AND FORTY-SIXTH DAY

Bismarck, March 11, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

FIRST READING OF  
A SENATE CONCURRENT RESOLUTION

Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4074. A concurrent resolution congratulating the UND Basketball Team on winning the North Central Conference Championship and the National Collegiate Athletic Association regional championship.

MOTION

Senator Longmire moved that the rules be suspended, that Senate Concurrent Resolution No. 4074 not be printed as a resolution, not referred to a committee, but printed in the Journal, read in its entirety and placed on the calendar for the second reading and final passage, which motion prevailed.

SENATE CONCURRENT RESOLUTION No. 4074

1 A concurrent resolution congratulating the UND Basketball  
2 Team on winning the North Central Conference Championship  
3 and the National Collegiate Athletic Association regional  
4 championship.

5

6 WHEREAS, the University of North Dakota Sioux basket-  
7 ball team recently won the North Central Conference basket-  
8 ball championship for the second year in a row; and

9 WHEREAS, the Sioux were also victorious in the National  
10 Collegiate Athletic Association Division II North Central  
11 Region basketball playoffs this past weekend; and

12 WHEREAS, the Fighting Sioux now advance to the National  
13 Collegiate Athletic Association Division II national tournament  
14 at Evansville, Indiana, on March 12; and

15 WHEREAS, this marks the first time that a North Dakota  
16 team has advanced to the national basketball tournament since  
17 UND won fourth place in the national finals in 1966;

18 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF  
18a THE

19 STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING

20 THEREIN:

21 That the Forty-fourth Legislative Assembly takes great  
22 pride and pleasure in congratulating the Fighting Sioux of  
23 the University of North Dakota on their conference and regional  
24 basketball victories; and

Page Two

1 BE IT FURTHER RESOLVED, that the Forty-fourth Legislative





ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1178, the roll was called and there were 42, ayes; 7, nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS	•	• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and House Bill No. 1178 was indefinitely postponed.

Senator Stroup moved that the Committee Report on House Bill No. 1322, as printed on page 974 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1322, the roll was called and there were 50, ayes; 0, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and House Bill No. 1322 was indefinitely postponed.

Senator Freed moved that the Committee Report on House Bill No. 1367, as printed on page 975 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1367, the roll was called and there were 46, ayes; 4, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

The motion prevailed, and House Bill No. 1367 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on House Bill No. 1403, as printed on page 946 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1403, the roll was called and there were 37, ayes; 14, nays; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ	•		• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS	•		• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER	•		• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND	•		• MORGAN			• SCHULTZ, J. #32	•	• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER	•	MR. PRESIDENT

The motion prevailed, and House Bill No. 1403 was indefinitely postponed.

Senator Stroup moved that the Committee report on House Bill No. 1444, as printed on page 975 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1444, the roll was called and there were 46, ayes; 4, nays; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN	•	• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND	•		• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH	•		• MUTCH			• SCHUSTER		MR. PRESIDENT

The motion prevailed, and House Bill No. 1444 was indefinitely postponed.

Senator Stroup moved that the Committee Report on House Bill No. 1526, as printed on page 975 of the Senate Journal be adopted.

### ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1526, the roll was called and there were 51, ayes; 0, nays; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP

• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

The motion prevailed, and House Bill No. 1526 was indefinitely postponed.

Senator Sands moved that the Committee Report on House Concurrent Resolution No. 3024, as printed on page 976 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee report on House Concurrent Resolution No. 3024, the roll was called and there were 38, ayes; 13, nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•			•			•		
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON		•	• RAIT			• STRINDEN		
• ERDMAN			• LASKOWITZ		•	• REDLIN		•	• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER		•	• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER		•	MR. PRESIDENT		

The motion prevailed, and House Concurrent Resolution No. 3024 was indefinitely postponed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2009 as printed on pages 963 and 964 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2009:

- Senator Longmire
- Senator Thane
- Senator Maher

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jones moved that the Senate do concur in the House amendments to Senate Bill No. 2104, as printed on page 987 of the Senate Journal, which motion prevailed.

Senator Jones moved that the rules be suspended, that Senate Bill No. 2104 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2104. A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code to allow the director of state parks to lease or exchange lands held by the park service.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 3.

REGULAR SESSION									NORTH DAKOTA SENATE			1975 LEGISLATURE		
ROLL-CALL														
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW					
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI					
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG					
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT			● STRINDEN		●			
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP					
● FREED	●		● LEE			● REITEN			● THANE					
● FRITZELL			● LIPS			● RINGSACK			● TWETEN					
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER					
● GRONHOVD			● MAHER			● SANDNESS			● WALSH					
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM					
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT					
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT					

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Tweten moved that the Senate do concur in the House amendments to Senate Bill No. 2113, as printed on pages 987 and 988 of the Senate Journal, which motion prevailed.

Senator Tweten moved that the rules be suspended, that Senate Bill No. 2113 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2113. A Bill for an Act to create and enact section 15-39.2-04 of the North Dakota Century Code, to provide that beneficiaries of certain deceased teachers may elect certain retirement options, 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, 49; nays, 0; absent and not voting, 2.

REGULAR SESSION									NORTH DAKOTA SENATE			1975 LEGISLATURE		
ROLL-CALL														
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW					
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI					
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG					
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT			● STRINDEN					
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP					
● FREED			● LEE			● REITEN			● THANE					
● FRITZELL			● LIPS			● RINGSACK			● TWETEN					
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER					
● GRONHOVD			● MAHER			● SANDNESS			● WALSH					
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM					
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT					
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT					

So the bill passed, the title was agreed to, and the emergency clause carried.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Nasset moved that the Senate do concur in the House amendments to Senate Bill No. 2160, as printed on page 988 of the Senate Journal, which motion prevailed.

Senator Nasset moved that the rules be suspended, that Senate Bill No. 2160 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2160. A Bill for an Act to amend and reenact section 15-10.1-04 of the North Dakota Century Code, relating to limitations on reciprocal agreements entered into by the board of higher education, and providing a statement of legislative intent.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERRUBE			● JACOBSON			● NASSET		● SNAWKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #37		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2167 as printed on page 988 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2167:

Senator Sands  
 Senator Ringsak  
 Senator Lashkowitz

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Kautzmann moved that the Senate do not concur in the House amendments to Senate Bill No. 2173 as printed on page 988 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2173:

Senator Reiten  
 Senator Mutch  
 Senator Gronhovd

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Tweten moved that the Senate do concur in the House amendments to Senate Bill No. 2197, as printed on pages 988 and 989 of the Senate Journal, which motion prevailed.

Senator Tweten moved that the rules be suspended, that Senate Bill No. 2197 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2197. A Bill for an Act to create and enact a new section to chapter 15-39.2, and to amend and reenact section 15-39.2-01 of the North Dakota Century Code, relating to the membership of college teachers in the teachers' fund for retirement, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 5; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		•
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPE			• RINGSAK			• TWETEN		•
• GOODMAN			• LONGMIRE			• SANDS		•	• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		•
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		•	• WENSTROM		•
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32		•	• WRIGHT		•
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		•

So the bill passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2216, as printed on page 989 of the Senate Journal, which motion prevailed.

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2216 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2216. A Bill for an act to amend and reenact a subsection 6 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, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		•
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPE			• RINGSAK			• TWETEN		•
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		•
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		•

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jones moved that the Senate do concur in the House amendments to Senate Bill No. 2232, as printed on page 989 of the Senate Journal, which motion prevailed.

Senator Jones moved that the rules be suspended, that Senate Bill No. 2232 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2232.** A Bill for an Act to amend and reenact sections 36-06-05, 36-06-06, 64-02-05, 64-02-06, 64-02-07, 64-02-08, 64-02-09, 64-02-10, 64-02-13, 64-02-14, 64-02-15, and 64-02-20 of the North Dakota Century Code, relating to changing chief inspector to director of weights and measures; and to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fee schedule for inspection of weighing and measuring devices.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHARLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Concurrent Resolution 4009, as printed on page 939 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Concurrent Resolution 4009 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF A SENATE CONCURRENT RESOLUTION**

**Senate Concurrent Resolution No. 4009.** 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 has been read.

The question being on the final adoption of the resolution as amended.

Senator Jacobson moved that the resolution be adopted, which motion prevailed and Senate Concurrent Resolution 4009 was adopted.

**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 do pass.

SENATOR LIPS, Chairman

House Bill No. 1011 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1043 has had the same under consideration and recommends that the same be amended as follows:

On page 5 of the engrossed bill, line 7, after the word "dissemination" insert the words "or promotion"

On page 8, line 19, delete the following: "subsection 1" and insert the words "this section" in lieu thereof

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1043 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1046 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 5, after the numeral "30.1-15-14," insert the following: "section 30.1-17-03,"

On page 1, line 14, delete the following: "; and to amend and" and insert a period in lieu thereof

On page 1, delete lines 15 through 23

On page 4, following line 29 insert the following new section: "SECTION 8. AMENDMENT.) Section 30.1-17-03 as contained in section 1 of chapter 257 of the 1973 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

30.1-17-03 (3-603). (((BOND NOT REQUIRED WITHOUT COURT ORDER—EXCEPTIONS.) No bond is required of a personal representative appointed in informal proceedings, except:

1. Upon the appointment of a special administrator;

2. When an executor or other personal representative is appointed to administer an estate under a will containing an express requirement of bond; or

3. When bond is required under section 30.1-17-15. Bond may be required by court order at the time of appointment of a personal representative appointed in any formal proceeding, except that bond is not required of a personal representative appointed in formal proceedings if the will relieves the personal representative of bond, unless bond has been requested by an interested party and the court is satisfied that it is desirable. Bond required by any will may be dispensed with in formal proceedings upon determination by the court that it is not necessary. No bond is required of any personal representative who, pursuant to statute, has deposited cash or collateral with an agency of this state to secure performance of his duties.))) BOND REQUIRED—EXCEPTIONS.)

Every personal representative shall furnish a bond conditioned for the faithful discharge of all the duties of the trust imposed on him by law or by order of the court in an amount to be determined as provided in Section 30.1-17-04 (3-604), except in the following cases:

1. The estate is to be administered under a will and the will expressly directs or requests waiver of surety bond as to the person qualifying as personal representative;

2. The person receiving the letters of administration is the sole devisee or heir of the decedent;

3. The devisees in an estate to be administered under a will or the heirs in an estate to be administered under the statute of intestate succession, each of whom are sui juris and execute and file acknowledged consents or waivers of bond prior to the issuance of letters as to the person qualifying as personal representative.



No bond shall be required of a bank, trust company or other corporate fiduciary organized, existing and authorized to act as a personal representative under the laws of this state."

On page 11, delete lines 17 through 35

Delete pages 12 through 16 of the engrossed bill

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1046 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1060 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1060 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1068 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1068 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1147 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 4 after the word "as" insert the word "room"

On page 2, line 6 after the word "heaters," delete "water softeners,"

On page 2, line 8 after the word "stalling" delete the words "the appliances on behalf of their employers" and insert in lieu thereof the words "and connecting such appliances to an existing electrical receptacle."

On page 2, delete all of line 9

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1147 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1176 has had the same under consideration and recommends that the same be amended as follows:

On page 3 of the engrossed bill, line 14 after the word "creed," insert the word "sex,"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1176 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1222 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 3, after the word "on" delete the word "residences" and insert in lieu thereof the words "the actual place of residence occupied by the policy holder"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1222 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1232 has had the same under consideration and recommends that the same be amended as follows:

On page 3, of the re-engrossed bill, line 21, delete the words "mutually agreed" and insert in lieu thereof the word "decided"

On page 3, line 21, delete the words "negotiations between the school"

On page 3, line 22, delete the words "board and" and insert in lieu thereof the words "consultation with"

On page 3, line 24, after the word "workers" insert the following: "or offering high school summer school programs"

On page 4, line 29, delete the words "mutually agreed" and insert in lieu thereof the word "decided"

On page 4, line 30, delete the words "negotiations between the school board and" and insert in lieu thereof the words "consultation with"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1232 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1244 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1244 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1277 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1277 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1292 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1292 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1298 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 3 after the word "section" insert triple parentheses around 30-16-06 and insert in lieu thereof "30.1-07-02"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1298 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1301 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1301 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1320 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1320 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1404 has had the same under con-

sideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1404 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1407 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 17 after the word "trailers" delete the word "supplied"

On page 2, delete all of line 18

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1407 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1447 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR KAUTZMANN, Chairman

House Bill No. 1447 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1464 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 2, delete the words "ninety degree turns" and insert in lieu thereof the words "an intersection"

On page 1, delete lines 8 through 18 and insert in lieu thereof the following: "SECTION 1. APPROACH OR ESCAPE ROAD TO BE BUILT AT ALL DEAD END ROADS OR INTERSECTIONS OF COUNTY AND STATE HIGHWAYS.) Whenever any highway on the state or county highway system has an intersection or dead end, there shall be constructed, whenever feasible, an approach or escape road, and when not feasible other protective devices such as warning signs, rumble strips, or barricades. This Act shall apply to new road construction and reconstruction after July 1, 1975."

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1464 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1468 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1468 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1518 has had the same under consideration and recommends that the same be amended as follows:

On page 3 of the engrossed bill, line 15, after the word "SHOPLIFTERS" delete the word "OR"

On page 3, line 16, delete the following: "AGAINST THE PARENT OF A MINOR SHOPLIFTER"

On page 3, line 20, after the period, delete the words "The parent"

On page 3, delete all of lines 21 through 30

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR FREED, Chairman

House Bill No. 1518 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1521 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1521 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Bill No. 1553 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1553 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1599 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1599 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Concurrent Resolution No. 3021 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Concurrent Resolution No. 3021 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Concurrent Resolution No. 3040 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Concurrent Resolution No. 3040 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor to whom was referred House Concurrent Resolution No. 3050 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Concurrent Resolution No. 3050 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Concurrent Resolution No. 3085 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 9, delete the word "participated" and insert in lieu thereof the word "participated"

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

House Concurrent Resolution No. 3085 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-SIXTH DAY

Bismarck, March 11, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. J. Adin Mann, Pastor, Episcopal Church of the Advent, Devils Lake, North Dakota.

"Dearly Beloved:

Let us pause for just a moment in this busy life of ours for a few quiet moments of God thanks.

This is a day that the Lord has made. Let us rejoice and be glad in it — Glad that another day has been added to our lives.

O God, we would always remember that the earth is the Lord's and the fullness thereof, the world and those that dwelleth therein for He has founded it upon the seas and established it upon the fields.

Oh Lord, we would ask that You look down with favor upon these Thy servants of the North Dakota Senate. We would ask that day by day You give them the strength, wisdom, and courage to make the right decisions regarding the needs and desires of the people of this favored State of North Dakota.

Bless the homes in which these Thy people dwell Almighty God Our Heavenly Father, Who settest the solitary in families, we commend to Thy continual care the homes in which Thy servants dwell. Put far from them, we beseech Thee every root of bitterness, the desire of vain, glory and the pride of life. Fill them with faith, virtue, knowledge, temperance, patience, and godliness.

We would ask Thy blessings upon this much loved and beautiful State of North Dakota. We thank Thee for all those early pioneers who came from across the seas, from Eastern homes to establish their homes here, and for all the faithful who have served as governing bodies through the years.

We do thank Thee for our mineral wealth, for our fertile fields, the plenty of this land, in the great resource of our children, we would ask You for the wisdom to preserve and keep our blessings.

We do thank You, Lord for this beautiful United States of America. We would ask that You give to our national leaders the wisdom and courage to manage all well.

Oh God — we will try this day to live a simple, sincere, and serene life, repelling every thought of discontent, anxiety, discouragement, and self-seeking, cultivating cheerfulness, charity, and the habit of holy silence, exercising economy in expenditure, generosity in giving, trust, and a child-like faith in You, our God — and as I cannot in my own strength do this, now even with hope of success attempt it, I look to Thee, O Lord our Father, in Jesus Christ my Saviour, and ask for the daily consolation of Thy grace. Amen".

Roll Call: All Senators present.

A quorum was declared by the President.

**CORRECTION AND REVISION**

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-fourth day after recess and forty-fifth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1008. A Bill for an Act making an appropriation for defraying the expenses of the state highway department.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE										
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI

● CHRISTENSEN, H.#5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L.#3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C.#14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J.#32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1049.** A Bill for an Act to amend and reenact sections 12-47-15, 12-47-31, 12-48-14, 12-48-15, and 12-48-21 of the North Dakota Century Code, relating to the appointment of an acting warden in the absence of the warden and his deputy, to clothing and transportation allowances provided to inmates upon release, compensation of inmates, and to disposition of moneys earned by penitentiary inmates; and to repeal sections 12-47-30, 12-48-16, 12-48-17, 12-48-18, 12-48-19, 12-51-08 of the North Dakota Century Code, relating to the expense of transporting inmates to and from the state hospital and the cost of committing inmates to the state farm, and to the disposition of penitentiary inmates' earnings.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 922), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1099.** A Bill for an Act making an appropriation to the American revolution bicentennial commission for the purpose of making grants to bicentennial 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, 13; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1103.** A Bill for an Act to amend and reenact sections 16-18-14, 16-18-15, and 16-18-16 of the North Dakota Century Code, relating to canvassing of absent voters' ballots received late, care and custody of absent voters' ballots, and submitting absent voters' ballots to inspector of elections.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended (SJ 893), the roll was called and there were ayes, 33; nays, 17; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN		• SHABLOW
• BERUBE		•	• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #8		•	• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE		• STRAND
• CONLIN		•	• LARSON		•	• RAIT		• STRINDEN
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED		•	• LEE		•	• REITEN		• THANE
• FRITZELL		•	• LIPS		•	• RINGSAK		• TWETEN
• GOODMAN		•	• LONGMIRE		•	• SANDS		• VOSPER
• GRONHOVD		•	• MAHER		•	• SANDNESS		• WALSH
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C. #14		• WENSTROM
• HOLAND		•	• MORGAN		•	• SCHULTZ, J. #32		• WRIGHT
• HOMUTH		•	• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1288.** A Bill for an Act to amend and reenact section 7-02-02 of the North Dakota Century Code relating to issuance of shares in 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN		• SHABLOW
• BERUBE		•	• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5		•	• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE		• STRAND
• CONLIN		•	• LARSON			• RAIT		• STRINDEN
• ERDMAN		•	• LASHKOWITZ			• REDLIN		• STROUP
• FREED		•	• LEE			• REITEN		• THANE
• FRITZELL		•	• LIPS			• RINGSAK		• TWETEN
• GOODMAN		•	• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD		•	• MAHER			• SANDNESS		• WALSH
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH		•	• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1332.** A Bill for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to notification of increase in assessed valuation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 923), the roll was called and there were ayes, 46; nays, 3; absent and not voting, 2.









NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER		•	• NAADEN		• SHABLOW
• BERUBE		•	• JACOBSON		•	• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5		•	• JONES		•	• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3		•	• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN		•	• LARSON		•	• RAIT		• STRINDEN
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED		•	• LEE		•	• REITEN		• THANE
• FRITZELL		•	• LIPS		•	• RINGSAK		• TWETEN
• GOODMAN		•	• LONGMIRE		•	• SANDS		• VOSPER
• GRONHOVD		•	• MAHER		•	• SANDNESS		• WALSH
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C. #14		• WENSTROM
• HOLAND		•	• MORGAN		•	• SCHULTZ, J. #32		• WRIGHT
• HOMUTH		•	• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1497. A Bill for an Act to amend and reenact section 23-13-02 of the North Dakota Century Code, providing for self-service gasoline pumps.

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, 34; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER		•	• NAADEN		• SHABLOW
• BERUBE		•	• JACOBSON		•	• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5		•	• JONES		•	• NOTHING		• SOLBERG
• CHRISTENSEN, L. #3		•	• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN		•	• LARSON		•	• RAIT		• STRINDEN
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED		•	• LEE		•	• REITEN		• THANE
• FRITZELL		•	• LIPS		•	• RINGSAK		• TWETEN
• GOODMAN		•	• LONGMIRE		•	• SANDS		• VOSPER
• GRONHOVD		•	• MAHER		•	• SANDNESS		• WALSH
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C. #14		• WENSTROM
• HOLAND		•	• MORGAN		•	• SCHULTZ, J. #32		• WRIGHT
• HOMUTH		•	• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

So the bill lost.

**MESSAGE FROM THE HOUSE**

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1009, 1233 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

- Representatives on House Bill No. 1009
- Rep. L. Hausauer
- Rep. Hensrud
- Rep. Fagerholt
- Representatives on House Bill No. 1233
- Rep. Hildebrand
- Rep. Erickson
- Rep. McGovern

ROY GILBREATH, Chief Clerk

**MESSAGES TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to transmit:  
Senate Concurrent Resolution No. 4073  
Senate Concurrent Resolution No. 4074

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1430  
Which the Senate failed to reconsider.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1127

House Bill No. 1285

House Bill No. 1335

House Bill No. 1606

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bills Nos. 2104, 2113, 2160, 2197, 2216, 2232 and Senate Concurrent Resolution No. 4009; refused to concur in the House amendments to Senate Bills Nos. 2009, 2167, 2173 and the President has appointed as a conference committee to act with a like committee from the House:

Senators on Senate Bill No. 2009

Senator Longmire

Senator Thane

Senator Maher

Senators on Senate Bill No. 2173

Senator Reiten

Senator Mutch

Senator Gronhovd

Senators on Senate Bill No. 2167

Senator Sands

Senator Ringsak

Senator Lashkowitz

LEO LEIDHOLM, Secretary

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2016

Senate Bill No. 2020

Senate Bill No. 2045

Senate Bill No. 2046

Senate Bill No. 2086

Senate Bill No. 2091

Senate Bill No. 2096

Senate Bill No. 2106

Senate Bill No. 2119

Senate Bill No. 2120

Senate Bill No. 2123

Senate Bill No. 2131

Senate Bill No. 2140

Senate Bill No. 2141

Senate Bill No. 2149

Senate Bill No. 2151

Senate Bill No. 2153

Senate Bill No. 2165

Senate Bill No. 2176

Senate Bill No. 2179

Senate Bill No. 2196

Senate Bill No. 2201

Senate Bill No. 2211

Senate Bill No. 2217

Senate Bill No. 2219

Senate Bill No. 2220

Senate Bill No. 2228

Senate Bill No. 2246  
Senate Bill No. 2257  
Senate Bill No. 2258  
Senate Bill No. 2261  
Senate Bill No. 2270  
Senate Bill No. 2288  
Senate Bill No. 2290  
Senate Bill No. 2311  
Senate Bill No. 2366  
Senate Bill No. 2367  
Senate Bill No. 2463  
Senate Bill No. 2472

Senate Concurrent Resolution No. 4018  
Senate Concurrent Resolution No. 4026  
Senate Concurrent Resolution No. 4066

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2016  
Senate Bill No. 2020  
Senate Bill No. 2045  
Senate Bill No. 2046  
Senate Bill No. 2086  
Senate Bill No. 2091  
Senate Bill No. 2096  
Senate Bill No. 2106  
Senate Bill No. 2119  
Senate Bill No. 2120  
Senate Bill No. 2123  
Senate Bill No. 2131  
Senate Bill No. 2140  
Senate Bill No. 2141  
Senate Bill No. 2149  
Senate Bill No. 2151  
Senate Bill No. 2153  
Senate Bill No. 2165  
Senate Bill No. 2176  
Senate Bill No. 2179  
Senate Bill No. 2196  
Senate Bill No. 2201  
Senate Bill No. 2211  
Senate Bill No. 2217  
Senate Bill No. 2219  
Senate Bill No. 2220  
Senate Bill No. 2228  
Senate Bill No. 2246  
Senate Bill No. 2257  
Senate Bill No. 2258  
Senate Bill No. 2261  
Senate Bill No. 2270  
Senate Bill No. 2288  
Senate Bill No. 2290  
Senate Bill No. 2311  
Senate Bill No. 2366  
Senate Bill No. 2367  
Senate Bill No. 2463

Senate Bill No. 2472

Senate Concurrent Resolution No. 4018

Senate Concurrent Resolution No. 4026

Senate Concurrent Resolution No. 4066

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. 1026

House Bill No. 1097

House Bill No. 1119

House Bill No. 1136

House Bill No. 1141

House Bill No. 1194

House Bill No. 1198

House Bill No. 1201

House Bill No. 1255

House Bill No. 1257

House Bill No. 1300

House Bill No. 1306

House Bill No. 1313

House Bill No. 1399

House Bill No. 1414

House Bill No. 1415

House Bill No. 1416

House Bill No. 1439

House Bill No. 1466

House Bill No. 1479

House Bill No. 1580

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1026

House Bill No. 1097

House Bill No. 1119

House Bill No. 1136

House Bill No. 1141

House Bill No. 1194

House Bill No. 1198

House Bill No. 1201

House Bill No. 1255

House Bill No. 1257

House Bill No. 1300

House Bill No. 1306

House Bill No. 1313

House Bill No. 1399

House Bill No. 1414

House Bill No. 1415

House Bill No. 1416

House Bill No. 1439

House Bill No. 1466

House Bill No. 1479

House Bill No. 1580

Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2353  
Senate Bill No. 2390  
Senate Bill No. 2435  
Senate Bill No. 2470  
Senate Concurrent Resolution No. 4023

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2338

ROY GILBREATH, Chief Clerk

MOTION

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1009, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1009:

Senator Wenstrom  
Senator C. Schultz  
Senator Larson

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate bill No. 2195:

Rep. VanderVorst  
Rep. Schindler  
Rep. Gronneberg

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

House Concurrent Resolution No. 3006  
House Concurrent Resolution No. 3008  
House Concurrent Resolution No. 3019  
House Concurrent Resolution No. 3053

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2012  
Senate Bill No. 2040  
Senate Bill No. 2111

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2012

On page 1, line 19 of the engrossed bill, delete the numerals "582,747" and insert in lieu thereof the numerals "564,271"

On page 1, line 20 of the engrossed bill, delete the numerals "74,200" and insert in lieu thereof the numerals "65,200"

On page 1, line 23 of the engrossed bill, delete the numerals "697,147" and insert in lieu thereof the numerals "669,671"

On page 1, line 24 of the engrossed bill, delete the numerals "89,865" and insert in lieu thereof the numerals "72,265"

On page 2, line 1 of the engrossed bill, delete the numerals "607,282" and insert in lieu thereof the numerals "597,406"

On page 2, line 2 of the engrossed bill, delete the numerals "608,482" and insert in lieu thereof the numerals "598,606"

On page 2, line 3 of the engrossed bill, delete the numerals "89,865" and insert in lieu thereof the numerals "72,265"

On page 2, line 4 of the engrossed bill, delete the numerals "698,347" and insert in lieu thereof the numerals "670,871"

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2040

On page 1, line 15, of the engrossed bill delete "subsection 4"

On page 1, line 16, delete "of section 12.1-28-01,"

On page 10, line 31, delete the beginning triple parentheses.

On page 10, line 35, delete the ending triple parentheses.

On page 11, line 12, delete the beginning triple parentheses.

On page 11, line 17, delete the ending triple parentheses.

And also on line 17 before the word "victim" delete the word "the"

On page 11, line 23, place triple parentheses around the word "man" and insert in lieu thereof "husband"

On page 12 delete all of lines 4 through 16.

And renumber the lines, pages and sections accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2111

On page 1 of the engrossed bill, line 3, after the word "moneys" add a comma and the words "providing an appropriation and declaring an emergency"

"On page 2, after line 6, add the following sections:

"SECTION 3. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$250,000.00, or so much thereof as may be necessary, for the replacement of personal property taxes for the fiscal year ending June 30, 1975, which moneys shall be in addition to and supplemental to the appropriation provided in chapter 42 of the 1973 Session Laws of North Dakota.

"SECTION 4. EMERGENCY.) Section 3 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And renumber the lines accordingly"

## House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2016

Senate Bill No. 2020

Senate Bill No. 2045

Senate Bill No. 2046

Senate Bill No. 2086

Senate Bill No. 2091

Senate Bill No. 2096



Senate Bill No. 2106  
Senate Bill No. 2119  
Senate Bill No. 2120  
Senate Bill No. 2123  
Senate Bill No. 2131  
Senate Bill No. 2140  
Senate Bill No. 2141  
Senate Bill No. 2149  
Senate Bill No. 2151  
Senate Bill No. 2153  
Senate Bill No. 2165  
Senate Bill No. 2176  
Senate Bill No. 2179  
Senate Bill No. 2196  
Senate Bill No. 2201  
Senate Bill No. 2211  
Senate Bill No. 2217  
Senate Bill No. 2219  
Senate Bill No. 2220  
Senate Bill No. 2228  
Senate Bill No. 2246  
Senate Bill No. 2257  
Senate Bill No. 2258  
Senate Bill No. 2261  
Senate Bill No. 2270  
Senate Bill No. 2288  
Senate Bill No. 2290  
Senate Bill No. 2311  
Senate Bill No. 2366  
Senate Bill No. 2367  
Senate Bill No. 2463  
Senate Bill No. 2472  
Senate Concurrent Resolution No. 4018  
Senate Concurrent Resolution No. 4026  
Senate Concurrent Resolution No. 4066  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of House Bills Nos. 1011, 1060, 1244, 1277, 1292, 1320, 1338, 1404, 1521, 1553, 1593, 1599 and House Concurrent Resolutions Nos. 3040 and 3050, that the Senate recess until 1:00 P.M., March 12, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-SIXTH DAY AFTER RECESS  
AND FORTY-SEVENTH DAY

Bismarck, March 12, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

PERSONAL PRIVILEGE

Senator Nething:

Mr. President, ladies and gentlemen of the Senate:

I want you to know that the motion that I am making is not that I am in accord with the House amendment, but rather that in an effort to expedite their business, it is important that we pass it. Senate Bill 2026 had several amendments offered which were accepted by the House. As a matter of fact, they turned out to be some four pages. After the amendments were adopted, they referred the bill to their Appropriations Committee. And it is my understanding that the Appropriations Committee is desirous of offering some further amendments. Now the problem is that in its current form without being re-engrossed is that they have no reference points to utilize in making their amendments. And so, by us taking action at this time, and just for the sake of procedure and for clarity for the House Appropriations Committee to work, we can then set it in the form so that they will have proper points with which to refer their amendments to. So I would ask your support in passing this motion.

MOTION

Senator Nething moved that the rules be suspended and that Senate Bill 2026 as amended by the House of Representatives on pages 1157 to 1160 of the House Journal be deemed properly re-engrossed, which motion prevailed.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the Senate has adopted the following motion:

“Senator Nething moved that the rules be suspended and that Senate Bill 2026 as amended by the House of Representatives on pages 1157 to 1160 of the House Journal be deemed properly re-engrossed, which motion prevailed.”

LEO LEIDHOLM, Secretary

MOTION

Senator Nasset 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. 1233, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1233,

Senator Tweten  
Senator Sandness  
Senator Redlin

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1009:

Senator Wenstrom  
 Senator J. Schultz  
 Senator Larson

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1233:

Senator Tweten  
 Senator Sandness  
 Senator Redlin

LEO LEIDHOLM, Secretary

## REPORT OF PROCEDURAL COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2016  
 Senate Bill No. 2020  
 Senate Bill No. 2045  
 Senate Bill No. 2046  
 Senate Bill No. 2086  
 Senate Bill No. 2091  
 Senate Bill No. 2096  
 Senate Bill No. 2106  
 Senate Bill No. 2119  
 Senate Bill No. 2120  
 Senate Bill No. 2123  
 Senate Bill No. 2131  
 Senate Bill No. 2140  
 Senate Bill No. 2141  
 Senate Bill No. 2149  
 Senate Bill No. 2151  
 Senate Bill No. 2153  
 Senate Bill No. 2165  
 Senate Bill No. 2176  
 Senate Bill No. 2179  
 Senate Bill No. 2196  
 Senate Bill No. 2201  
 Senate Bill No. 2211  
 Senate Bill No. 2217  
 Senate Bill No. 2219  
 Senate Bill No. 2220  
 Senate Bill No. 2228  
 Senate Bill No. 2246  
 Senate Bill No. 2257  
 Senate Bill No. 2258  
 Senate Bill No. 2261  
 Senate Bill No. 2270  
 Senate Bill No. 2288  
 Senate Bill No. 2290  
 Senate Bill No. 2311  
 Senate Bill No. 2366  
 Senate Bill No. 2367

Senate Bill No. 2463

Senate Bill No. 2472

Were delivered to the Governor for his approval on March 11, 1975.

SENATOR STRAND, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4018

Senate Concurrent Resolution No. 4026

Senate Concurrent Resolution No. 4066

Were delivered to the Secretary of State on March 11, 1975.

SENATOR STRAND, Chairman

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Concurrent Resolution No. 3006

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3019

House Concurrent Resolution No. 3053

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3006

House Concurrent Resolution No. 3008

House Concurrent Resolution No. 3019

House Concurrent Resolution No. 3053

Which the President has signed.

LEO LEIDHOLM, Secretary

#### CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to House Bills Nos. 1043, 1046, 1147, 1176, 1222, 1232, 1298, 1407, 1464, 1518, 1534 and House Concurrent Resolution No. 3085 be dispensed with, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1043 as recommended by the Committee on Judiciary as printed on page 1002 of the Senate Journal be adopted, which motion prevailed.

Senator Freed moved that the amendments to House Bill No. 1046 as recommended by the Committee on Judiciary as printed on pages 1002 and 1003 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1147 as recommended by the Committee on Industry, Business and Labor as printed on page 1003 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1176 as recommended by the Committee on Industry, Business and Labor as printed on page 1003 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1222 as recommended by the Committee on Industry, Business and Labor as printed on page 1003 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to House Bill No. 1232 as recommended by the Committee on Education as printed on pages 1003 and 1004 of the Senate Journal be adopted, which motion prevailed.

Senator Kautzmann moved that the amendments to House Bill No. 1298 as recommended by the Committee on Industry, Business and Labor as



● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and House Bill No. 1068 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on House Bill No. 1301, as printed on page 1004 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1301, the roll was called and there were 49 ayes; 0 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		
● CHRISTENSEN, H. #5			● JONES			● NETHING		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		
● CONLIN			● LARSON			● RAIT		
● ERDMAN			● LASHKOWITZ			● REDLIN		
● FREED			● LEE			● REITEN		
● FRITZELL			● LIPS			● RINGSACK		
● GOODMAN			● LONGMIRE			● SANDS		
● GRONHOVD			● MAHER			● SANDNESS		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		
● HOLAND			● MORGAN			● SCHULTZ, J. #32		
● HOMUTH			● MUTCH			● SCHUSTER		
								● SHABLOW
								● SMYKOWSKI
								● SOLBERG
								● STRAND
								● STRINDEN
								● STROUP
								● THANE
								● TWETEN
								● VOSPER
								● WALSH
								● WENSTROM
								● WRIGHT
								MR. PRESIDENT

The motion prevailed, and House Bill No. 1301 was indefinitely postponed.

Senator Kautzmann moved that the Committee Report on House Bill No. 1447, as printed on page 1005 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1447, the roll was called and there were 48 ayes; 0 nays; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		
● BERUBE			● JACOBSON			● NASSET		
● CHRISTENSEN, H. #5			● JONES			● NETHING		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		
● CONLIN			● LARSON			● RAIT		
● ERDMAN			● LASHKOWITZ			● REDLIN		
● FREED			● LEE			● REITEN		
● FRITZELL			● LIPS			● RINGSACK		
● GOODMAN			● LONGMIRE			● SANDS		
● GRONHOVD			● MAHER			● SANDNESS		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		
● HOLAND			● MORGAN			● SCHULTZ, J. #32		
● HOMUTH			● MUTCH			● SCHUSTER		
								● SHABLOW
								● SMYKOWSKI
								● SOLBERG
								● STRAND
								● STRINDEN
								● STROUP
								● THANE
								● TWETEN
								● VOSPER
								● WALSH
								● WENSTROM
								● WRIGHT
								MR. PRESIDENT

The motion prevailed, and House Bill No. 1447 was indefinitely postponed.

**MOTION**

Senator Melland moved that the committee report for Indefinite Postponement on House Bill 1468 be laid over one legislative day, which motion prevailed.

**COMMITTEE REPORT FOR INDEFINITE POSTPONEMENT**

Senator Freed moved that the Committee Report on House Concurrent

Resolution No. 3021, as printed on page 1006 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Concurrent Resolution No. 3021, the roll was called and there were 47 ayes; 2 nays; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

The motion prevailed, and House Concurrent Resolution No. 3021 was indefinitely postponed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2012, as printed on page 1018 of the Senate Journal, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2012 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2012. A Bill for an Act making an appropriation for defraying expenses of the pardon board and parole office.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2040, as printed on page 1018 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No.





Senator C. Schultz  
 Senator Thane  
 Senator Erdman

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2236, as printed on page 989 of the Senate Journal, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2236 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2236. A Bill for an Act to amend and reenact subdivision e of subsection 15 of section 52-01-01 of the North Dakota Century Code, relating to an exclusion from the definition of "Employment" of services performed by a child in the employ of his father or mother for unemployment compensation purposes, 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 yeas, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH ●			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE ●			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

### REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Natural Resources to whom was referred Senate Concurrent Resolution No. 4062 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 9, after the word "and" insert the following new paragraph:

"Whereas, certain areas of land that have significant or extraordinary agricultural, mineral resources, scenic, aesthetic, historical, or unusual natural features, should be preserved for these special characteristics for the benefit of the residents and visitors to this state; and"

On page 2, line 11, after the period insert the following sentence "The Council shall study and determine a method by which the State of North Dakota could designate certain areas of land that have special characteristics as "critical areas", which areas have a land use that is of benefit to the citizens of the state and in which nonconforming uses would not be allowed."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4062 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was

referred Senate Concurrent Resolution No. 4072 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

Senate Concurrent Resolution No. 4072 was placed on the 11th order of business on the calendar for the succeeding legislative day.

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 LIPS, Chairman

House Bill No. 1006 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1058 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1058 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1075 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 9, delete the word "ten" and insert in lieu thereof the word "fifteen"

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1075 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1124 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1124 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1148 has had the same under consideration and recommends that the same be amended as follows:

On page 3 of the engrossed bill, line 10, after the comma delete the following: "in the first three full fiscal year period" and insert in lieu thereof the following: "within three fiscal years"

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

Is to correct a technical error.

SENATOR LIPS, Chairman

House Bill No. 1148 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1170 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1170 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1189 has had the same under consideration and recommends that the same be amended as follows:

In addition to the Senate amendments to Engrossed House Bill No. 1189 listed on page 894 of the Senate Journal and adopted by the Senate, the following amendments are hereby proposed:

On page 1, line 1 of the engrossed bill, delete the words "subsections 1, 2, 3."

On page 1, line 2 of the engrossed bill, delete the words and numerals "and 4 of section 44-08-04, and", and insert after the word "sections" the numerals "44-08-04."

On page 1, line 4 of the engrossed bill, delete the words "members of the legislative assembly" and insert in lieu thereof the words "state officers and employees"

On page 1, line 10 of the engrossed bill, delete the words "Subsections 1, 2, 3, and 4 of"

On page 1, line 11 of the engrossed bill, capitalize the word "section"

On page 1, line 12 of the engrossed bill, delete the word "are" and insert in lieu thereof the word "is"

On page 1 of the engrossed bill, after line 13, insert the following:  
 "44-08-04. EXPENSE ACCOUNT — AMOUNT ALLOWED — VERIFICATION.) Except as provided in section 44-08-04.1, each elective or appointive officer, employee, representative, or agent of this state, or of any of its subdivisions, agencies, bureaus, boards, or commissions, may make claim and shall upon approval of such claim be paid as an allowance for meals and lodging while engaged within this state in the discharge of a public duty away from his normal working and living residence for all or any part of any quarter of a day at the following rates for each quarter of any twenty-four hour period:"

On page 2, following line 4 of the engrossed bill, insert the following subsection:

"5. Provided, however, that the preceding four subsections shall not be applicable unless the person concerned has been out of the headquarters or normal place of employment for six hours or overnight.

Verifications of claims shall not be required for the first three quarters listed above and only a lodging receipt shall be required for the fourth quarter.

Such persons engaged in travel ((without the state shall not claim a sum in excess of eight))) outside state boundaries shall receive fifteen dollars a day for meals and in addition thereto actual lodging expenses. Verification by receipt for such out-of-state travel expense shall be required only for lodging expense claimed.

The head of any department, institution, or agency of this state may set a rate for such expenses less than those set forth in this section for any person or persons under his authority. Verification of any other type of expense not prescribed by this section shall be as prescribed by the state auditing board except no receipt shall be required for taxi or cab fares up to and including the sum of ((five))) ten dollars. The ((state auditing board)) department of accounts and purchases shall disapprove any claim it shall determine to be in error or unlawful or not within the limits of legislative appropriations. The travel expenses of the governor, lieutenant governor, judges of the supreme court, district courts, and county courts of increased jurisdiction, and members of the legislative assembly shall not be limited by the expense allowance limitations prescribed by this section."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To provide for adjustment in expense reimbursement for out of state travel.

SENATOR LIPS, Chairman

House Bill No. 1189 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1191 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1191 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1224 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the word "sections"

On page 1, line 1, following the numerals "57-15-06" insert the following "and 57-15-08"

On page 1, line 3, following the word "county" insert the words "and city"

On page 1, line 16, delete the word "three" and insert in lieu thereof the word "five"

On page 2, line 2, delete the word "three" and insert in lieu thereof the word "five"

On page 2, line 10, delete the word "three" and insert in lieu thereof the word "five"

On page 2, line 34, delete the word "three" and insert in lieu thereof the word "five"

On page 3, following line 6, insert the following:

"SECTION 2. AMENDMENT.) Section 57-15-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-15-08. TAX LEVY LIMITATIONS IN CITIES.) The aggregate amount levied for general city purposes shall not exceed such an amount as will be produced by a levy of (((thirty-one))) thirty-five mills on the net taxable assessed valuation of property in the city, provided that in cities with a population of over five thousand they be permitted to levy an additional one-half of one mill for each additional one thousand population in excess of five thousand, and provided further that the maximum levy for general city purposes shall not exceed (((thirty-three))) thirty-seven mills, except that cities, when authorized by a majority vote of the electors of such cities upon the submission of such question at a regularly scheduled or special election called for such purpose pursuant to a resolution approved by the governing body of such cities, may increase the maximum mill levy for general city purposes by not more than five mills, and that in a city supporting a band or public library an additional levy, not to exceed one mill on the net taxable assessed valuation of property in such city, may be made for a band, and an additional levy not to exceed four mills on the net taxable assessed valuation of property in such city may be made for a public library."

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1224 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1239 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1239 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1247 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1247 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1305 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1305 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1310 has had the same under consideration and

recommends that the same be indefinitely postponed.

SENATOR STROUP, Chairman

House Bill No. 1310 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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 be amended as follows:

On page 2, line 20, of the engrossed bill, after the words "big game" insert the following language " , except that neither any other passenger within the vehicle nor the driver, if someone other than the permittee, shall be a hunter, unless such other person is also a permittee"

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1359 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Education to whom was referred House Bill No. 1440 has had the same under consideration and recommends that the same be amended as follows:

Delete all language in the engrossed bill after the words "A BILL" and insert in lieu thereof the following:

for an Act to create and enact a new section to chapter 15-29, and 7 new subsections to section 15-29-09 of the North Dakota Century Code, relating to legislative intent and the duties of the clerks of public school districts; to amend and reenact subsection 1 of section 11-14-13 and sections 11-14-14, 11-14-15, 15-18-06, 15-29-03, 15-29-04, 15-29-11, 15-29-13, 15-44-04, 15-44-05, 15-44-09, 15-47-05, 15-47-08, 15-47-21, 15-49-05, 15-49-06, 15-55-19, subsection 2 of section 21-01-01, and sections 21-03-40 and 54-10-15 of the North Dakota Century Code, relating to duties of the treasurers and clerks of public school districts; and to repeal section 15-29-12 of the North Dakota Century Code, relating to duties of treasurers of public school districts.  
BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new section to chapter 15-29 of the North Dakota Century Code is hereby created and enacted to read as follows:

**SCHOOL DISTRICT CLERK TO BE SUBSTITUTED FOR SCHOOL DISTRICT TREASURER.)** It is the intent of the legislative assembly that the clerk of any public school district shall be substituted for, take any action previously taken by, and shall perform any duties previously performed by the treasurer of such public school district.

SECTION 2. AMENDMENT.) Subsection 1 of section 11-14-13 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The county treasurer shall keep a regular account with each school district in the county. He shall charge himself in such account with: the amount collected on taxes levied by the governing body of the school district; all sums apportioned to the district by the county superintendent of schools or other authority; and all sums received from the district. He shall credit himself with: all payments made to the ((treasurer)) clerk of the district and shall distinguish between items paid by apportionment, from county taxes, and from other sources; all payments for redemption of or endorsement upon school district warrants in the collection of taxes; and all items of legal fees for collection and other duties performed.

SECTION 3. AMENDMENT.) Section 11-14-14 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-14-14. REPORTS OF DISBURSEMENTS OF FUNDS TO SCHOOL DISTRICTS.) Annually, on the first day of July, the county treasurer shall:

1. File with the county superintendent of schools an itemized statement of all funds remitted by him during the preceding school year to the ((treasurer)) clerk of each school district in the county; and

2. Send to the ((treasurer)) clerk of each school district in the county an itemized statement of all payments made by the county treasurer to such school district ((treasurer)) clerk during the preceding school year ((; and

3. Send to the clerk of the school board of each school district in the county a copy of the statement sent to the treasurer of his district pursuant to the provisions of subsection 2 of this section)).

Such statement shall be made in substantial conformity with the forms prepared by the superintendent of public instruction for the annual report of school district treasurers.

SECTION 4. AMENDMENT.) Section 11-14-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-14-15. RECEIPTS AND WARRANTS TO BE DELIVERED TO SCHOOL DISTRICT ((TREASURER)) CLERK.) The county treasurer shall deliver to the ((treasurer)) clerk of the school district, at the time of making other regular payments to him, a duplicate tax receipt for all amounts credited as an endorsement upon, or in payment of, any school district warrant, and he shall deliver to such district ((treasurer)) clerk all warrants which have been redeemed.

SECTION 5. AMENDMENT.) Section 15-18-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-18-06. PROCEEDS OF LEVY TO BE CERTIFIED TO SPECIAL SCHOOL DISTRICT.) The proceeds of any tax levy hereby authorized shall be certified quarterly to the ((treasurer)) clerk of any special school district having established such junior college or off-campus educational center of a state-supported institution of higher education and shall be placed in a special junior college fund or an off-campus center fund and shall be expended for the acquisition of property, construction, maintenance, and the operation of a junior college or off-campus center of a state-supported institution of higher education.

SECTION 6. AMENDMENT.) Section 15-29-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-29-03. ORGANIZATION OF SCHOOL BOARD — ELECTION OF PRESIDENT — APPOINTMENT OF CLERK ((AND TREASURER)).) At the annual meeting, the school board shall elect from among its members a president who shall serve for one year. The board shall appoint a clerk ((and a treasurer)) who ((are)) is not ((members)) a member of the board who shall hold ((their offices)) his office during the pleasure of the board and receive such compensation for ((their)) his services as shall be fixed by the board.

SECTION 7. AMENDMENT.) Section 15-29-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-29-04. DUTIES OF PRESIDENT.) The president shall preside at all meetings of the board, appoint all committees subject to approval of the board, sign all warrants ordered by the board to be drawn upon the ((treasurer)) clerk for school moneys, and perform other acts required by law. In the absence of the president at any meeting, a president pro tempore may be elected by the board.

SECTION 8.) Seven new subsections to section 15-29-09 of the North Dakota Century Code are hereby created and enacted to read as follows:

Keep a separate true and correct account of the receipts and expenditures of each fund of the district.

Prepare and submit quarterly to the board a written report of the state of the finances of the district, and to submit such report at any other time upon the request of the board; provided, however, that in school districts

in which are located only one or two-room schools, the clerk shall be required to submit such a report only upon the request of the board. Produce at any meeting of the board or of any committee appointed to examine his accounts, whenever ordered to do so by the board, all of the books and papers pertaining to his office.

Keep safely in his possession or under his control all school moneys coming into his hands.

Pay out district moneys under his control in accordance with the provisions of section 15-29-13.

The form of warrant shall be prescribed by the superintendent of public instruction and shall be so drawn that when signed by the clerk in an appropriate place it becomes a check on the school district depository.

Shall receive and have custody of all moneys from every source which the school board of the district is authorized to receive.

Attend meetings of the board, when requested, and perform all duties required of him under Title 57, Taxation, and Title 21, Governmental Finance.

SECTION 9. AMENDMENT.) Section 15-29-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-29-11. (((TREASURER'S))) CLERK'S BOND.) The (((treasurer))) clerk of each school district shall furnish to the school district a bond conditioned that he will honestly and faithfully discharge the duties of his office and that he shall safely keep and render a true account of all funds and property that shall come into his hands as such (((treasurer))) clerk, and pay and deliver the same according to law. Such bond shall be in an amount to be fixed by the school board but shall be not less than twenty-five percent of the maximum amount of money that shall be subject to the (((treasurer's))) clerk's control at any one time.

SECTION 10. AMENDMENT.) Section 15-29-13 of the 1973 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))) CLERK — ACTIVITIES FUND — INCIDENTAL REVOLVING FUND.) The (((treasurer))) clerk 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))) clerk 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))) clerk's record. The (((treasurer))) clerk shall not issue a check on the depository bank except as provided in this section.

The school board by resolution shall establish an activities fund for the support of various extra-curricular activities under the auspices of the school board. Receipts from extra-curricular activities shall be deposited in the activities fund. The school district clerk shall pay out moneys only upon the presentation of a warrant signed by the president of the board and countersigned by the clerk. The superintendent of schools shall submit to the school board a monthly report of receipts, expenditures, and balances in each account in the activities fund.

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 to be retained in such fund shall be established by the school board and drawn from the general fund ((as provided in the first paragraph of this section and shall never exceed three 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 11. AMENDMENT.) Section 15-44-04 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-44-04. APPORTIONMENT OF STATE TUITION FUNDS BY COUNTY SUPERINTENDENT OF SCHOOLS — NOTICE OF AP-PORTIONMENT — PAYMENT.) Not less than twenty days nor more than thirty days after receiving the certificate of apportionment from the superintendent of public instruction, the county superintendent of schools shall apportion the state tuition fund to the several school districts which are entitled to any portion of such fund in proportion to the number of children residing in each district over six years of age and under eighteen years of age as appears from the enumeration upon which the superintendent of public instruction made the apportionment to the several counties. He shall notify each school district (((treasurer))) clerk immediately of the amount of tuition fund in the county treasury due the district and shall certify to the county treasurer and to the county auditor the amount due each school district. The county treasurer shall deliver to the several school district (((treasurers))) clerks, upon the order of the county auditor, the amounts apportioned to their respective districts, taking from each a receipt therefor.

SECTION 12. AMENDMENT.) Section 15-44-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-44-05. TUITION FUND WITHHELD WHEN DISTRICT HAS NOT MADE SCHOOL CENSUS OR WHEN (((TREASURER))) CLERK NOT QUALIFIED — (((TREASURER'S))) CLERK'S BOND.) No school district shall receive any portion of the state tuition fund until an enumeration of the children of school age in the district is made and reported in the manner required by the laws of this state. The county superintendent of schools may withhold the payment of tuition to any district if the officers thereof fail to make the reports required by law, and he shall not authorize the payment of money apportioned to any district unless the bond and oath of the (((treasurer))) clerk of the district have been filed.

SECTION 13. AMENDMENT.) Section 15-44-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-44-09. FUNDS CONTROLLED AND PAID OUT BY SCHOOL DISTRICT (((TREASURER))) CLERK — ACCOUNTING.) All funds shall be kept in the possession or under the control of, and shall be paid out by, the school district (((treasurer))) clerk except as otherwise provided by the laws of this state, and he shall keep one general account of the entire receipts and expenditures of the district and separate itemized accounts for each class of receipts and expenditures. His books shall show at all times, by entries under proper heads, all receipts of funds and payments made therefrom so as to enable any person readily to ascertain the balance in any fund.

SECTION 14. AMENDMENT.) Section 15-47-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-47-05. QUALIFICATIONS OF SCHOOL ELECTORS AND OFFICERS.) Any person who is a qualified elector under the general laws of the state is qualified to vote at the election of school officers in any school

district of the state in which he is a resident, and is eligible to the office of school district (((treasurer))) clerk, or member of the school board, or may be appointed as a judge or clerk of election. (((The school district clerk need not be a resident of the district.)))

SECTION 15. AMENDMENT.) Section 15-47-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-47-08. OATH OF OFFICE OF SCHOOL DISTRICT OFFICERS.)

Each person elected or appointed as a member of the school board or as a school district (((treasurer))) clerk, before entering upon the duties of his office, shall take and file with the clerk of the district the oath prescribed for civil officers.

SECTION 16. AMENDMENT.) Section 15-47-21 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-47-21. TAX LEVIES FOR EQUALIZATION BETWEEN SCHOOL DISTRICTS LIMITED — REMITTANCE TAX.) When the amount to be levied on each of several districts or parts of districts affected by a change in school district boundaries has been determined, a list of the several amounts shall be made, and the respective amounts shall be set forth opposite the name of the district to which it is chargeable. The entire levy shall be stated substantially in the form provided for certifying school taxes, shall be addressed to the county auditor, and shall be signed by a majority of the members of the county committee or committees. Opposite the several descriptions of property on the tax list shall be entered the names or the school districts within which the property is situated. The levy shall be a valid levy on the taxable property of each district. Not more than fifteen mills of the levy shall be extended against the taxable property in any one year, and the levy, not exceeding fifteen mills on the dollar, shall be extended from year to year until the whole amount has been levied. The county auditor shall preserve the levies and shall extend the several rates from year to year as required by law for school district taxes, and the tax shall be collected at the same time and in the same manner as other taxes are collected, and paid over to the proper school district within which the property upon which the tax is paid is situated. The proceeds of taxes upon parts of districts lying outside of the district with which they are equalized shall be paid to the (((treasurer))) clerk of the school district within which the property is situated. The taxes levied for equalization purposes shall be in addition to all other taxes for school purposes. The provisions of this section shall apply to proceedings under article II, annexation, and article IV, involuntary dissolution of chapter 15-53.1, but shall not apply to article III, reorganization, of chapter 15-53.1 except where specifically so referred.

SECTION 17. AMENDMENT.) Section 15-49-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-49-05. FAILURE TO PAY OVER SCHOOL FUNDS — ACTION ON BOND.) When any person refuses or neglects to pay over to his successor in office any money in his hands as (((treasurer))) clerk of a school district, his successor, without delay, shall bring an action upon the official bond of the offending person for the recovery of the money.

SECTION 18. AMENDMENT.) Section 15-49-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-49-06. UNPAID WARRANTS — FAILURE TO ENDORSE AND PAY IN ORDER — PENALTY.) Any violation by the (((treasurer))) clerk of a school district of the provisions of law relating to the endorsement of warrants not paid for want of funds, and to the payment thereof in the order of presentation and endorsement, is (((a misdemeanor and shall be punished by a fine of not more than one hundred dollars))) an infraction.

SECTION 19. AMENDMENT.) Section 15-55-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-55-19. POWERS AND PROCEDURE.) In issuing and selling the bonds and carrying out the provisions of section 15-55-18, the board of education of such school district shall proceed under the same procedure, powers, limitations, and conditions provided for the state board of higher education in chapter 15-55 of the North Dakota Century Code, so that the provisions of chapter 15-55 shall be applicable to this issue, sale, and construction except that references therein to state, state treasury, state treasurer, state auditor shall be construed to mean such school district, school district treasury, (((school district treasurer,))) and school district clerk, respectively, the school district clerk acting as treasurer.

SECTION 20. AMENDMENT.) Subsection 2 of section 21-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The term "warrant" when used in this chapter shall mean an order drawn by the proper taxing district official on the treasurer, or other person acting as treasurer, of said taxing district, the warrant or order to be so drawn that when signed by the treasurer, or person acting as treasurer, in an appropriate place it becomes a check on the taxing district depository. No warrant upon the treasurer, or person acting as treasurer, shall be delivered or mailed to the payee or his agent or representative until such warrant has been signed by the treasurer, or person acting as treasurer, and entered on the (((treasurer's))) books of the treasurer or person acting as treasurer as a check drawn on a bank depository.

SECTION 21. AMENDMENT.) Section 21-03-40 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

21-03-40. SINKING FUNDS — CUSTODIAN.) The county treasurer shall be custodian of each sinking fund for the payment of bonds issued by each taxing district within the county except in case of any city or park district having a population of more than one thousand and any school district which upon the passage of a resolution by the school board chooses to have its (((treasurer))) clerk be custodian of such sinking fund. In the case of any city or park district having a population of more than one thousand, or a school district approving a resolution as provided in this section, the treasurer or person acting as treasurer of the respective city, park district, or school district shall be custodian of each of its sinking funds.

SECTION 22. AMENDMENT.) Section 54-10-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-10-15. AUDITS OF MUNICIPAL AGENCIES AND SCHOOL DISTRICTS BY ORDER OF GOVERNOR OR UPON PETITION.) When so ordered by the governor of this state, or on petition of thirty-five percent of the electors of any school district or city for which audits are not provided in section 54-10-14, or at the request of the chairman or governing board of any such political subdivision, the state auditor shall, through his deputy auditors or other authorized persons, audit the records of the governing body and the books, records, and financial accounts of the treasurer or person acting as treasurer and clerk or auditor thereof, as the case may be. Fees for such audits shall be paid in accordance with the provisions of section 54-10-14 to the state treasurer, and by him credited to the general fund of the state.

SECTION 23. REPEAL.) Section 15-29-12 of the North Dakota Century Code is hereby repealed.

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR NASSET, Chairman

House Bill No. 1440 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1443 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR RINGSACK, Chairman

House Bill No. 1443 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1460 has had the same under consideration and recommends that the same do pass.

SENATOR J. SCHULTZ, Vice-Chairman

House Bill No. 1460 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1509 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 8, of the engrossed bill, insert the following: **Bridges constructed pursuant to this section shall not be required to comply with the provisions of sections 24-08-01 and 24-08-05, except that bridges constructed entirely within the State of North Dakota must comply with the bidding requirements of section 24-08-01.**

And renumber the lines accordingly.

And when so amended recommends the same do pass.

SENATOR J. SCHULTZ, Vice-Chairman

House Bill No. 1509 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1549 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1549 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1567 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1567 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1578 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1578 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1591 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 5, delete the words "paraplegic" and insert in lieu thereof the word "disabled"

On page 1, line 13, delete the words "upon lots in"

On page 1, delete all of lines 14 through 24 and insert in lieu thereof the following: "up to the amount of valuation specified, when owned and occupied as a homestead, as hereinafter defined, by any of the following persons:

a. A paraplegic disabled veteran of the United States armed forces, or his unmarried widow if such veteran is deceased, provided that this exemption shall not exceed ten thousand dollars of net assessed valuation.

b. A disabled veteran of the United States armed forces who was discharged under honorable conditions or who has been retired from the

armed forces of the United States with an armed forces service connected disability of fifty percent or greater, or his unremarried widow if such veteran is deceased, if the income of such veteran and his wife, or if such veteran is deceased the income of his unremarried widow, in the calendar year prior to the year for which the exemption is claimed did not exceed five thousand dollars from all sources exclusive of any compensation for service connected disability from the United States government, provided that this exemption shall not exceed four thousand dollars of assessed valuation.

Any person claiming an exemption under this subsection for the first time shall file with the county auditor an affidavit showing the facts herein required and a description of the property and, in addition, a disabled veteran claiming exemption under subdivision b shall also file with his affidavit a certificate from the United States veterans administration, or its successors, certifying to the amount of his disability; such affidavit and certificate shall be open for public inspection. Any such person shall thereafter furnish to the assessor or other assessment officials when requested to do so any information which he believes will support his claim for exemption for any subsequent year.

For purposes of this subsection "homestead" shall have the meaning provided in section 47-18-01 except that it shall also apply to any person who otherwise qualifies under the provisions of this subsection whether or not such person is the head of a family."

On page 2, delete lines 1 through 14

On page 2, line 15, delete the letters "spection"

On page 2, line 22, delete the words "upon lots in"

On page 2, line 23, delete the words "any city"

On page 2, line 24, delete the word "for" and insert in lieu thereof the words "when owned and occupied as a homestead, as hereinafter defined, by a"

On page 2, line 24, delete the word "persons" and insert in lieu thereof the following: "person if the income of such person and his spouse, or if such person is deceased the income of the unremarried surviving spouse, in the calendar year prior to the year for which the exemption is claimed did not exceed five thousand dollars from all sources"

On page 2, line 25, insert before the comma the words "for the first time"

On page 2, line 31, after the period insert the following: "Any person claiming the exemption for any year after the first year shall furnish to the assessor or other assessment officials when requested to do so any information which he believes will support his claim for the exemption for any subsequent year. For purposes of this subsection "homestead" shall have the meaning provided in section 47-18-01 except that it shall also apply to any person who otherwise qualifies under the provisions of this subsection whether or not such person is the head of a family."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1591 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1609 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1609 was placed on the 14th order of business on the calendar for the succeeding legislative day.

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 be amended as follows:

On page 1, line 1, delete the word "close" and insert in lieu thereof the words "consider carefully the"

On page 1, line 12, delete the words "or extinction"

On page 1, line 17, delete the words "and in danger of extinction"

On page 1, line 24, delete the word "close" and insert in lieu thereof the words "consider carefully the"

On page 1, line 24, delete the word "during" and insert in lieu thereof the word "of"

On page 1, line 24, delete the words "to allow the"

On page 2, line 1, delete the words "deer population to increase"

And renumber the lines, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

House Concurrent Resolution No. 3033 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Concurrent Resolution No. 3044 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Concurrent Resolution No. 3044 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution No. 3087 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Concurrent Resolution No. 3087 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-SEVENTH DAY

Bismarck, March 12, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Roger Bishop, Independent Bible Baptist Church, Bismarck.

"May we look to the Lord in prayer.

Our Divine and Gracious Heavenly Father, we thank you for the privilege of our way of government and that which you have given to us these many, many years and we would thank you, Father, for the great liberty that we have in Him who has made it possible, the Lord Jesus Christ, and faith in his blood there on the cross of Calvary. As we approach the Easter season we pray that we as citizens of this great state will recognize this great event in our hearts and in our lives. We pray for these men today that they would be able to seek your divine guidance and certainly, Father, in these days in our state and in our country, those that stand in authority as these men do that they certainly need to seek your divine guidance in their decisions they make, may they represent well the great citizens of this state of North Dakota. We pray to you, Father, that They would bless, guide and direct each one of them. Again, thank you for this opportunity to praise Your name which in Your son's name we pray. Amen."

Roll Call: All Senators present except Sands.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the

Journal has carefully examined the Journal of the forty-fifth day after recess and forty-sixth day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1517.** A Bill for an Act to amend and reenact section 43-18-13 of the North Dakota Century Code, relating to the examination for a master or journeyman plumber's license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were yeas, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KALITZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FRED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS	●		● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1527.** A Bill for an Act to establish a special trust fund from the undivided profits of the Bank of North Dakota for the purpose of making low-interest loans for construction of space or water heating systems utilizing solar energy or waste products, or for construction of wind-driven electrical power generating units, and providing for the administration of the loan program by the Bank of North Dakota.

Which has been read.

Senator Ringsak moved that House Bill No. 1527 be amended as follows:

On page 1, on the engrossed bill, line 7 insert the following new language after the word "Dakota": "and provide a special trust fund of fifteen million dollars for loans to young people from eighteen to twenty-five years of age to buy farms to be heated by solar energy and equipment to operate said farms"

On page 1, line 13 delete the words "one hundred and fifty thousand" and insert in lieu thereof the following new words "fifteen million"

On page 2, line 13 insert the following new language after the word "Act": "; or application for low-interest loans not to exceed two hundred and fifty thousand dollars for the purchase of farm property and installation of farm homes and farm buildings with a space or water heating system or both utilizing solar energy, waste products, or with wind-driven electrical power generating units; and the purchase of farm machinery all payable over a period of fifty years"

On page 2, line 33 insert the following new language after the word "fund": "; however a farm loan for buildings and farm machinery shall be limited to the sum of two hundred and fifty thousand dollars"

Re-number the lines and pages accordingly.

Senator Ringsak moved that the amendments be adopted, which motion lost.

Senator Homuth moved that House Bill No. 1527 be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the words "A BILL" and delete all of pages 2 and 3 and insert in lieu thereof the following: "for an Act to establish a guaranty fund within the Bank of North Dakota for the purpose of guaranteeing loans made for the conversion or construction of solar, wasteproduct, or wind-driven power generating units in residences, and to provide an effective date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:  
SECTION 1. GUARANTY FUND.)

1. A guaranty fund of one hundred fifty thousand dollars shall be maintained in the Bank of North Dakota out of undivided profits for the purpose of guaranteeing low-interest loans to persons who convert conventional space or water heating systems or conventional cooling systems, or both, of residential housing to heating or cooling systems, utilizing solar energy or waste products, or who install wind-driven electrical power generating units in existing residential housing, and to persons who construct new residential housing with space or water heating or cooling systems, or both, utilizing solar energy or waste products, or with wind-driven electrical power generating units.

2. The amount of a guarantee made for a loan to any person for the conversion of a conventional heating or cooling system to a system using solar energy or waste products, or a wind-driven electrical power generating unit, shall not exceed the cost of conversion or five thousand dollars, whichever is less.

3. The amount of a guarantee made for a loan to any person for the construction of new residential housing with a space or water heating or cooling system, or both, or utilizing solar energy or waste products, or with wind-driven electrical power generating units, shall not exceed the cost of construction related to the heating or cooling system or ten thousand dollars, whichever is less.

4. This guaranty fund shall be used to guaranty loans which do not exceed the rate of interest chargeable or FHA low-interest home improvement loans.

5. The funds in the guaranty fund are hereby appropriated for the purpose of repaying any guaranteed loans which are defaulted. Upon the default of a guaranteed loan, the Bank of North Dakota shall diligently pursue any remedies available at law to secure repayment of the loan. The Bank may charge a premium, not to exceed two percent of the amount of the guaranteed loan, for the purpose of administering and maintaining the fund.

SECTION 2. EFFECTIVE DATE.) This legislation shall remain in effect for the purpose of guaranteeing additional loans from July 1, 1975, through June 30, 1980. Any loans guaranteed pursuant to this Act shall remain guaranteed until such loans have been repaid, notwithstanding the first sentence of this section."

And renumber the lines and pages accordingly.

Senator Homuth moved that the amendments be adopted, which motion prevailed.

Senator Homuth moved that the rules be suspended, that House Bill No. 1527 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 1527. A Bill for an Act to establish a special trust fund from the undivided profits of the Bank of North Dakota for the purpose of making low-interest loans for construction of space or water heating systems utilizing solar energy or waste products, or for construction of wind-driven electrical power generating units, and providing for the administration of the loan program by the Bank of North Dakota.





Which has been read.

The question being on the adoption of the resolution.

Senator Barth moved that the resolution be adopted, which motion prevailed and House Concurrent Resolution 3042 was adopted.

### MOTION

Senator Melland moved that House Bill 1005 be laid over one legislative day, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1074.** A Bill for an Act to amend and reenact subsection 1 of section 57-38-34 of the North Dakota Century Code, relating to the filing of income tax returns.

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, 6.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON		●	● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		● STRAND
● CONLIN			● LARSON		●	● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ		●	● REDLIN		● STROUP
● FREED			● LEE		●	● REITEN		● THANE
● FRITZELL			● LIPS		●	● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE		●	● SANDS		● VOSPER
● GRONHOVD			● MAHER		●	● SANDNESS		● WALSH
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1091.** A Bill for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to the authority of counties and cities to establish or maintain programs and activities for senior citizens; to amend and reenact section 57-15-56, relating to the authorization of a mill levy for programs and activities for senior citizens; and declaring an emergency.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 944), the roll was called and there were ayes, 40; nays, 5; absent and not voting, 6.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON		●	● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES		●	● NOTHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN		●	● PYLE		● STRAND
● CONLIN			● LARSON		●	● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ		●	● REDLIN		● STROUP
● FREED			● LEE		●	● REITEN		● THANE
● FRITZELL			● LIPS		●	● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE		●	● SANDS		● VOSPER
● GRONHOVD			● MAHER		●	● SANDNESS		● WALSH
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		● MR. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause carried.

**MOTION**

Senator Mutch moved that House Bill 1534 be placed at the head of the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1534. A Bill for an Act to amend and reenact the introductory paragraph of section 24-17-03, and to amend and reenact section 24-17-05 of the North Dakota Century Code, relating to control of outdoor advertising adjacent to highways.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTRÖM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Mutch moved that the vote by which House Bill No. 1534 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**MESSAGE TO THE HOUSE**  
Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1534  
Which the Senate has amended.

LEO LEIDHOLM, Secretary

**SECOND READING OF HOUSE BILLS**

House Bill No. 1190. A Bill for an Act to provide for a real estate education, research, and recovery fund, and the administration thereof, for hearings, payments, and purposes; and to amend and reenact section 43-23-09 of the North Dakota Century Code, relating to license applications and 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, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN

• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1206.** A Bill for an Act to create and enact a new section to chapter 36-21.1 of the North Dakota Century Code, relating to administration of the chapter by the state livestock sanitary board; to amend and reenact sections 36-21.1-01 36-21.1-06 and 36-21.1-11 of the North Dakota Century Code, relating to definitions and the authority to dispose of exposed animals; providing a penalty; and providing an appropriation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 944 and 945), the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON		•	• NASSET			• SHAYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES		•	• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE			• STRAND		
• CONLIN			• LARSON		•	• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		
• FREED			• LIPS		•	• REITEN			• THANE		
• FRITZELL		•	• LONGMIRE		•	• RINGSAK			• VOSPER		
• GOODMAN			• MAHER		•	• SANDNESS			• WALSH		
• GRONHOVD			• MELLAND		•	• SCHULTZ, C. #14			• WENSTROM		
• HOFFNER			• MORGAN		•	• SCHULTZ, J. #32			• WRIGHT		
• HOLAND			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		
• HOMUTH											

So the bill passed and the title was agreed to.

**House Bill No. 1266.** A Bill for an Act to amend and reenact section 39-18-02 of the North Dakota Century Code, relating to mobile home dealers' bond, and to amend and reenact section 39-18-03 of the 1973 Supplement to the North Dakota Century Code, relating to transfer of title by an owner of a travel trailer, house trailer, or mobile home, and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 945), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SHAYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LIPS			• SANDS			• TWETEN		
• FRITZELL			• LONGMIRE			• SANDNESS			• VOSPER		
• GOODMAN			• MAHER			• SCHULTZ, C. #14			• WALSH		
• GRONHOVD			• MELLAND			• SCHULTZ, J. #32			• WENSTROM		
• HOFFNER			• MORGAN			• SCHUSTER			• WRIGHT		
• HOLAND			• MUTCH						MR. PRESIDENT		
• HOMUTH											

So the bill passed and the title was agreed to.

**House Bill No. 1463.** A Bill for an Act to amend and reenact subsection 1 of section 43-17-02 of the North Dakota Century Code, relating to persons exempt from provisions of chapter.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAN			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1495. A Bill for an Act to create and enact a new section to chapter 40-11 and a new section to chapter 58-03 of the North Dakota Century Code, relating to sale of real property by municipalities and townships; and to amend and reenact section 40-11-04 of the North Dakota Century Code, relating to a municipal ordinance required for transferring property.

Which has been read.

Senator J. Schultz moved that House Bill No. 1495 be amended as follows:

On page 2, line 34, delete the words one thousand and insert in lieu thereof two thousand five hundred

And renumber the lines accordingly.

Senator J. Schultz moved that the amendments be adopted, which motion prevailed.

Senator J. Schultz moved that the rules be suspended, that House Bill No. 1495 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1495. A Bill for an Act to create and enact a new section to chapter 40-11 and a new section to chapter 58-03 of the North Dakota Century Code, relating to sale of real property by municipalities and townships; and to amend and reenact section 40-11-04 of the North Dakota Century Code, relating to a municipal ordinance required for transferring property.

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, 49; nays, 1; absent and not voting, 1.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER

• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1532.** A Bill for an Act to create and enact section 23-18-1-01 of the North Dakota Century Code, relating to the authorization to establish tax-supported county clinic associations; and to amend and reenact sections 23-18-02, 23-18-04, 23-18-05, 23-18-06, 23-18-07, and 23-18-08 of the North Dakota Century Code, relating to the form of ballot used to authorize a county hospital association, the handling of the tax revenue of the mill levy for a county hospital association, the disbursement of county hospital association funds, authorization of receipt of donations for such association, the sale or disposal of the hospital building of the hospital association, and the limitation on the number of county hospital associations organized under chapter 23-18, and providing for an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 9; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER		•	• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FRED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		•
• GODDMAN			• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD			• MAHER		•	• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

**MOTION**

Senator Maher moved the Senate request the return of Senate Concurrent Resolution No. 4065 from the Committee on Natural Resources, which motion prevailed.

Senator Maher requested the unanimous consent of the Senate to withdraw Senate Concurrent Resolution No. 4065. There being no objection, the request was granted.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1546.** A Bill for an Act to provide for the licensure of audiologists and speech pathologists, and providing a penalty.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 947 & 948), the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NOTHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1566.** 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 persons permitted to enter or remain on licensed premises while alcoholic beverages are being sold.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 948), the roll was called and there were ayes, 46; nays, 4; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Lips moved that House Bill 1101 be returned to the Senate from the Committee on Appropriations, which motion prevailed.

**MESSAGES TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to return:  
 House Bill No. 1250  
 House Bill No. 1364  
 House Bill No. 1577  
 House Concurrent Resolution No. 3039  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:  
 House Bill No. 1458  
 House Bill No. 1482  
 Which the Senate amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:  
 House Bill No. 1246  
 House Bill No. 1327

House Bill No. 1378  
 House Bill No. 1459  
 House Bill No. 1539  
 House Concurrent Resolution No. 3018  
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2012, 2040, 2236, refused to concur in the House amendment to Senate Bill No. 2111 and the President has appointed as a conference committee to act with a like committee from the House:

Senator C. Schultz  
 Senator Thane  
 Senator Erdman

Very respectfully,  
 LEO LEIDHOLM, Secretary of Senate

MESSAGES FROM THE HOUSE

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. 2009, 2167, 2173, 2245, 2432 and Senate Concurrent Resolution No. 4034.

Senate Bill No. 2009  
 Rep. Christensen  
 Rep. Laske  
 Rep. Mertens

Senate Bill No. 2167  
 Rep. Rau  
 Rep. Tennefos  
 Rep. Halmrast

Senate Bill No. 2173  
 Rep. E. Metzger  
 Rep. Lang  
 Rep. Miller

Senate Bill No. 2245  
 Rep. Farrington  
 Rep. Larson  
 Rep. Meiers

Senate Bill No. 2432  
 Rep. Rued  
 Rep. Timm  
 Rep. Kristensen

Senate Concurrent Resolution No. 4034  
 Rep. Tennefos  
 Rep. Erickson  
 Rep. R. Metzger

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2034  
 Senate Bill No. 2097  
 Senate Bill No. 2100  
 Senate Bill No. 2226



Senate Bill No. 2436  
Senate Bill No. 2460  
Senate Bill No. 2467

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1171.

Very respectfully,

ROY GILBREATH, Chief Clerk

Senator Nething moved that after the reading of Senate Concurrent Resolution No. 4072, House Bills 1006, 1043, 1046, 1101, 1147, 1170, 1176, 1222, 1232, 1239, 1298, 1305, 1407, 1460, 1464, 1518, 1549, 1578, 1609 and House Concurrent Resolutions Nos. 3044, 3085 and 3087, that the Senate recess until 1:00 P.M., March 13, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



FORTY-SEVENTH DAY AFTER RECESS  
AND FORTY-EIGHTH DAY

Bismarck, March 13, 1975

The Senate convened at 1:00 P.M., pursuant to recess taken, the President presiding.

## CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to Senate Concurrent Resolution No. 4062, House Bills Nos. 1075, 1148, 1189, 1224, 1359, 1440, 1509, 1591 and House Concurrent Resolution No. 3033 be dispensed with, which motion prevailed.

Senator Jacobson moved that the amendments to Senate Concurrent Resolution No. 4062 as recommended by the Committee on Natural Resources as printed on pages 1028 and 1029 of the Senate Journal be adopted, and Senate Concurrent Resolution No. 4062 be re-referred to the Legislative Council Resolutions Committee, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1075 as recommended by the Committee on Finance and Taxation as printed on page 1029 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1148 as recommended by the Committee on Appropriations as printed on page 1029 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1189 as recommended by the Committee on Appropriations as printed on pages 1029 and 1030 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1224 as recommended by the Committee on Finance and Taxation as printed on pages 1030 and 1031 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to House Bill No. 1359 as recommended by the Committee on Natural Resources as printed on page 1032 of the Senate Journal be adopted, which motion prevailed.

Senator Nasset moved that the amendments to House Bill No. 1440 as recommended by the Committee on Education as printed on pages 1032-1037 of the Senate Journal be adopted, which motion prevailed.

Senator J. Schultz moved that the amendments to House Bill No. 1509 as recommended by the Committee on Political Subdivisions as printed on page 1038 of the Senate Journal be adopted, which motion prevailed.

Senator Stroup moved that the amendments to House Bill No. 1591 as recommended by the Committee on Finance and Taxation as printed on pages 1038 and 1039 of the Senate Journal be adopted, which motion prevailed.

Senator Jacobson moved that the amendments to House Concurrent Resolution No. 3033 as recommended by the Committee on Natural Resources as printed on pages 1039 and 1040 of the Senate Journal be adopted, which motion prevailed.

## MOTION

Senator Lips moved that the committee report for Indefinite Post-

ponement on House Bill 1058 be laid over one legislative day, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Stroup moved that the Committee Report on House Bill No. 1124, as printed on page 1029 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1124, the roll was called and there were 43, ayes; 5, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAN			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and House Bill No. 1124 was indefinitely postponed.

Senator Stroup moved that the Committee Report on House Bill No. 1191, as printed on page 1030 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1191, the roll was called and there were 44, ayes; 4, nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAN			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and House Bill No. 1191 was indefinitely postponed.

Senator Stroup moved that the Committee Report on House Bill No. 1247, as printed on page 1031 of the Senate Journal be adopted.

Senator Shablow moved that the committee report for Indefinite Postponement on House Bill No. 1247 be laid over one legislative day, which motion lost.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1247, the roll was called and there were 32, ayes; 18, nays; absent and not voting, 1.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE																																																																																																																																			
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE			REGULAR SESSION			ROLL CALL						1975 LEGISLATURE																																																																																																																																
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS																																																																																																																																				
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW			• BERUBE		•	• JACOBSON		• NASSET		• SMYKOWSKI			• CHRISTENSEN, H. #5		•	• JONES		• NETHING		• SOLBERG			• CHRISTENSEN, L. #3		•	• KAUTZMANN		• PYLE		• STRAND			• CONLIN		•	• LARSON		•	• RAIT		•	• STRINDEN			• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		•	• STROUP			• FREED		•	• LEE		•	• REITEN		•	• THANE			• FRITZELL		•	• LIPS		•	• RINGSAK		•	• TWETEN			• GOODMAN		•	• LONGMIRE		•	• SANDS		•	• VOSPER			• GRONHOVD		•	• MAHER		•	• SANDNESS		•	• WALSH			• HOFFNER		•	• MELLAND		•	• SCHULTZ, C. #14		•	• WENSTROM			• HOLAND		•	• MORGAN		•	• SCHULTZ, J. #32		•	• WRIGHT			• HOMUTH		•	• MUTCH		•	• SCHUSTER		•	• MR. PRESIDENT		

The motion prevailed, and House Bill No. 1247 was indefinitely postponed.

Senator Stroup moved that the Committee Report on House Bill No. 1310, as printed on pages 1031 & 1032 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1310, the roll was called and there were 50, ayes; 1, nay; absent and not voting, 0.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE																																																																																																																																			
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE			REGULAR SESSION			ROLL CALL						1975 LEGISLATURE																																																																																																																																
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS																																																																																																																																				
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The motion prevailed, and House Bill No. 1310 was indefinitely postponed.

Senator Ringsak moved that the Committee Report on House Bill No. 1443, as printed on page 1038 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1443, the roll was called and there were 37, ayes; 14, nays; absent and not voting, 0.

REGULAR SESSION									NORTH DAKOTA SENATE									1975 LEGISLATURE																																																																																																																																			
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE			REGULAR SESSION			ROLL CALL						1975 LEGISLATURE																																																																																																																																
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The motion prevailed, and House Bill No. 1443 was indefinitely postponed.

Explanation of Vote

Senator Barth:

Mr. President: I'm rather baffled as to what really the thinking of this body is and I would like to explain my vote. I voted for this bill hoping to keep it alive. I do realize there are ramifications in the bill and I believe in the concept but I can't for the life of me imagine that this body, just a few weeks ago passed out a bill which would have created a Department of Natural Resources — it was called an umbrella thing as this is. We passed this bill to the House, the House killed it. The same person in the House worked so hard to kill the Department of Natural Resources introduces a bill that is just the same or basically is the reorganization of government in the Department of Human Services, brings it back and the Senate kills it. I can't imagine what the thinking is. It is inconsistent and I don't know what's going on. I do think that we need to re-evaluate our thinking and I think we ought to straighten it out because something is wrong.

Response

Senator Nething:

Mr. President: If I may respond to the question, I think we made a mistake on the first bill.

PERSONAL PRIVILEGE

Senator Homuth: Mr. President, I rise on a point of personal privilege.

Mr. President, ladies and gentlemen of the Senate, I'm not up here to do a sour grapes thing, but I think I have good news for those of you who yesterday got up to say that you supported the concept of House Bill 1527 but had some problems with the funding. A little judicious poking around in the Congressional Record and the Federal Register and a call to the FHA office in Minneapolis has brought forth good news, that there are two pieces of legislation currently introduced in the Congress. One in the House and one in the Senate. I don't presently have the numbers but I'll be happy to supply you with them which deal with FHA funding of solar energy projects. I'm sure that those of you who very carefully protected the Bank of North Dakota from this financial problem yesterday will be happy to hear that and will want to take this opportunity to write to your congressman and senators supporting those pieces of legislation. Unfortunately, it's another example of the Federal government taking that kind of power away from the states, but I guess we all know how that happens.

MOTION

Senator Melland moved that the committee report for Indefinite Postponement on House Bill No. 1468 be laid over one legislative day, which motion prevailed.

Senator Lips moved that the Committee Report on House Bill No. 1567, as printed on page 1038 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1567, the roll was called and there were 38, ayes; 11, nays; absent and not voting, 2.

REGULAR SESSION			NORTH DAKOTA SENATE			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
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• CONLIN		• LARSON		• RAIT		• STRINDEN
• ERDMAN	•	• LASHKOWITZ		• REDLIN		• STROUP
• FREED		• LEE		• REITEN		• THANE
• FRITZELL		• LIPS		• RINGSACK		• TWETEN
• GOODMAN		• LONGMIRE		• SANDS		• VOSPER
• GRONHOVD	•	• MAHER	•	• SANDNESS		• WALSH
• HOFFNER		• MELLAND		• SCHULTZ, C. #14		• WENSTROM
• HOLLAND	•	• MORGAN		• SCHULTZ, J. #37		• WRIGHT
• HOMUTH	•	• MUTCH		• SCHUSTER		MR. PRESIDENT

The motion prevailed, and House Bill No. 1567 was indefinitely postponed.

REPORTS 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 1, line 22 of the engrossed bill, delete the numerals "26,873,186" and insert in lieu thereof the numerals "26,959,286"

On page 1, line 23 of the engrossed bill, delete the numerals "3,156,818" and insert in lieu thereof the numerals "3,162,698"

On page 1, line 24 of the engrossed bill, delete the numerals "3,207,290" and insert in lieu thereof the numerals "3,209,590"

On page 2, line 1 of the engrossed bill, delete the numerals "958,722" and insert in lieu thereof the numerals "964,962"

On page 2, line 2 of the engrossed bill, delete the numerals "34,196,016" and insert in lieu thereof the numerals "34,296,536"

On page 2, line 3 of the engrossed bill, delete the numerals "8,085,330" and insert in lieu thereof the numerals "6,571,076"

On page 2, line 4 of the engrossed bill, delete the numerals "26,110,686" and insert in lieu thereof the numerals "27,725,460"

On page 2, line 5 of the engrossed bill, delete the numerals "2,113,000" and insert in lieu thereof the numerals "2,263,000"

On page 2, line 6 of the engrossed bill, delete the numerals "28,223,686" and insert in lieu thereof the numerals "29,988,460"

On page 2 of the engrossed bill, after line 11, insert the following line:  
"Contingency — Accreditation 500,000"

On page 2, line 13 of the engrossed bill, delete the numerals "8,692,317" and insert in lieu thereof the numerals "9,192,317"

On page 2, line 14 of the engrossed bill, delete the numerals "2,862,307" and insert in lieu thereof the numerals "3,422,307"

On page 2, line 15 of the engrossed bill, delete the numerals "5,830,010" and insert in lieu thereof the numerals "5,770,010"

On page 2, line 23 of the engrossed bill, delete the numerals "7,230,315" and insert in lieu thereof the numerals "6,148,809"

On page 2, line 24 of the engrossed bill, delete the numerals "21,620,956" and insert in lieu thereof the numerals "22,702,462"

On page 2, line 25 of the engrossed bill, delete the numerals and the line "1,671,900" and insert in lieu thereof the numerals "1,671,900"

On page 2 of the engrossed bill, after line 25, insert the following line:  
"Library addition and fieldhouse parking lot 3,000,000"

On page 2, line 26 of the engrossed bill, delete the numerals "23,292,856" and insert in lieu thereof the numerals "27,374,362"

On page 2, line 34 of the engrossed bill, delete the numerals "377,090" and insert in lieu thereof the numerals "326,957"

On page 2, line 35 of the engrossed bill, delete the numerals "1,128,172" and insert in lieu thereof the numerals "1,178,305"

On page 3, line 3 of the engrossed bill, delete the numerals "1,159,672" and insert in lieu thereof the numerals "1,209,805"

On page 3, line 16 of the engrossed bill, delete the numerals "1,771,254" and insert in lieu thereof the numerals "1,821,387"

On page 3, line 18 of the engrossed bill, delete the numerals "648,490" and insert in lieu thereof the numerals "598,357"

On page 3, line 25 of the engrossed bill, delete the numerals "2,889,875" and insert in lieu thereof the numerals "2,422,793"

On page 3, line 26 of the engrossed bill, delete the numerals "8,587,790" and insert in lieu thereof the numerals "9,054,872"

On page 3, line 27 of the engrossed bill, delete the numerals and the line "537,995" and insert in lieu thereof the numerals "537,995"

On page 3 of the engrossed bill, after line 27, insert the following line:

"Physical education activities center 3,000,000"

On page 3, line 28 of the engrossed bill, delete the numerals "9,125,785" and insert in lieu thereof the numerals "12,592,867"

On page 4, line 1 of the engrossed bill, delete the numerals "1,001,671" and insert in lieu thereof the numerals "916,204"

On page 4, line 2 of the engrossed bill, delete the numerals "3,584,059" and insert in lieu thereof the numerals "3,669,526"

On page 4, line 4 of the engrossed bill, delete the numerals "3,816,259" and insert in lieu thereof the numerals "3,901,726"

On page 4, line 11 of the engrossed bill, delete the numerals "2,004,720" and insert in lieu thereof the numerals "1,839,410"

On page 4, line 12 of the engrossed bill, delete the numerals "6,413,249" and insert in lieu thereof the numerals "6,578,559"

On page 4, line 13 of the engrossed bill, delete the numerals and line "581,000" and insert in lieu thereof the numerals "581,000"

On page 4 of the engrossed bill, following line 13, insert the following line:

"Sciences and allied health building 200,000"

On page 4, line 14 of the engrossed bill, delete the numerals "6,994,249" and insert in lieu thereof the numerals "7,359,559"

On page 4, line 22 of the engrossed bill, delete the numerals "603,110" and insert in lieu thereof the numerals "539,835"

On page 4, line 23 of the engrossed bill, delete the numerals "2,578,814" and insert in lieu thereof the numerals "2,642,089"

On page 4, line 24 of the engrossed bill, delete the numerals "188,871" and insert in lieu thereof the numerals "203,871"

On page 4, line 25 of the engrossed bill, delete the numerals "2,767,685" and insert in lieu thereof the numerals "2,845,960"

On page 4, line 33 of the engrossed bill, delete the numerals "740,900" and insert in lieu thereof the numerals "663,722"

On page 4, line 34 of the engrossed bill, delete the numerals "3,620,211" and insert in lieu thereof the numerals "3,697,389"

On page 5, line 1 of the engrossed bill, delete the numerals "3,836,711" and insert in lieu thereof the numerals "3,913,889"

On page 5, line 23 of the engrossed bill, delete the numerals "85,780,213" and insert in lieu thereof the numerals "95,689,938"

On page 5, line 24 of the engrossed bill, delete the numerals "33,955,396" and insert in lieu thereof the numerals "31,011,191"

On page 5, line 25 of the engrossed bill, delete the numerals "119,735,609" and insert in lieu thereof the numerals "126,701,129"

On page 7 of the engrossed bill after line 14, insert the following new sections:

"SECTION 7. APPROPRIATION.) It is the intent of the legislative assembly that the \$3,000,000 of state general fund moneys appropriated to North Dakota state university for construction of a library addition and fieldhouse parking lot be expended only for such purposes. In addition to the appropriations and authorizations approved by this Act, there is hereby appropriated to North Dakota state university for the construction of a fine arts center and for completion of the library addition



any moneys received from private or federal sources designated for such purposes for the biennium beginning July 1, 1975, and ending June 30, 1977. No state general fund moneys shall be expended for the construction of the fine arts center during the biennium beginning July 1, 1975, and ending June 30, 1977.

SECTION 8. APPROPRIATION.) There is hereby appropriated to the board of higher education out of any unappropriated funds in the general fund in the state treasury the sum of \$640,000, or so much thereof as may be necessary, for the biennium beginning July 1, 1975, and ending June 30, 1977, for the purpose of installing power plant emission control systems at the university of North Dakota and North Dakota state university and for conversion to fuel for heating purposes at North Dakota state university-Bottineau branch. The amounts to be allocated to the institutions shall be as follows:

University of North Dakota	\$350,000
North Dakota state university	\$270,000
North Dakota state university-Bottineau branch	\$ 20,000

SECTION 9. UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER.) The line item entitled "contingency accreditation — \$500,000" included within the university of North Dakota medical center appropriation in section I of this Act may be used upon approval of the board of higher education to comply with unforeseen needs in meeting accreditation requirements."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

#### STATEMENT OF PURPOSE OF AMENDMENT:

The estimated income at the various institutions was adjusted to reflect tuition increases of \$36 at the state colleges and \$48 at the universities for undergraduate students, as well as increases for graduate students, law students, and medical students. The estimated income was also adjusted to reflect the Board of Higher Education reciprocity agreement with Minnesota and for the change in residency requirements for out-of-state students.

The University of North Dakota appropriation for major improvements was increased \$150,000 for renovation of Babcock Hall, Budge Hall, and the Old Science Building.

The University of North Dakota appropriation was also increased \$100,520 for the Indian Studies Program.

A line item for \$3,000,000 was added to the North Dakota State University appropriation for construction of a library addition and a fieldhouse parking lot. In addition, a section was added authorizing North Dakota State University to spend private and federal moneys for construction of a fine arts center and for completion of the library addition.

A contingency fund of \$500,000 was added to the medical center appropriation to be used for meeting accreditation requirements. Estimated income was also increased by this amount to reflect the amount of money available for this purpose.

A line item of \$3,000,000 was added to the State School of Science appropriation for construction of physical education activities center. This general fund appropriation was originally approved by the House of Representatives in H.B. 1468 as an appropriation to the college building fund.

A line item of \$200,000 was added to the Minot State College appropriation for completion of the sciences and allied health building. This general fund appropriation was also approved by the House of Representatives in H.B. 1468 as an appropriation to the college building fund.

The Mayville State College appropriation for major improvements was increased \$15,000 for construction of a parking lot.

Funds in the amount of \$640,000, as recommended in the executive budget, in order to comply with environmental laws, were appropriated to the Board of Higher Education for installing power plant emission controls at the University of North Dakota and North Dakota State University and for conversion to fuel for heating purposes at NDSU-Bottineau Branch. It is the intent of the Legislative Assembly that state institutions comply with the Air Quality Standards Act, and that the State Health Department grant extensions in complying with such Act so long as the plant equipment at the institutions is functional; however, when present equipment needs to be replaced, it is the intent of the Legislative Assembly that such improvements be in compliance with such Act.

Except as otherwise provided by law, it is the intent of the Legislative Assembly that plant improvements at the institutions of higher education be made within the limits of legislative appropriations at the discretion of the Board of Higher Education and the administration of the institutions.

SENATOR LIPS, Chairman

House Bill No. 1001 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1002 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1002 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1003 has had the same under consideration and recommends that the same be amended as follows:

On page 2, of the engrossed bill, one line 3 delete the figure "148,403" and insert in lieu thereof the figure "156,947"

On page 2, line 7, delete the figure "190,606" and insert in lieu thereof the figure "199,150"

On page 2, line 11, delete the figure "33,214" and insert in lieu thereof the figure "48,214"

On page 2, line 14, delete the figure "95,850" and insert in lieu thereof the figure "110,850"

On page 2, line 31, delete the figure "1,085,290" and insert in lieu thereof the figure "1,145,290"

On page 2, line 32, delete the figure "1,350,377" and insert in lieu thereof the figure "1,410,377"

On page 2, line 33, delete the figure "879,817" and insert in lieu thereof the figure "963,361"

On page 2, line 35, delete the figure "2,725,194" and insert in lieu thereof the figure "2,808,738"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To provide state funding in the office of economic opportunity for matching federal funds for local community programs; to allow for salary adjustment for the director of the department of veteran affairs to bring him to his level of classification; and to provide additional funding in fees and services to the council on human resources to assure adequate programs for the committees on aging, handicapped, youth and status of women.

SENATOR LIPS, Chairman

House Bill No. 1003 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1004 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 9 of the engrossed bill, after the word "fund" insert the words "and special funds"

On page 2, line 32 of the engrossed bill, delete all words after the word "any" and insert in lieu thereof the following: "moneys in the special fund created pursuant to the provisions of this Act, and out of such trust fund as may be created for the receipt of coal severance taxes, not otherwise appropriated, to the legislative Council, the sum of \$2 million, or so much thereof as may be necessary, and such other federal and private funds as may be available"

On page 2 of the engrossed bill, delete lines 33 and 34

On page 4 of the engrossed bill, after line 4, insert the following new section:

"SECTION 5. TEMPORARY TRANSFER.) Upon the directive of the chairman of the legislative council, the director of the department of accounts and purchases shall transfer up to \$900,000 from the general fund in the state treasury to a special coal research fund which shall be created upon the passage of this Act, with the balance remaining in such fund being transferred, upon the effective date of Senate Bill No. 2031, or such other Act creating a trust fund from a coal severance tax as may be approved by the legislative assembly, to such special trust fund as may be created for coal severance tax moneys. No later than June 30, 1977, the sum of \$900,000, or such lesser amounts as may have been transferred pursuant to the provisions of this Act, shall be returned and transferred to the general fund from any coal severance tax special trust fund approved by the legislative assembly.

All income from charges and fees to private sources for material developed by the North Dakota regional environmental assessment program shall be placed in the trust fund created by Senate Bill No. 2031 or such other Acts as may be approved by the legislative assembly establishing a special trust fund from the coal severance tax, until the sum of \$2 million has been placed in such fund from charges and fees."

And renumber the lines and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To provide that severance tax on coal provide the funding for the legislative council REAP program.

SENATOR LIPS, Chairman

House Bill No. 1004 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1007 has had the same under consideration and recommends that the same be amended as follows:

On page 2 of the engrossed bill, after line 30, add the following:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislature that the increase in personnel in the appropriation to the highway patrol will allow sufficient personnel to carry out the provisions of the random motor vehicle inspection act contained in Senate Bill No. 2070."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1007 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1010 has had the same under consideration and recommends that the same be amended as follows:

On page 2, line 11 of the engrossed bill, delete the numerals "13,281,974" and insert in lieu thereof the numerals "13,181,974"

On page 2 of the engrossed bill, after line 11 insert the following line:  
 "Patient labor — if necessary to meet minimum federal wage stan-  
 dards 200,000"

On page 2 of the engrossed bill, delete line 16

On page 2, line 17 of the engrossed bill, delete the numerals "621,000" and insert in lieu thereof the numerals "891,000"

On page 2, line 19 of the engrossed bill, delete the numerals "18,368,069" and insert in lieu thereof the numerals "17,238,069"

On page 2, line 21 of the engrossed bill, delete the numerals "13,338,069" and insert in lieu thereof the numerals "12,208,069"

On page 2, line 29 of the engrossed bill, delete the numerals "983,658" and insert in lieu thereof the numerals "883,658"

On page 2, line 30 of the engrossed bill, delete the numerals "72,259" and insert in lieu thereof the numerals "172,259"

On page 3, line 2 of the engrossed bill, delete the numerals "17,396,529" and insert in lieu thereof the numerals "16,341,529"

On page 3, line 3 of the engrossed bill, delete the numerals "16,009,211" and insert in lieu thereof the numerals "15,909,211"

On page 3, line 4 of the engrossed bill, delete the numerals "33,405,740" and insert in lieu thereof the numerals "32,250,740"

On page 3, line 7 of the engrossed bill, delete the numerals "1,668,483" and insert in lieu thereof the numerals "1,643,483"

On page 3, line 13 of the engrossed bill, after the word "units" insert the following: "established under the provisions of chapter 25-12"

On page 3, line 14 of the engrossed bill, delete the words "created in accordance with law" and insert in lieu thereof the following: "established under the provisions of section 54-40-09"

On page 3, after line 15 of the engrossed bill, insert the following:	
"Human service centers	\$ 562,483
Mental health and retardation centers	<u>1,081,000</u>
Total	\$1,643,483

On page 3 of the engrossed bill, delete all remaining lines after line 15

On page 4 of the engrossed bill, after line 21, insert the following new section:

"SECTION 6. SECURITY UNIT.) The state health department and the state hospital are hereby authorized to investigate the feasibility of entering into a joint project with Stutsman County and the city of Jamestown for the construction of a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown."

And renumber the lines and pages accordingly.

#### STATEMENT OF PURPOSE OF AMENDMENT:

A \$200,000 line item for patient labor salaries was inserted to allow the state hospital to pay the federal minimum wage to patient labor in the event that patient labor is not exempted from the Federal Fair Labor Standards Act. Salaries and wages were reduced \$100,000 for the amount of patient labor salaries that were included in salaries and wages.

The funds for a maximum security building were deleted and a new section was added to the bill authorizing the health department and the state hospital to study the possibility of a joint construction project with Stutsman County and the city of Jamestown for a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown.

The improvements appropriation for the state hospital was increased \$270,000 for the installation of protective screens in five ward buildings.

The estimated income in the appropriation to the South Central Mental Health Center was adjusted to reflect a revised federal matching formula.

Moneys for mental health and retardation centers and human service centers were consolidated into allocations to mental health and retar-

dation centers and human service centers. The human service centers are the Human Services Center, Devils Lake; the Badlands Human Service Center, Dickinson, and the Northwest Human Resource Center, Williston. Moneys for the Heart of America Human Services Center, Rugby, were deleted from the engrossed bill. It is the intent of the Legislative Assembly that the North Central Mental Health and Retardation Center, Minot, cooperate with such center in providing mental health services.

And when so amended recommends the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1010 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1012 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, after line 20, add the following: "SOCIAL SERVICE BOARD"

On page 2, line 25, delete the figure "5,244,988" and insert in lieu thereof the figure "5,244,988"

On page 2, after line 25, add the following new line: "25A \$100,000 of general fund money to match \$400,000 federal funds for activities area of the sheltered workshops 500,000"

On page 2, line 26, delete the figure "9,583,005" and insert in lieu thereof the figure "10,083,005"

On page 2, line 27, delete the figure "8,407,803" and insert in lieu thereof the figure "8,807,803"

On page 2, line 28, delete the figure "1,175,202" and insert in lieu thereof the figure "1,275,202"

On page 2, line 29, delete the figure "39,454,088" and insert in lieu thereof the figure "39,554,088"

On page 2, line 30, delete the figure "76,228,481" and insert in lieu thereof the figure "76,628,481"

On page 2, line 31, delete the figure "115,682,569" and insert in lieu thereof the figure "116,182,569"

On page 4, delete all of lines 19 through 35

On page 5, delete all of lines 1 through 3

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To delete Section 7 so as to defer the starting of a new program for medically needy children, to provide state funding for matching with federal funding for an expanded program at the sheltered workshops, and to correct the title line.

SENATOR LIPS, Chairman

House Bill No. 1012 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1014 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 21, delete the figure "457,486" and insert in lieu thereof the figure "486,008"

On page 2, line 2, delete the figure "9,507,335" and insert in lieu thereof the figure "9,535,857"

On page 2, line 4, delete the figure "286,735" and insert in lieu thereof the figure "315,257"

On page 2, line 12, delete the figure "122,999" and insert in lieu thereof the figure "74,800"

On page 2, line 13, delete the figure "83,588" and insert in lieu thereof the figure "131,787"

On page 2, line 14, delete the figure "370,323" and insert in lieu thereof the figure "447,044"

On page 2, line 15, delete the figure "9,343,599" and insert in lieu thereof the figure "9,295,400"

On page 2, line 16, delete the figure "9,713,922" and insert in lieu thereof the figure "9,742,444"

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To correct an error in the salary item of the law enforcement council budget; and in the fire marshal budget, the intent is to properly reflect the actual amount of federal dollars which will be received in the next biennium, resulting in an increase from the general fund of \$48,199.

SENATOR LIPS, Chairman

House Bill No. 1014 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1015 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 3, before the period insert the following: "; authorizing certain action by the state laboratories department; and declaring an emergency"

On page 2 of the engrossed bill, delete lines 18 through 22

On page 2 of the engrossed bill, line 23, delete the numerals "1,556,978", and insert the numerals "1,549,378" in lieu thereof

On page 2 of the engrossed bill, line 25, delete the numerals "1,855,579", and insert the numerals "1,847,979" in lieu thereof

On page 2 of the engrossed bill, after line 25, insert the following new sections:

"SECTION 2. RELOCATION OF STATE LABORATORIES DEPARTMENT — UTILIZATION OF ADDITIONAL SPACE AVAILABLE.) The state laboratories department is directed to relocate its staff and facilities, presently housed in the Bank of North Dakota building, to the former dakota brewery building, located on the northwest corner of the intersection of main avenue and twenty-sixth street in Bismarck, owned by the Bank of North Dakota. The relocation shall take place in accordance with a timetable established by the state laboratories commission. The department is authorized to utilize twenty thousand square feet of the dakota brewery building, plus such additional square footage as may be deemed necessary by the state laboratories commission. The remaining space in the dakota brewery building shall be utilized for state government purposes, including records storage and management purposes by the secretary of state. Title to the building and the real property on which it is located shall, to the extent that such title is held by the Bank, be transferred by the Bank of North Dakota to the director of institutions, to be held for the purposes of this Act, and for such other purposes as may be determined by the legislative assembly.

SECTION 3. CONTINUATION OF EXISTING LAW.) Sections 5, 6, and 7 of chapter 36 of the 1973 Session Laws of the state of North Dakota are hereby specifically to be in full force and effect from and after the effective date of this Act, and until such time as the purposes for which bonds were issued and the revenues were appropriated are accomplished. The state laboratories commission is specifically authorized to utilize funds appropriated pursuant to section 5 of chapter 36 of the 1973 session laws of the state of North Dakota to remodel and make im-

provements to the dakota brewery building as necessary to allow its utilization, pursuant to this Act, by the state laboratories department."

On page 3 of the engrossed bill, after line 5, insert the following new section:

"SECTION 6. 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, sections, and lines accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

To provide a means to move the state laboratory from the bank of north dakota and provide for financing the remodeling of a new location as well as to provide for additional space for other state agencies.

To provide for deletion of appropriation to the state board of veterinary examiners who shall hereinafter handle their own funds.

SENATOR LIPS, Chairman

House Bill No. 1015 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1022 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1022 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1062 has had the same under consideration and recommends that the same be amended as follows:

On page 3 of the engrossed bill, line 5, delete the word "minerals" and insert in lieu thereof the word "coal"

On page 3, following line 7, insert the following new subsection " "Minerals" shall mean coal."

On page 4, line 23, after the word "land" insert a period and delete the remainder of the line.

On page 4, line 24, delete the words "in subsection 1."

On page 5, line 5, after the word "leases" insert the following words: "executed by the surface owners of such additional land"

On page 5, line 10, after the words "mineral owner" insert the words "or the mineral developer"

On page 5, line 11, after the word "mineral" delete the word "lessee" and insert in lieu thereof the word "developer"

On page 5, line 13, after the word "parties" and before the period, insert the following: "and the measure of damages to the surface owner"

On page 5, line 13, delete the word "Upon" and insert in lieu thereof the following: "At any time after the filing of any such action and either before or after the final decision of the district court, upon"

On page 5, line 21, following the period, insert the following:

"In the event the damages awarded by the court to the surface owner exceed the amount tendered or otherwise provided for, the court shall award to the surface owner reasonable attorney's fees in addition to any other sums determined to be due to him."

On page 5, line 23, after the number "1", delete the word "The" and insert in lieu thereof the following: "Unless the mineral lease, surface lease, or consent statement executed by the surface owner provides for payments to the surface owner, the"

And renumber the lines, sections, subsections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR JACOBSON, Chairman

House Bill No. 1062 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1064 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1064 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1065 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1065 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1077 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR JACOBSON, Chairman

House Bill No. 1077 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1113 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1113 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1120 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1120 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1138 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, line 11 after the word "sections" insert the numerals "26-07-02,"

On page 1, line 12 after the word "to" insert the words "the agency relationship of a person handling insurance and to"

On page 28 delete lines 29 through 34 and insert in lieu thereof the following new language:

"26-17.1-50. RESIDENT INSURANCE AGENT AND INSURANCE BROKER DEFINED.) As used in this chapter, the term resident insurance agent shall mean a resident of this state who is licensed as an insurance agent; and the term resident insurance broker shall mean a resident of this state who is licensed as an insurance broker.

26-17.1-51. FOREIGN INSURANCE AND SURETY COMPANIES POLICIES REQUIRED TO BE COUNTERSIGNED — EXCEPTIONS.) No foreign surety or insurance company other than a life insurance company, shall issue any surety bond or policy of insurance of any kind on any person, firm, or corporation, or on property within this state except through a resident insurance agent who is appointed by the insurer or resident insurance broker and licensed regularly to transact insurance business therein. The provisions of this chapter relating to resident insurance agents and resident insurance broker, however, shall not apply to:

1. Direct insurance covering the rolling stock of railroad corporations;
2. Direct insurance covering property in transit while the same is in the possession and custody of a railroad corporation or other common carrier;



3. Direct insurance covering movable property of railroads or other common carriers used or employed by them in their business as common carriers;

4. Insurance written or carried by the state of North Dakota;

5. Bid bonds issued by any surety company in connection with any public or private contract.

26-17-1.52. DUTIES, POWERS, AND RIGHTS OF RESIDENT INSURANCE AGENT AND RESIDENT INSURANCE BROKERS — (COMMISSIONS.) The resident insurance agent of a foreign surety company or insurance company or resident insurance broker shall:

1. Countersign all surety bonds and contracts of insurance issued by a company within this state with the exception of such as are mentioned in section 26-17.1-51;

2. Make a record of all surety bonds and contracts of insurance so countersigned by him in books provided for that purpose; and

3. Receive the customary and usual commission on all such bonds and contracts when the premium thereon has been paid.

26-17.1-53. FOREIGN COMPANY MAY ISSUE BONDS OR CONTRACTS AT PRINCIPAL OR DEPARTMENT OFFICE — PAYMENT OF COMMISSIONS.) No provision of this chapter shall prevent a foreign surety or insurance company mentioned herein, when authorized to transact business within this state, from issuing bonds or contracts of insurance at its principal or department office, covering any person, firm, or corporation, or any property in this state. Such bonds and contracts, when issued, shall be countersigned by a resident insurance agent or resident insurance broker, and on any bond or contract so written, except a life insurance policy, the resident insurance agent or resident insurance broker shall be paid the usual brokerage commission."

On page 28, line 35 delete the section number "26-17.1-51" and insert in lieu thereof the section number "26-17.1-54"

On page 29, line 22 delete the section number "26-17.1-52" and insert in lieu thereof the section number 26-17.1-55"

On page 29, line 26 delete the section number "26-17.1-53" and insert in lieu thereof the section number "26-17.1-56"

On page 30, line 2 after the word "sections" insert the number "26-07-02."

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1138 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1204 has had the same under consideration and recommends that the same do pass.

SENATOR RINGSACK, Chairman

House Bill No. 1204 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1214 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

House Bill No. 1214 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1221 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the words

"A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide a tax for a privilege tax on certain coal conversion plants, to provide that such tax shall be in lieu of certain other taxes, to provide for the administration and collection of such taxes, to provide powers and duties of the state tax commissioner, to provide for the allocation of revenues collected, and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DEFINITIONS.) As used in this Act:

1. "Gross receipts" means all revenue valued in money, whether received in money or otherwise, derived by a coal conversion facility subject to the provisions of this Act from the sale of products of a coal conversion facility;

2. "Coal conversion facility" means a plant, (except electric generating units of 250,000 kilowatts capability and less), together with all additions thereto, which processes or converts coal from its natural form into a form substantially different in chemical or physical properties, including but not limited to coal gasification, coal liquefaction, and the manufacture of fertilizer and other products;

3. "Commissioner" means the state tax commissioner; and

4. "Person" means any individual, estate, trust, corporation, cooperative corporation, or association.

SECTION 2. IMPOSITION OF TAXES — IN LIEU OF AD VALOREM TAXES.) Each coal conversion facility shall pay an annual tax for the privilege of operating such facility, which shall be computed and determined according to the following procedure:

Each year of operation of a coal conversion facility, the commissioner, on or before April fifteenth, shall levy a tax of two and one-half percent upon the gross receipts derived from the operation of such coal conversion facility for the preceding calendar year. The taxes levied by this section shall be in lieu of any ad valorem taxes upon personal property of a coal conversion facility the gross receipts of which have been subjected to such tax, and the procedures relating to the ad valorem method of levying property taxes shall not be applicable to the taxation of such coal conversion facility. The taxes imposed by this Act shall also be in lieu of the taxes imposed by chapters 57-33 and 57-33.1 for cooperative electrical generating plants.

SECTION 3. REPORT.) Each coal conversion facility annually on or before April first in each year shall file a report with the commissioner in such form and containing such information as the commissioner may prescribe and demand. Such report shall state the total amount of gross receipts derived by such coal conversion facility during the preceding calendar year.

SECTION 4. NOTIFICATION OF TAX LIABILITY — APPEAL TO COMMISSIONER.) On or before May first of each year, the commissioner shall notify in writing each coal conversion facility to be taxed under the provisions of this Act of the amount of tax imposed. Any person aggrieved by the amount of tax levied against any facility may make application in writing within fifteen days of notification to the commissioner for an abatement hearing which shall be granted not later than fifteen days after the receipt of the application. The commissioner may grant or reject in whole or in part any plea for abatement and upon conclusion of the hearing shall proceed to make a final levy against the applicant.

SECTION 5. DATE WHEN TAXES DUE — PAYABLE TO COMMISSIONER — PENALTIES.) The taxes levied under the provisions of this Act shall become due and payable to the commissioner on the fifteenth day of June following the year in which such taxes were levied.

Such taxes shall become delinquent on the first day of July following, and, if not paid on or before such date, shall be subject to a penalty of one percent, and on August first following an additional penalty of one percent, and on September first following an additional penalty of one percent, and for every month thereafter of the year in which taxes are due and payable, an additional penalty of two percent shall be levied. From and after January first of the year following the year in which the taxes become due and payable, simple interest at the rate of seven percent per annum upon the principal of the unpaid taxes shall be charged until such taxes and penalties are paid, with such interest charges to be prorated to the nearest full month for a fractional year of delinquency.

SECTION 6. LIEN FOR TAX.) The tax herein provided for shall, at all times, be and constitute a first and paramount lien in favor of the state of North Dakota upon all property and rights to property, whether real or personal, belonging to the taxpayer, and such lien may be foreclosed in the same manner provided for mortgages on real or personal property.

SECTION 7. MONEYS TO BE DEPOSITED WITH STATE TREASURER.) It shall be the duty of the commissioner to immediately deposit with the state treasurer all moneys collected by him under this Act and to accompany each remittance with the necessary information to allow the state treasurer to allocate the moneys received as provided by this Act.

SECTION 8. ALLOCATION OF REVENUE.) The state treasurer, on or before July fifteenth of each year, shall allocate all moneys received pursuant to the provisions of this Act in the following manner:

1. The first fifty thousand dollars of annual revenue received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated one hundred percent to the county.

2. The second fifty thousand dollars of annual revenue received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated fifty percent to the county and fifty percent to the state general fund.

3. All annual revenue in excess of one hundred thousand dollars but not in excess of five hundred thousand dollars received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated twenty-five percent to the county and seventy-five percent to the state general fund.

4. All annual revenue in excess of five hundred thousand dollars but not in excess of one million dollars received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated fifteen percent to the county and eighty-five percent to the state general fund.

5. All annual revenue in excess of one million dollars received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated ten percent to the county and ninety percent to the state general fund.

SECTION 9. DUTY OF COUNTY TREASURER — ALLOCATION TO POLITICAL SUBDIVISIONS.) Moneys received by counties under the provisions of section 8 shall be apportioned as follows:

1. Fifteen percent of all revenues allocated to any county shall be paid by the county treasurer to the incorporated cities of the county based upon the population of each incorporated city according to the last official decennial federal census;

2. Forty percent of the revenues allocated to any county shall be deposited by the county treasurer in the county general fund to be used for general governmental purposes; and

3. Forty-five percent of all revenues allocated to any county shall be apportioned by the county treasurer to school districts within the county

on the average daily attendance distribution basis, as certified to him by the county superintendent of schools.

**SECTION 10. RULES AND REGULATIONS — BOND — REPORTS — ACTIONS.)** The commissioner is hereby authorized and empowered to prescribe and promulgate all necessary rules and regulations for the purpose of making and filing of all reports required hereunder and otherwise necessary to the enforcement of this Act, and may, at his option and discretion, require a sufficient bond from any coal conversion facility charged with the making and filing of reports and the payment of the taxes herein imposed, and said bond shall run to the state of North Dakota and shall be conditioned upon the making and filing of reports as required by law or regulation, and for the prompt payment of the principal therein, of all taxes justly due the state by virtue of the provisions of this Act. When any reports required have not been filed, or may be insufficient to furnish all the information required by the commissioner, he may institute any necessary action or proceedings in the courts having jurisdiction to enjoin such person from continuing operations until such reports have been filed as required, and in all proper cases, injunction shall issue without bond from the state of North Dakota. Upon showing that the state is in danger of losing its claims or the property is mismanaged, dissipated, or concealed, a receiver shall be appointed at the suit of the state.

**SECTION 11. APPEALS FROM DECISION OF COMMISSIONER.)** Any person aggrieved because of any action or decision of the commissioner under the provisions of this Act may appeal therefrom to the district court of Burleigh County in accordance with the provisions of chapter 28-32.

**SECTION 12. PENALTY.)** Any person who willfully fails to comply with the provisions of this Act or who willfully delivers or makes a false statement of a material fact to the commissioner is guilty of a class A misdemeanor."

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1221 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Transportation to whom was referred House Bill No. 1323 has had the same under consideration and recommends that the same be amended as follows:

On page 3, line 20, insert beginning triple parentheses following the period

On page 3, line 23, delete the beginning triple parentheses

On page 3, line 25, delete the ending triple parentheses and delete the underscored word "amount"

On page 3, line 26, delete the beginning triple parentheses following the first word "the" and delete the ending triple parentheses following the word "under"

On page 3, line 27, delete the underscored words "formula provided in"

On page 3, line 28, delete the beginning and ending triple parentheses around the word "for" and delete the underscored words "shall be applied to"

On page 3, line 30, delete the underscored words "and the total amount so computed"

On page 3, line 35, insert ending triple parentheses following the period and insert the following: "The share to each city in the county having a population of five thousand or more shall be determined by multiplying the population of that city by the state-wide per capita average for all cities as computed under subdivision a."

And renumber the lines, sections, subsections and pages accordingly.  
And when so amended recommends the same do pass.

SENATOR MUTCH, Chairman

House Bill No. 1323 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1328 has had the same under consideration and recommends that the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1328 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1348 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

House Bill No. 1348 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Judiciary to whom was referred House Bill No. 1386 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR FREED, Chairman

House Bill No. 1386 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1397 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1397 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1405 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

House Bill No. 1405 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1413 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL", and delete the remainder of the bill and insert in lieu thereof the following:

"for an Act to create and enact a new subsection to section 11-10-10 of the North Dakota Century Code, relating to the salaries of county officials; and to create and enact a new paragraph to section 11-10-10.2 of the North Dakota Century Code, relating to the salary of the clerk of the district court; and to create and enact a new subsection to section 11-15-03.1 of the North Dakota Century Code, relating to the salary of the county sheriff.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. A new subsection to section 11-10-10 of the North Dakota Century Code is hereby created and enacted to read as follows:

On July 1, 1975, the salary of the county auditor, the county treasurer, the county superintendent of schools, the register of deeds, the county judge and the states attorney shall be increased eight percent. This subsection shall not apply to county commissioners.

SECTION 2. A new subsection to section 11-10-10.2 of the North Dakota

Century Code is hereby created and enacted to read as follows:

On July 1, 1975, the salary of the clerk of district court shall be increased by eight percent.

SECTION 3. A new subsection to section 11-15-03.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

On July 1, 1975, the salary of the county sheriff shall be increased by eight percent.

And renumber the lines, pages, and sections accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1413 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1465 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1465 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1478 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1478 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1506 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1506 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1514 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1514 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1515 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1515 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Finance & Taxation to whom was referred House Bill No. 1519 has had the same under consideration and recommends that the same be amended as follows:

On page 1 of the engrossed bill, delete lines 1 through 3 and insert in lieu thereof the following:

"A BILL for an Act to provide for the preferential assessment of agricultural land; to provide for the dual assessment of agricultural lands; to provide for the reclassification of agricultural lands if there is a change in use; to amend and reenact section 40-51.2-06, subsection 3 of section 40-51.2-07, and sections 40-51.2-16 and 57-02-27 of the North Dakota Century Code, relating to the continued classification as agricultural lands for tax purposes of agricultural areas annexed to cities."

On page 2, line 32, delete the following "The"

On page 2, delete lines 33 through 35

On page 3, delete lines 1 through 9 and insert in lieu thereof the following:

"and, if the property qualifies under the provisions of this Act, such preferential assessment shall be granted. The county director of tax equalization may require proof by affidavit or otherwise that the property qualifies pursuant to this Act. Any application filed and granted pursuant to this Act shall continue in effect for subsequent years until the property no longer qualifies. The decisions of the county director of tax equalization shall be subject to correction, abatement, and appeal in the manner provided by law for other assessments.

**SECTION 5. CHANGE IN OWNERSHIP OR USE OF AGRICULTURAL LANDS.)** When all or any part of land which has been assessed as agricultural pursuant to section 3 of this Act is sold, leased, or the use of such land is changed so that it no longer qualifies for such classification as agricultural lands, such land shall be subject to the additional taxes which would otherwise have been assessed against it as determined according to the second assessment made pursuant to section 3 of this Act. The taxes which would have been due on such lands for the five years immediately preceding the year in which the preferential assessment is terminated shall be computed, and the property owner shall owe the difference between such amount and the taxes he actually paid on such property.

**SECTION 6. RECLASSIFICATION OF AGRICULTURAL LANDS BY GOVERNING BODY.)** The governing body of a city, county, or township may reclassify lands which have been assessed as agricultural to a nonagricultural classification when there is contiguous urban or metropolitan development on two or more sides of such lands and when the governing body finds that the continued use of such lands for agricultural purposes will act as a deterrent to the timely and orderly expansion of the community. A reclassification by the governing body pursuant to this section shall not result in additional taxes to the property owner for years prior to the year of reclassification.

**SECTION 7. AMENDMENT.)** Section 40-51.2-06 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-51.2-06. **PETITION OF OWNERS AND ELECTORS — ANNEXATION OR EXCLUSION ((— CLASSIFICATION OF ANNEXED AGRICULTURAL LANDS FOR TAX PURPOSES))**.) If the governing body determines to annex said area it shall do so by ordinance, a copy of which, with an accurate map of the annexed area, certified by the executive officer of the municipality, shall be filed and recorded with the county register of deeds, whereupon annexation shall then be effective. Annexation shall be effective for the purpose of general taxation on and after the first day of (((April))) February next ensuing (((; provided, however, the municipal corporation shall continue to classify as agricultural lands for tax purposes all lands in the annexed area which were classified as agricultural lands immediately prior to such annexation proceedings until such lands are put to another use))). If the governing body determines to exclude the area petitioned for, it may do so by ordinance adopted and recorded as in case of annexation.

**SECTION 8. AMENDMENT.)** Subsection 3 of section 40-51.2-07 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. In the absence of protests filed by the owners of more than one-fourth of the territory proposed to be annexed as of the date of the adoption of the resolution, the territory described in the resolution shall be included within and shall become a part of the city, and a copy of the resolution with an accurate map of the annexed area, certified by the executive officer of the municipality, shall be filed and recorded with the county register of deeds, whereupon annexation shall become effective.

Annexation shall be effective for the purpose of general taxation on and after the first day of ((April)) February next ensuing ((; provided, however, the municipal corporation shall continue to classify as agricultural lands for tax purposes all lands in the annexed area which were classified as agricultural lands immediately prior to such annexation proceedings until such lands are put to another use)).

SECTION 9. AMENDMENT.) Section 40-51.2-16 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40.51.2-16. EFFECTIVE DATE OF ANNEXATION BY ANNEXATION REVIEW COMMISSION ((—CLASSIFICATION OF ANNEXED AGRICULTURAL LANDS FOR TAX PURPOSES)).) Territory annexed to a municipality under the provisions of this chapter relating to petition to annexation review commission shall be annexed as of the date of the order of the commission, except for tax purposes, and a copy of the resolution with an accurate map of the annexed area, certified by the executive officer of the municipality, shall be filed and recorded with the county register of deeds. Annexation shall be effective for the purpose of general taxation on and after the first day of ((April)) February next ensuing ((; provided, however, the municipal corporation shall continue to classify as agricultural lands for tax purposes all lands in the annexed area which were classified as agricultural lands immediately prior to such annexation proceedings until such lands are put to another use)).

SECTION 10. AMENDMENT.) Section 57-02-27 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-27. PROPERTY TO BE ASSESSED AT FULL VALUE — LIMITATION ON ASSESSMENT OF ANNEXED AGRICULTURAL LANDS.) All property subject to taxation based on the value thereof shall be assessed at its true and full value in money. In determining the true and full value of real and personal property, the assessor shall not adopt a lower or different standard of value because the same is to serve as a basis of taxation, nor shall he adopt as a criterion of value the price at which said property would sell at auction, or at forced sale, or in the aggregate with all the property in the town or district, but he shall value each article or description by itself, and at such sum or price as he believes the same to be fairly worth in money. In assessing any tract, or lot of real property, there shall be determined the value of the land, exclusive of improvements, and the value of all taxable improvements and structures thereon, and the aggregate value of the property, including all taxable structures and other improvements, excluding the value of crops growing upon cultivated lands. In valuing any real property upon which there is a coal or other mine, or stone or other quarry, the same shall be valued at such a price as such property, including the mine or quarry, would sell for at a fair voluntary sale for cash. Agricultural lands within the corporate limits of a city, whether or not platted, shall ((constitute agricultural property and be so classified and valued for ad valorem property tax purposes until such lands are put to another use. Such valuation shall be uniform with the assessed value of adjoining unannexed agricultural land)) be subject to assessment and taxation as provided in sections 1 through 6 of this Act.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1519 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1530 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman



House bill No. 1530 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1531 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR LIPS, Chairman

House Bill No. 1531 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1541 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, of the engrossed bill, delete everything after the words "A BILL", and insert in lieu thereof the following: "for an Act to authorize state and political subdivisions to purchase insurance; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STATE AND POLITICAL SUBDIVISIONS AUTHORIZED TO PURCHASE INSURANCE.) The state of North Dakota or any department, agency, or bureau, and any political subdivision of the state are hereby authorized to insure against claims of loss, damage, or injury for their own protection and for the protection of any employee. If a premium savings will result therefrom, such policies of insurance may be taken out for more than one year, but in no event beyond a period of five years.

1. If the state or any department, agency, or bureau thereof shall purchase insurance pursuant to this section, then the purchaser waives its immunity to suit only to the types of insurance coverage purchased and only to the extent of the policy limits of such coverage.

2. If a political subdivision shall purchase insurance pursuant to this section which shall exceed the limitations upon liability imposed by this Act, the political subdivision shall waive the limitations of the liability imposed by this Act only to the extent that such coverage exceeds such limitations. If any dispute exists concerning the amount or nature of the insurance coverage, the dispute shall be tried separately. This Act confers no right on a claimant to sue an insurer directly. The insurance coverage authorized by this Act may be in addition to insurance coverage which may be purchased by the state or any department, agency, or bureau thereof, or a political subdivision under any other provision of law.

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, sections and pages accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1541 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1583 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 1, delete everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to create and enact a new subsection to section 21-03-07 of the North Dakota Century Code, relating to the authority of the governing body of any city of more than twenty-five thousand people to provide funds for the purpose of participation by that city in the cost of any construction of highways.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.) A new subsection to section 21-03-07 of the 1973 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

The governing body of any city having a population of 25,000 persons or more may use the provisions of subsection 4 of this section to provide funds to participate in the cost of any construction, improvement, financing, and planning of any bypass routes, interchanges or other intersection improvements on a federal or state highway system which is situated in whole or in part outside of the corporate limits of the city; provided that the governing body thereof shall determine by resolution that the undertaking of such work is in the best interest of the city for the purpose of providing access and relieving congestion or improving traffic flow on municipal streets."

On page 2, delete lines 1 through 35

On page 3, delete lines 1 through 35

On page 4, delete lines 1 through 4

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1583 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1587 has had the same under consideration and recommends that the same do pass.

SENATOR LIPS, Chairman

House Bill No. 1587 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Bill No. 1596 has had the same under consideration and recommends that the same do pass.

SENATOR KAUTZMANN, Chairman

House Bill No. 1596 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1602 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1602 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Political Subdivisions to whom was referred House Bill No. 1611 has had the same under consideration and recommends that the same do pass.

SENATOR SANDS, Chairman

House Bill No. 1611 was placed on the 14th order of business on the calendar for the succeeding legislative day.

COMMUNICATIONS  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 12, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505  
Dear Mr. President:

This is to inform you that on March 12, 1975, I signed the following Senate Bills:

2016	2096
2020	2106
2045	2120
2046	2140
2086	

Sincerely yours,  
ARTHUR A. LINK  
Governor

March 13, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 13, 1975, I signed the following Senate Bills:

2091	2179	2258
2119	2196	2261
2123	2201	2270
2131	2211	2288
2141	2217	2290
2149	2219	2311
2151	2220	2366
2153	2228	2367
2165	2246	2463
2176	2257	2472

Sincerely yours,  
ARTHUR A. LINK  
Governor

MESSAGE FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2026  
Senate Bill No. 2318

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2026

On page 1, line 14 of the re-engrossed bill, delete the word "and"

On page 1, line 15 of the re-engrossed bill, after the word "intent", insert a semicolon and the words "and providing for an appropriation"

On page 3, line 30 of the re-engrossed bill, delete the words "seven hundred five" and insert in lieu thereof the words "six hundred ninety"

On page 4, line 32 of the re-engrossed bill, delete the ending triple parentheses

On page 4, line 33 of the re-engrossed bill, delete the beginning triple parentheses before the word "that"

On page 7, line 6 of the re-engrossed bill, insert beginning and ending triple parentheses around the comma and insert thereafter the word "and"

On page 7, line 8 of the re-engrossed bill, insert beginning triple parentheses before the word "to"

On page 7, line 9 of the re-engrossed bill, insert ending triple parentheses after the second comma

On page 11, line 23 of the re-engrossed bill, delete the word "fourteen" and insert in lieu thereof the word "twelve"

On page 11, line 25 of the re-engrossed bill, delete the word "twenty-eight" and insert in lieu thereof the word "twenty-six"

On page 16, line 6 of the re-engrossed bill, insert the following new section:

"SECTION 13. APPROPRIATION.) There is hereby appropriated to the department of public instruction all moneys in the revenue sharing trust fund in the state treasury and whatever balance needed from any moneys not otherwise appropriated in the general fund in the state treasury the sum of \$154,128,805 or so much thereof as may be necessary, for the foundation program payments for the biennium beginning July 1, 1975, and ending June 30, 1977."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2318

On page 1, line 11, delete the following "to the Jamestown country club,"

On page 1, line 12, after the word "acre," insert the following:

"or to trade for suitable property of comparable value, to the Jamestown country club"

On page 1, line 18, after the word "sale" insert the words "or trade"

On page 1, line 19, after the word "land," delete the word "the" and insert in lieu thereof the word "any"

And renumber the lines and pages accordingly.

#### REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2358

Senate Bill No. 2365

Senate Bill No. 2387

Senate Bill No. 2394

Senate Bill No. 2431

Senate Bill No. 2433

Senate Bill No. 2437

Senate Bill No. 2454

Senate Bill No. 2471

Senate Bill No. 2484

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2386

Senate Bill No. 2473

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Walsh moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2358

Senate Bill No. 2365

Senate Bill No. 2386

Senate Bill No. 2387

Senate Bill No. 2394

Senate Bill No. 2431

Senate Bill No. 2433

Senate Bill No. 2437

Senate Bill No. 2454  
 Senate Bill No. 2471  
 Senate Bill No. 2473  
 Senate Bill No. 2484

And the President signed the same in the presence of the Senate.

**MESSAGE TO THE HOUSE**  
 Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2358  
 Senate Bill No. 2365  
 Senate Bill No. 2386  
 Senate Bill No. 2387  
 Senate Bill No. 2394  
 Senate Bill No. 2431  
 Senate Bill No. 2433  
 Senate Bill No. 2437  
 Senate Bill No. 2454  
 Senate Bill No. 2471  
 Senate Bill No. 2473  
 Senate Bill No. 2484

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jones moved that the Senate do concur in the House amendments to Senate Bill No. 2318, which motion prevailed.

Senator Jones moved that the rules be suspended, that Senate Bill No. 2318 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS.**

Senate Bill No. 2318. A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 1; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDE		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MESSAGE TO THE HOUSE**  
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2318.

LEO LEIDHOLM, Secretary

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1574.** A Bill for an Act to amend and reenact subsection 1 of section 51-17-05, subsection 3 of section 51-17-07, and sections 51-17-10 and 51-17-14 of the North Dakota Century Code, relating to qualifications under the Sale of Checks Act, bond required, annual license fee, and examination of books and records.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 948), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEM		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1576.** A Bill for an Act to amend and reenact subsection 1 of section 39-16.1-07 of the North Dakota Century Code, relating to proof of financial responsibility upon certain revocations of drivers' licenses.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 948 and 949), the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEM		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1581.** A Bill for an Act to amend and reenact section 40-22-15 of the North Dakota Century Code, relating to resolutions declaring improvements necessary and to require the publication of maps of special assessment districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

REGULAR SESSION									ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BARTH			● ISZLER			● NAA DEN			● SHABLOW					
● BERUBE			● JACOBSON			● NASSET			● SAYKOWSKI					
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG					
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT			● STRINDE					
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP					
● FREED			● LEE			● REITEN			● THANE					
● FRITZELL			● LIPS			● RINGSAK			● TWETEN					
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER					
● GRONHOVD			● MAHER			● SANDNESS			● WALSH					
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM					
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT					
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT					

So the bill passed and the title was agreed to.

**House Bill No. 1597.** A Bill for an Act to amend and reenact section 57-23-02 of the North Dakota Century Code, relating to publication of notice of equalization meetings; and to repeal sections 51-05-01, 51-05-02, 51-05-03, 51-05-04, 57-02-42, 57-02-43, 57-02-44, 57-02-45, 57-02-46, and 57-02-49 of the North Dakota Century Code, relating to notice to county treasurer of personal property sold at public auction, to exemption of personal property in transit.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

REGULAR SESSION									ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BARTH			● ISZLER			● NAA DEN			● SHABLOW					
● BERUBE			● JACOBSON			● NASSET			● SAYKOWSKI					
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG					
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT			● STRINDE					
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP					
● FREED			● LEE			● REITEN			● THANE					
● FRITZELL			● LIPS			● RINGSAK			● TWETEN					
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER					
● GRONHOVD			● MAHER			● SANDNESS			● WALSH					
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM					
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT					
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT					

So the bill passed and the title was agreed to.

**House Concurrent Resolution No. 3003.** A concurrent resolution directing the State Departments of Health and Social Services and the directors and boards responsible for the operation of area social service centers and comprehensive mental health and retardation centers to coordinate and consolidate human services provided by comprehensive mental health and retardation centers and area social service centers.

Which has been read.

The question being on the final adoption of the resolution.

Senator Sandness moved that the resolution be adopted, which motion prevailed and House Concurrent Resolution 3003 was adopted.

**House Concurrent Resolution No. 3046.** A concurrent resolution urging the United States Postal Service to change its instructions for rural route extensions so that all rural homes receive mail at the end of their driveways.

Which has been read.

The question being on the final adoption of the resolution as amended, (SJ 949).

Senator Redlin moved that the resolution be adopted, which motion prevailed and House Concurrent Resolution 3046 was adopted.

#### MOTION

Senator Nething moved that House Bills 1005 and 1011 be laid over one legislative day, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1060.** A Bill for an Act to create and enact section 2-07-01.1, subsections 8 and 9 of section 2-07-02, sections 2-07-02.1, 2-07-02.2, 2-07-02.3, 2-07-02.4, 2-07-02.5, 2-07-03.1, 2-07-03.2, 2-07-03.3, 2-07-03.4, 2-07-04.1, 2-07-04.2, 2-07-04.3, 2-07-05.1, 2-07-05.2, 2-07-06.8, 2-07-09.1, 2-07-10.1, and 2-07-11.1, of the North Dakota Century Code, relating to a state policy on weather modification; definitions; a state weather modification board; issuance, revocation, suspension, and modification of licenses and permits required for weather modification operations; operating districts and committees; creation of weather modification authorities; liability of controllers; state matching funds; to amend and reenact section 2-07-01, subsection 7 of section 2-07-02, sections 2-07-03, 2-07-04, 2-07-05, subsection 3 of section 2-07-06.1, sections 2-07-06.3, 2-07-08, 2-07-09, 2-07-10, 2-07-11, and 2-07-13 of the North Dakota Century Code, relating to definitions; licenses for weather modification operations; duties of the state aeronautics commission; the creation of county weather modification authorities; financing of county and state weather modification operations; to provide for an appropriations; to provide a penalty; and to provide an effective date.

Which has been read.

Senator Schuster moved that House Bill No. 1060 be amended as follows:

On page 3, line 30 of the engrossed bill, after the word "health" insert the following: state engineer of the state water conservation commission  
And renumber the lines accordingly.

Senator Schuster moved that the amendments be adopted, which motion prevailed.

Senator Schuster moved that the rules be suspended, that House Bill No. 1060 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1060.** A Bill for an Act to create and enact section 2-07-01.1, subsections 8 and 9 of section 2-07-02, sections 2-07-02.1, 2-07-02.2, 2-07-02.3, 2-07-02.4, 2-07-02.5, 2-07-03.1, 2-07-03.2, 2-07-03.3, 2-07-03.4, 2-07-04.1, 2-07-04.2, 2-07-04.3, 2-07-05.1, 2-07-05.2, 2-07-06.8, 2-07-09.1, 2-07-10.1, and 2-07-11.1, of the North Dakota Century Code, relating to a state policy on weather modification; definitions; a state weather modification board; issuance, revocation, suspension, and modification of licenses and permits required for weather modification operations; operating districts and committees; creation of weather modification authorities; liability of controllers; state matching funds; to amend and reenact section 2-07-01, subsection 7 of section 2-07-02, sections 2-07-03, 2-07-04, 2-07-05, subsection 3 of section 2-07-06.1, sections 2-07-06.3, 2-07-08, 2-07-09, 2-07-10, 2-07-11, and 2-07-13 of the North Dakota Century Code, relating to definitions; licenses for weather modification operations; duties of the state aeronautics commission; the creation of county weather modification authorities; financing of county and state weather modification operations; to provide for an appropriations; to provide a penalty; and to provide an effective date.



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, 48; nays, 3; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT	•	• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL	•		• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**EXPLANATION OF VOTE**

Senator Fritzell:

Mr. President, ladies and gentlemen of the Senate, it isn't that I'm against weather modification, it's just the \$654,760.00 that I felt could be spent in a better place.

**MOTION**

Senator Fritzell moved that House Bill 1244 be moved below House Bill 1176 on the calendar, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1277.** A Bill for an Act to amend and reenact sections 43-09-04 and 43-09-05 of the North Dakota Century Code, relating to the members of the state electrical board and to the powers and duties of the state electrical board.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 5; absent and not voting, 5.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5	•		• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK	•	• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1292.** A Bill for an Act to amend and reenact section 43-11-06 and 43-11-35 of the North Dakota Century Code, relating to compensation granted to members of the board of hairdressers and cosmetologists, and for a penalty; and to repeal subsection 3 and paragraph d of subsection 8 of section 43-11-16 of the North Dakota Century Code, relating to qualifications for registration of schools of hair-dressing and cosmetology.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1320.** A Bill for an Act to amend and reenact section 4-28-05 of the North Dakota Century Code, relating to meetings and expenses of the 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, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #37			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1338.** A Bill for an Act to create a new section to chapter 11-18 of the North Dakota Century Code, to provide a fee for recording instruments with the register of deeds based upon the number of sections described in an instrument which describes land in which the mineral acres have been severed from the surface estate.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 974 and 975), the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1404.** A Bill for an Act to amend and reenact section 43-01-18 of the North Dakota Century Code, relating to the fees of abstracters.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER	●	
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER	●		MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1521.** A Bill for an Act to provide for the definition of an employer, employee, and workstation in a vocational training or work evaluation program; to provide for coverage for vocational training or work evaluation programs and the determination of premium; to provide for benefits for participants in a vocational training or work evaluation program; and relating to the liability of the employer; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

**House Bill No. 1553.** A Bill for an Act to amend and reenact section 43-33-11 of the North Dakota Century Code, relating to the sale and fitting of hearing aids.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1593.** A Bill for an Act to amend and reenact section 57-02-26 of the North Dakota Century Code, relating to taxation of certain property to lessee or equitable owner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 976), the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN	●		● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL	●		● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1599.** A Bill for an Act to create and enact section 39-18-08 of the North Dakota Century Code, to permit licensed real estate brokers to deal in the sale and resale of used mobile homes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 1; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Concurrent Resolution No. 3040.** A concurrent resolution directing the North Dakota workmen's compensation bureau to study the feasibility of dedicating the income from reserve funds for the purpose of increasing weekly benefit amounts for workmen's compensation claimants who receive outdated benefits.

Which has been read.

The question being on the final adoption of the resolution.

Senator Homuth moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3040 was adopted.

**House Concurrent Resolution No. 3050.** A concurrent resolution requesting the Congress of the United States of America to study the necessity for and to enact legislation and regulations required for the proper labeling of hazardous industrial chemicals and other substances.

Which has been read.

The question being on the final adoption of the resolution.

Senator Fritzell moved that the resolution be adopted which motion prevailed, and House Concurrent Resolution No. 3050 was adopted.

**House Bill No. 1572.** A Bill for an Act to create and enact section 40-46-09.1 of the North Dakota Century Code, relating to service credit for employment with a city recreation commission for purposes of receipt of a city employee's pension.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were yeas, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NETHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT		●	STRINDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STROUP	
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSAK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

**SECOND READING OF SENATE BILLS**

**Senate Concurrent Resolution No. 4072.** A concurrent resolution commending Manitoba Premier Ed Schreyer and his New Democratic Party for courageously turning back a proposal to finance court action against Garrison Diversion and pledging continued cooperation with our good neighbors in Manitoba and Canada.

Which has been read.

The question being on the final passage of the bill.

Senator Jones moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution No. 4072 was adopted.

**MOTION**

Senator Thane moved that House Bill 1006 be moved to the bottom of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1043.** A Bill for an Act to provide for control of obscene materials and performances; to repeal chapter 12.1-27 of the North Dakota Century Code as contained in section 26 of chapter 116 of the 1973 Session Laws of the State of North Dakota and subsection 62 of section 40-05-01 of the North Dakota Century Code, relating to controls on dissemination of obscene materials; and providing penalties; and declaring an emergency.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1002) the roll was called and there were ayes, 40; nays, 8; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL		•	• LIPS			• RINGSAK		•	• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND		•	• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH		•	• MUTCH	•		• SCHUSTER		•	• MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

**House Bill No. 1046.** A Bill for an Act to create and enact subsection 6 of section 30.1-05-05, and to amend and reenact section 30.1-02-05, subsection 1 of section 30.1-04-03, subsection 2 of section 30.1-12-02, subsection 1 of section 30.1-14-07, subsection 1 of section 30.1-15-03, subsection 2 of section 30.1-15-14, subsection 2 of section 30.1-18-06, subsection 1 of section 30.1-21-01, section 30.1-26-02, the initial paragraph of section 30.1-29-01, subsection 2 of section 30.1-29-07, sections 30.1-29-11, 30.1-29-14, 30.1-32-01, and 30.1-34-04 as contained in section 1 of chapter 257 of the 1973 Session Laws of North Dakota, relating to decedents' estates, conservatorships, and trusts; to amend and reenact section 38-13-01 of the North Dakota Century Code, relating to trustees for execution of mineral leases; and to amend and reenact subsection 15 of section 57-37-11, section 57-37-16, subsection 1 of section 57-37-23, and subsections 1, 2, 3, and 6 of section 57-37-24 and section 57-37-32, all of the North Dakota Century Code and as amended by sections 66 and 69 of chapter 257 of the 1973 Session Laws of North Dakota, which section and subsections relate to the taxation of estates; and to repeal subsection 7 of section 57-37-24 of the North Dakota Century Code, relating to refund of certain estate tax payments.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1002 & 1003), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		

• CONLIN	• LARSON	• RAIT	• STRINDEN
• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1101.** A Bill for an Act to provide that all electors must be registered prior to being authorized to vote in any statewide special, primary, or general election; supervision of the registration process by county auditors; and the method of registration; and to amend and reenact sections 16-04-25, 16-04-26, 16-10-14, 16-11-10, 16-11-13, 16-11-16, 16-12-14, 16-13-02, 16-13-07, and 16-13-09 of the North Dakota Century Code, relating to maintenance and distribution of pollbooks and challenging the right of any person to vote; and providing a penalty.

Which has been read.

Senator Freed moved that House Bill No. 1101 be amended as follows:

On page 1, line 22 of the engrossed bill, delete the figures "8 and 9" and insert in lieu thereof the figures "7 and 8"

Senator Freed moved that the amendments be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that House Bill No. 1101 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1101.** A Bill for an Act to provide that all electors must be registered prior to being authorized to vote in any statewide special, primary, or general election; supervision of the registration process by county auditors; and the method of registration; and to amend and reenact sections 16-04-25, 16-04-26, 16-10-14, 16-11-10, 16-11-13, 16-11-16, 16-12-14, 16-13-02, 16-13-07, and 16-13-09 of the North Dakota Century Code, relating to maintenance and distribution of pollbooks and challenging the right of any person to vote; and providing a penalty.

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, 27; nays, 19; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5		•	• JONES			• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3		•	• KAUTZMANN			• PYLE	•		• STRAND		•
• CONLIN		•	• LARSON			• RAIT			• STRINDEN		•
• ERDMAN		•	• MAHER			• REDLIN			• STROUP		•
• FREED		•	• LASHKOWITZ			• REITEN			• THANE		•
• FRITZELL		•	• LIPS			• RINGSAK			• TWETEN		•
• GOODMAN		•	• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD		•	• MAHER			• SANDNESS			• WALSH		•
• HOFFNER		•	• MELLAND			• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND		•	• MORGAN			• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH		•	• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Kautzmann moved that House Bill 1147 be moved to the foot of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1170.** 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 minimum tax assessable for the business and corporation privilege tax, 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, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER	●	● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1176.** A Bill for an Act to create and enact subsections 9, 10, and 11 of section 26-30-04 and section 26-30-04.1 of the North Dakota Century Code; to amend and reenact subsection 1 of section 26-30-04 and sections 26-30-07 and 26-30-08 of the North Dakota Century Code; and to repeal section 26-30-09 of the North Dakota Century Code, all relating to unfair insurance practices; and providing a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1003) the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1244.** A Bill for an Act to create and enact sections 26-26-01.1, 26-27-02.1, 26-27.1-02.1 and 26-27.2-02.1 of the North Dakota Century Code, relating to hospital service corporations, medical service corporations, dental service corporations and vision service corporations and providing that unfair insurance practices applies to them.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 1; absent and not voting, 3.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED	●		● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

MOTION

Senator Kautzmann moved that House Bill 1222 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1232. A Bill for an Act to amend and reenact sections 15-38-04.1, 15-40.1-09, and 15-47-33 of the North Dakota Century Code, relating to the length of elementary and secondary school terms.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1003 & 1004) the roll was called and there were ayes, 43; nays, 4; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED	●		● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1239. A Bill for an Act to amend and reenact subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for corporations; 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, 39; nays, 5; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE	●		● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		

• ERDMAN	• LASHKOWITZ	• REDLIN	• STROUP
• FREED	• LEE	• REITEN	• THANE
• FRITZELL	• LIPS	• RINGSAK	• TWETEN
• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1298. A Bill for an Act to amend and reenact section 34-01-12 of the North Dakota Century Code, relating to payment of wages due a deceased employee.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 1004), the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1305. 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 installation of tangible personal property into real estate located outside of North Dakota and providing for an exemption.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**SECOND READING OF HOUSE BILLS**

House Bill No. 1407. A Bill for an Act to provide that franchise dealers in recreation vehicles shall be reimbursed for vehicles and equipment inventory on hand when franchise or dealership arrangement is cancelled.

Which has been read.

Senator Redlin moved that House Bill No. 1407 be amended as follows:

On page 1, line 16, delete the words "at retail, or"

On page 1, line 17, delete the word "sells"

On page 1, line 21, delete the words "at retail,"

On page 1, line 22, delete the words "or sell"

Senator Redlin moved that the amendments be adopted, which motion prevailed.

Senator Redlin moved that the rules be suspended, that House Bill No. 1407 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1407.** A Bill for an Act to provide that franchise dealers in recreation vehicles shall be reimbursed for vehicles and equipment inventory on hand when franchise or dealership arrangement is cancelled.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 1005), the roll was called and there were ayes, 28; nays, 20; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		●	● SHABLOW		
● BERUBF			● JACOBSON			● NETHING			● SMYKOWSKI		●
● CHRISTENSEN, H #5			● JONES		●	● PYLE			● SOLBERG		●
● CHRISTENSEN, L #3			● KAUTZMANN		●	● RAIT			● STRAND		●
● CONLIN			● LARSON		●	● REDLIN			● STRINDEN		●
● ERDMAN			● LASHKOWITZ		●	● REITEN			● STROUP		●
● FREED			● LEE		●	● RINGSAK			● THANE		●
● FRITZELL			● LIPS		●	● SANDS			● TWETEN		●
● GOODMAN			● LONGMIRE		●	● SANDNESS			● VOSPER		●
● GRONHOVD			● MAHER		●	● SCHULTZ, C #14			● WALSH		●
● HOFFNER			● MELLAND		●	● SCHULTZ, J #32			● WENSTROM		●
● HOLAND			● MORGAN		●	● SCHUSTER			● WRIGHT		●
● HOMUTH			● MUTCH		●				● MR. PRESIDENT		●

So the bill passed and the title was agreed to.

**EXPLANATION OF VOTE**

Senator Melland:

I just want the Senate to understand that my "no" vote indicates no lack of sympathy for this industry, but it does indicate an opposition to this general type of legislation unless there is no other way to give protection to our North Dakota people. I suggest to you that the provisions of the implement bill in North Dakota are reaching now across the nation and in many cases in Minnesota for example, they passed a law where in the case of some manufacturers, they get less when the manufacturer follows the state law than they would under the contract and manufacturers are taking the attitude that they will conform to state law and the passage of this sort of thing is not always in the interest of the people that it intends to protect.

**MOTION**

Senator J. Schultz moved that House Bill 1460 be laid over one legislative day, which motion prevailed.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Nasset moved that the Senate do not concur in the House amendments to Senate Bill No. 2026 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2026:

Senator Nasset  
 Senator Tweten  
 Senator L. Christensen

Senator Pyle moved that the absent Senator be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

#### FORTY-EIGHTH DAY

Bismarck, March 13, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer on behalf of Father E. J. Becwar, Ascension Church, Bismarck, presented by President Sanstead.

"Father, You have given all peoples one common origin, and Your will is to gather them as one family in Yourself. Fill the hearts of all men with the fire of Your love and the desire to ensure justice for all their brothers and sisters. By sharing the good things You give us may we secure justice and equality for every human being, an end to all division and a human society built on love and peace. Amen."

Roll Call: All Senators present except L. Christensen, Longmire and Mutch.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-sixth day after recess and forty-seventh day and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1008

House Bill No. 1099

House Bill No. 1288

House Bill No. 1388

House Bill No. 1409

House Bill No. 1434

House Bill No. 1471

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1049

House Bill No. 1103

House Bill No. 1332

House Bill No. 1477

House Bill No. 1484

Which the Senate has amended.

LEO LEIDHOLM, Secretary.

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1024

House Bill No. 1178

House Bill No. 1322

House Bill No. 1367  
House Bill No. 1403  
House Bill No. 1444  
House Bill No. 1497  
House Bill No. 1526  
House Concurrent Resolution No. 3024  
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2026, and the President has appointed as a conference committee to act with a like committee from the House:

Senator Nasset  
Senator Tweten  
Senator L. Christensen

Very respectfully,  
LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2024  
Senate Bill No. 2070  
Senate Bill No. 2103  
Senate Bill No. 2144  
Senate Bill No. 2187  
Senate Bill No. 2223  
Senate Bill No. 2230  
Senate Bill No. 2234  
Senate Bill No. 2240  
Senate Bill No. 2256  
Senate Bill No. 2271  
Senate Bill No. 2301  
Senate Bill No. 2324  
Senate Bill No. 2398  
Senate Bill No. 2407  
Senate Bill No. 2415  
Senate Bill No. 2428  
Senate Bill No. 2446  
Senate Concurrent Resolution No. 4074

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1025, 1059, 1063, 1081, 1082, 1107, 1121, 1142, 1177, 1237, 1274, 1278, 1279, 1302, 1499, 1537, 1554, 1555, 1561, 1569, 1592, 1458, 1482, House Concurrent Resolution No. 3014, House Concurrent Resolution No. 3056.

Very respectfully,

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Bill No. 2289  
Senate Bill No. 2303  
Senate Bill No. 2339

Senate Bill No. 2424  
Senate Bill No. 2426

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2289

On page 10, line 32, of the engrossed bill after the word "sum" delete "that" and insert in lieu thereof "than"  
And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2303

On page 1, line 17, of the engrossed bill delete the beginning triple parentheses before the word "of" and insert triple parentheses around the word "six" and insert in lieu thereof the word "fifteen" and also on line 17 delete the ending triple parentheses after the word "dollars"  
On page 1, line 18, after the first word "day" delete the comma and the rest of the line  
On page 1, line 19, delete "hours,"  
On page 1, line 21, after the word "court" delete ", equal to the amount"  
On page 1, delete all of lines 22, 23, 24  
On page 2, line 1, delete all of the underlined material  
And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2339

On page 3, line 12 of the engrossed bill delete the word "on" and insert in lieu thereof the words "by public auction or by"  
And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2424

On page 8 of the engrossed bill, after the period on line 26 insert the following:  
"Under the provisions of this Act, the state park service shall not have or use the right of eminent domain."  
And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2426

On page 1, line 3 of the engrossed bill delete the words "and providing an effective date"  
On page 2, line 5 delete the words "The provisions of this Act"  
On page 2, line 6 delete the words "shall be effective beginning on or after January 1, 1976."  
And renumber the lines and pages accordingly.

Senator Nething moved that after the reading of House Bills Nos. 1002, 1022, 1064, 1065, 1075, 1120, 1148, 1189, 1204, 1214, 1224, 1328, 1348, 1359, 1397, 1405, 1440, 1506, 1509, 1515, 1587, 1591, 1596, 1602, 1611 and House Concurrent Resolution No. 3033, that the Senate recess until 9:30 A.M., March 14, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-EIGHTH DAY AFTER RECESS  
AND FORTY-NINTH DAY

Bismarck, March 14, 1975

The Senate convened at 9:30 A.M., pursuant to recess taken, the President presiding.

## REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment, respectfully report that they have examined the following bills:

Senate Concurrent Resolution No. 4062

And find the same correctly Engrossed.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion prevailed.

## MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2358

Senate Bill No. 2365

Senate Bill No. 2386

Senate Bill No. 2387

Senate Bill No. 2394

Senate Bill No. 2431

Senate Bill No. 2433

Senate Bill No. 2437

Senate Bill No. 2454

Senate Bill No. 2471

Senate Bill No. 2473

Senate Bill No. 2484

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## CONSIDERATION OF AMENDMENTS

Senator Pyle moved that the reading of the amendments to House Bills Nos. 1001, 1003, 1004, 1007, 1010, 1012, 1014, 1015, 1062, 1138, 1221, 1323, 1413, 1519, 1541 and 1583 be dispensed with, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1001 as recommended by the Committee on Appropriations as printed on pages 1057-1060 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1003 as recommended by the Committee on Appropriations as printed on page 1060 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1004 as recommended by the Committee on Appropriations as printed on pages 1060 & 1061 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to House Bill No. 1007 as recommended by the Committee on Appropriations as printed on page 1061 of the Senate Journal be adopted, which motion prevailed.





recommended by the Committee on Political Subdivisions as printed on pages 1075 and 1076 of the Senate Journal be adopted, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Lips moved that the Committee Report on House Bill No. 1058, as printed on page 1029 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1058, the roll was called and there were 27, ayes; 24, nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	ISZLER	●	●	NAADEN	●	●	SHABLOW	●
		●		JACOBSON	●		NASSET	●		SMYKOWSKI	●
●			●	JONES	●	●	NETHING	●	●	SOLBERG	●
●			●	KAUTZMANN	●	●	PLYE	●	●	STRAND	●
		●	●	LARSON	●	●	RAIT	●	●	STRINDEN	●
		●		LASHKOWITZ	●		REDLIN	●	●	STROUP	●
●			●	LEE	●		REITEN	●	●	THANE	●
		●	●	LIPS	●	●	RINGSAK	●	●	TWETEN	●
		●		LONGMIRE	●	●	SANDS	●	●	VOSPER	●
		●		MAHER	●	●	SANDNESS	●	●	WALSH	●
		●	●	MELLAND	●	●	SCHULTZ, C. #14	●	●	WENSTROM	●
		●	●	MORGAN	●		SCHULTZ, J. #32	●	●	WRIGHT	●
		●	●	MUTCH	●		SCHUSTER	●	●	MR. PRESIDENT	●

The motion prevailed, and House Bill No. 1058 was indefinitely postponed.

**MOTIONS**

Senator Nothing moved that a procedure be followed on voting, that the only time a Senator's vote can be recorded is when the Senator is in the chamber. If a Senator is out of the Chamber, his vote will not be recorded, which motion prevailed.

Senator Nothing moved that the committee report for Indefinite Postponement on House Bill 1077 be laid over one legislative day, which motion prevailed.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Freed moved that the Committee Report on House Bill No. 1113, as printed on page 1066 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1113, the roll was called and there were 18, ayes; 32, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●				ISZLER	●		NAADEN	●	●	SHABLOW	●
		●		JACOBSON	●		NASSET	●		SMYKOWSKI	●
●			●	JONES	●	●	NETHING	●	●	SOLBERG	●
●			●	KAUTZMANN	●	●	PLYE	●	●	STRAND	●
		●	●	LARSON	●	●	RAIT	●	●	STRINDEN	●
		●	●	LASHKOWITZ	●		REDLIN	●	●	STROUP	●
		●		LEE	●		REITEN	●	●	THANE	●
		●	●	LIPS	●	●	RINGSAK	●	●	TWETEN	●
●				LONGMIRE	●	●	SANDS	●	●	VOSPER	●
●			●	MAHER	●	●	SANDNESS	●	●	WALSH	●
●			●	MELLAND	●	●	SCHULTZ, C. #14	●	●	WENSTROM	●
●			●	MORGAN	●		SCHULTZ, J. #32	●	●	WRIGHT	●
		●	●	MUTCH	●	●	SCHUSTER	●	●	MR. PRESIDENT	●

The motion failed, and House Bill No. 1113 was placed on the 14th Order of Business for the next succeeding legislative day.

Senator Freed moved that the Committee Report on House Bill No. 1386, as printed on page 1071 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1386, the roll was called and there were 30, ayes; 19, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN					● SHABLOW
● BERUBE			● JACOBSON			● NASSET					● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING					● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE					● STRAND
● CONLIN			● LARSON			● RAIT					● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN					● STROUP
● FREED			● LEE			● REITEN					● THANE
● FRITZELL			● LIPS			● RINGSAK					● TWETEN
● GOODMAN			● LONGMIRE			● SANDS					● VOSPER
● GRONHOVD			● MAHER			● SANDNESS					● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14					● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32					● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER					MR. PRESIDENT

The motion prevailed, and House Bill No. 1386 was indefinitely postponed.

Senator Lips moved that the Committee Report on House Bill No. 1465, as printed on page 1072 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Bill No. 1465, the roll was called and there were 38, ayes; 11, nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN					● SHABLOW
● BERUBE			● JACOBSON			● NASSET					● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING					● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE					● STRAND
● CONLIN			● LARSON			● RAIT					● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN					● STROUP
● FREED			● LEE			● REITEN					● THANE
● FRITZELL			● LIPS			● RINGSAK					● TWETEN
● GOODMAN			● LONGMIRE			● SANDS					● VOSPER
● GRONHOVD			● MAHER			● SANDNESS					● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14					● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J. #32					● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER					MR. PRESIDENT

The motion prevailed, and House Bill No. 1465 was indefinitely postponed.

**MOTION**

Senator Melland moved that the Committee Reports for Indefinite Postponement on House Bills 1468 and 1514 be laid over one legislative day, which motion prevailed.

**MOTION**

Senator Nothing moved that the Senate resolve itself into a Confirmation Session of advise and consent of the Governor's nominations, which motion prevailed.

**REPORTS OF STANDING COMMITTEES  
CONCERNING GOVERNOR'S APPOINTMENTS**

Mr. President: Your Committee on Social Welfare & Veterans Affairs

recommends that the Senate do advise and consent to the following Governor's Appointment:

STATE SOCIAL SERVICE BOARD (50-06-02)

Mrs. Darlene Leinen, Williston

SENATOR RINGSACK, Chairman

Senator Ringsack moved that the report be adopted, which motion prevailed.

Mr. President: Your Committee on Education recommends that the Senate do advise and consent to the following Governor's appointment:

STATE BOARD OF HIGHER EDUCATION

Lester M. Stern, Wahpeton

July 1, 1975-July 1, 1982

SENATOR NASSET, Chairman

Senator Nasset moved that the report be adopted, which motion prevailed.

MOTION

Senator Nething moved that the Senate dissolve itself from the Confirmation Session, which motion prevailed.

MOTION

Senator Nething moved that the Senate be at ease until 1:15 P.M., which motion prevailed.

The Senate reconvened, the President presiding.

COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Lips moved that the Committee Report on House Bill No. 1478, as printed on page 1072 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1478, the roll was called and there were 25, ayes; 25, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•			•					•
BARTH		•	•	ISZLER				•	•		SHABLOW
BERUBE		•	•	JACOBSON		•	NASSET		•		SMYKOWSKI
CHRISTENSEN, H. #5		•	•	JONES		•	NETHING				SOLBERG
CHRISTENSEN, L. #3		•	•	KAUTZMANN		•	PYLE				STRAND
CONLIN		•	•	LARSON		•	RAIT		•		STRINDEN
ERDMAN		•	•	LASHKOWITZ		•	REDLIN				STROUP
FREED		•	•	LEE		•	REITEN				THANE
FRITZELL		•	•	LIPS		•	RINGSACK				TWETEN
GOODMAN		•	•	LONGMIRE		•	SANDS				VOSPER
GRONHOVD		•	•	MAHER		•	SANDNESS				WALSH
HOFFNER		•	•	MELLAND		•	SCHULTZ, C. #14		•		WENSTROM
HOLAND		•	•	MORGAN		•	SCHULTZ, J. #32				WRIGHT
HOMUTH		•	•	MUTCH		•	SCHUSTER		•		MR. PRESIDENT

President Sanstead cast the deciding vote "nay".

The motion failed, and House Bill No. 1478 was placed on the 14th Order of Business for the next succeeding legislative day.

Senator Lips moved that the Committee Report on House Bill No. 1530, as printed on page 1074 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on House Bill No. 1530, the roll was called and there were 9, ayes; 41, nays; absent and not voting, 1.



We are often tired by our own choosing. We are sometimes weary, but not always from well-doing. We are deeply concerned about the things happening within our society. Here we are today in Bismarck by our own choice to work out with fear and trembling the gigantic tasks that have found their way into our portfolios. We have much to read and think about and so little time it seems to do either. We must spend our time, not as we choose, but as duty demands. All this is quite cumbersome — but we are servants, whether we like the idea or not. Help us to know where our strength really comes from. Help us always to understand the not-so-easy-to-understand issues with which we must deal. Help us to know how to untangle the real issues there are with exactness and with finesse. May we always be mindful of the trust and confidence placed in our leadership. May our concern match our ability to think great thoughts and make honorable and just decisions. May we never trifle with a vote.

God, be with us, today for all of us stand in need of divine help. May we not turn from our best — to our second best. May we never falter in the pathway of duty. May we always determine to do the right as we have been given knowledge to know the right, God being our helper. In the name of Christ the Lord, we pray. Amen."

Roll Call: All Senators present.

A quorum was declared by the President.

#### CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-seventh day after recess and forty-eighth day and recommends that the same be corrected as follows: On page 1093, line 51, insert the figure 1460 after the word Bill

On page 1062, line 16, delete the number 1 and insert in lieu thereof the figure 2.

On page 1062, line 18, delete the number 2 and insert in lieu thereof the figure 3.

On page 1062, line 20, delete the second number 3 and insert in lieu thereof the number 4.

On page 1062, line 30, delete the figures 587 and insert in lieu thereof the figures 562

On page 1064, line 27, delete the figure 19 and insert in lieu thereof the figure 18

On page 1077, line 3, delete the figure 1010 and insert in lieu thereof the figure 2020.

On page 1077, line 18, column one, delete the figure 2901 and insert in lieu thereof the figure 2091.

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2289 as printed on page 1096 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2289 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2289. A Bill for an Act to establish a state-financed program of reparations to persons who suffer personal injury and to

dependents of those who are killed by criminally injurious conduct or in attempts to prevent criminal conduct or apprehend criminals; providing a penalty; and providing an appropriation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 46; nays, 3; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLINS			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL	●		● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GROHNOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Sands moved that the Senate do not concur in the House amendments to Senate Bill No. 2303 as printed on page 1096 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2303:

- Senator Smykowski
- Senator J. Schultz
- Senator Shablow

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Mutch moved that the Senate do concur in the House amendments to Senate Bill No. 2339, as printed on page 1096 of the Senate Journal, which motion prevailed.

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2339 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2339. A Bill for an Act to amend and reenact sections 15-61-05 and 24-03-15 of the North Dakota Century Code, relating to disposition or exchange of state surplus property and to the sale of obsolescent highway equipment.

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 yeas, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Bill No. 2424, as printed on page 1096 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2424 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2424. A Bill for an Act to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves; and to provide for the state park service to administer the Act.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SNAKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Mutch moved that the Senate do concur in the House amendments to Senate Bill No. 2426, as printed on page 1096 of the Senate Journal, which motion prevailed.

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2426 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2426. A Bill for an Act to amend and reenact section 39-21-45.1 of the North Dakota Century Code, relating to modification of motor vehicles.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 2; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

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. 2136 has had the same under consideration and recommends:

That the Senate accede with the House amendments.

For the Senate

Senator Lee

Senator Shablow

Senator Wright

For the House

Rep. Laughlin

Rep. Goetz

Rep. Royse

Senator Lee moved that the report be adopted, which motion prevailed.

Senator Lee moved that the rules be suspended, that Senate Bill No. 2136 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2136. A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide an additional adjustment for adopted children for state income tax purposes.

Which has been read:

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.



SECOND READING OF HOUSE BILLS

House Bill No. 1464. A Bill for an Act to provide that all dead end roads and roads having ninety degree turns on the state or county road systems have an approach or safety road.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended (SJ 1005), the roll was called and there were ayes, 43; nays, 4; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH	●	
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1518. A Bill for an Act to create and enact the Retail Theft Act; to provide civil penalties; and to repeal section 29-06-27 of the North Dakota Century Code, relating to the powers and duties of peace officers and merchants with respect to shoplifters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1005), the roll was called and there were ayes, 38; nays, 11; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ		●	● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK		●	● TWETEN		
● GOODMAN			● LONGMIRE		●	● SANDS			● VOSPER		
● GRONHOVD			● MAHER		●	● SANDNESS			● WALSH	●	
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER		●	● MR. PRESIDENT		

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 57-56 of the North Dakota Century Code to provide for a separate and additional tax on the sale of aviation gasoline used by aircraft, and providing for the distribution of the proceeds.

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, 8; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		

CHRISTENSEN, H. #5	JONES	NETHING	SOLBERG
CHRISTENSEN, L. #3	KAUTZMANN	PYLE	STRAND
CONLINE	LARSON	RAIT	STRINDEN
ERDMAN	LASHKOWITZ	REDLIN	STROUP
FREED	LEE	REITEN	THANE
FRITZELL	LIPS	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GRODHOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAN	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

### MESSAGES TO THE HOUSE

#### Senate Chamber

Mr. Speaker: I have the honor to transmit:  
Senate Concurrent Resolution No. 4072  
Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1074  
House Bill No. 1190  
House Bill No. 1463  
House Bill No. 1517  
House Bill No. 1532  
House Concurrent Resolution No. 3036  
House Concurrent Resolution No. 3042  
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1091  
House Bill No. 1206  
House Bill No. 1266  
House Bill No. 1495  
House Bill No. 1528  
House Bill No. 1546  
House Bill No. 1566  
Which the Senate has amended.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1068  
House Bill No. 1301  
House Bill No. 1447  
House Bill No. 1527  
House Concurrent Resolution No. 3021  
Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2289, 2339, 2424, 2426, refused to concur in the House amendment to Senate Bill No. 2303 and the President has appointed as a conference committee to act with a like committee from the House:

Senator Smykowski

Senator J. Schultz  
 Senator Shablow

LEO LEIDHOLM, Secretary

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2136

LEO LEIDHOLM, Secretary

#### REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2358	Senate Bill No. 2433
Senate Bill No. 2365	Senate Bill No. 2437
Senate Bill No. 2386	Senate Bill No. 2454
Senate Bill No. 2387	Senate Bill No. 2471
Senate Bill No. 2394	Senate Bill No. 2473
Senate Bill No. 2431	Senate Bill No. 2484

Were delivered to the Governor for his approval on March 14, 1975.

SENATOR STRAND, Chairman

#### MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1045  
 House Bill No. 1052  
 House Bill No. 1066  
 House Bill No. 1083  
 House Bill No. 1084  
 House Bill No. 1088  
 House Bill No. 1090  
 House Bill No. 1102  
 House Bill No. 1108  
 House Bill No. 1109  
 House Bill No. 1110  
 House Bill No. 1111  
 House Bill No. 1118  
 House Bill No. 1131  
 House Bill No. 1144  
 House Bill No. 1145  
 House Bill No. 1182  
 House Bill No. 1208  
 House Bill No. 1217  
 House Bill No. 1229  
 House Bill No. 1245  
 House Bill No. 1254  
 House Bill No. 1271  
 House Bill No. 1273  
 House Bill No. 1281  
 House Bill No. 1284  
 House Bill No. 1311  
 House Bill No. 1315  
 House Bill No. 1317  
 House Bill No. 1318  
 House Bill No. 1330  
 House Bill No. 1333

House Bill No. 1334  
 House Bill No. 1344  
 House Bill No. 1352  
 House Bill No. 1358  
 House Bill No. 1380  
 House Bill No. 1382  
 House Bill No. 1391  
 House Bill No. 1393  
 House Bill No. 1420  
 House Bill No. 1428  
 House Bill No. 1429  
 House Bill No. 1436  
 House Bill No. 1442  
 House Bill No. 1445  
 House Bill No. 1474  
 House Bill No. 1564  
 House Bill No. 1595

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. 1045  
 House Bill No. 1052  
 House Bill No. 1066  
 House Bill No. 1083  
 House Bill No. 1084  
 House Bill No. 1088  
 House Bill No. 1090  
 House Bill No. 1102  
 House Bill No. 1108  
 House Bill No. 1109  
 House Bill No. 1110  
 House Bill No. 1111  
 House Bill No. 1118  
 House Bill No. 1131  
 House Bill No. 1144  
 House Bill No. 1145  
 House Bill No. 1182  
 House Bill No. 1208  
 House Bill No. 1217  
 House Bill No. 1229  
 House Bill No. 1245  
 House Bill No. 1254  
 House Bill No. 1271  
 House Bill No. 1273  
 House Bill No. 1281  
 House Bill No. 1284  
 House Bill No. 1311  
 House Bill No. 1315  
 House Bill No. 1317  
 House Bill No. 1318  
 House Bill No. 1330  
 House Bill No. 1333  
 House Bill No. 1334  
 House Bill No. 1344  
 House Bill No. 1352

House Bill No. 1358  
House Bill No. 1380  
House Bill No. 1382  
House Bill No. 1391  
House Bill No. 1393  
House Bill No. 1420  
House Bill No. 1428  
House Bill No. 1429  
House Bill No. 1436  
House Bill No. 1442  
House Bill No. 1445  
House Bill No. 1474  
House Bill No. 1564  
House Bill No. 1595

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1045  
House Bill No. 1052  
House Bill No. 1066  
House Bill No. 1083  
House Bill No. 1084  
House Bill No. 1088  
House Bill No. 1090  
House Bill No. 1102  
House Bill No. 1108  
House Bill No. 1109  
House Bill No. 1110  
House Bill No. 1111  
House Bill No. 1118  
House Bill No. 1131  
House Bill No. 1144  
House Bill No. 1145  
House Bill No. 1182  
House Bill No. 1208  
House Bill No. 1217  
House Bill No. 1229  
House Bill No. 1245  
House Bill No. 1254  
House Bill No. 1271  
House Bill No. 1273  
House Bill No. 1281  
House Bill No. 1284  
House Bill No. 1311  
House Bill No. 1315  
House Bill No. 1317  
House Bill No. 1318  
House Bill No. 1330  
House Bill No. 1333  
House Bill No. 1334  
House Bill No. 1344  
House Bill No. 1352  
House Bill No. 1358  
House Bill No. 1380  
House Bill No. 1382  
House Bill No. 1391

House Bill No. 1393  
 House Bill No. 1420  
 House Bill No. 1428  
 House Bill No. 1429  
 House Bill No. 1436  
 House Bill No. 1442  
 House Bill No. 1445  
 House Bill No. 1474  
 House Bill No. 1564  
 House Bill No. 1595  
 Which the President has signed.

LEO LEIDHOLM, Secretary

#### REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:  
 Senate Bill No. 2318

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Strand 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  
 And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2318

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2318

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2036

Senate Bill No. 2065

Senate Bill No. 2145

Senate Bill No. 2186

Senate Bill No. 2342

Senate Bill No. 2349

Senate Bill No. 2403

Senate Bill No. 2447

Senate Concurrent Resolution No. 4037

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2041

Senate Bill No. 2118  
 Senate Bill No. 2130  
 Senate Bill No. 2207  
 Senate Bill No. 2224  
 Senate Bill No. 2275  
 Senate Bill No. 2326  
 Senate Bill No. 2332  
 Senate Bill No. 2376

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2041

On page 1 of the engrossed bill, line 3, after the first comma, insert the following: "a new subsection to section 39-06.1-10,"

On page 3 of the engrossed bill, line 18, delete the underscored words

On page 3 of the engrossed bill, delete line 19

On page 3 of the engrossed bill, line 22, insert the following before the period: "; or, in the alternative, has successfully completed a course at an approved commercial driver training school"

On page 6 of the engrossed bill, line 13, delete the word "and"

On page 6 of the engrossed bill, line 16, after the word "and", insert the following: "the miles per hour by which the speed limit was exceeded; and"

On page 6 of the engrossed bill, line 17, delete the beginning triple parentheses

On page 6 of the engrossed bill, line 18, delete the ending triple parentheses and delete the underscored material, and insert a period in lieu thereof

On page 6 of the engrossed bill, delete line 19

On page 7 of the engrossed bill, line 14, delete the word "and"

On page 7 of the engrossed bill, line 18, delete the beginning triple parentheses

On page 7 of the engrossed bill, line 20, delete the ending triple parentheses

On page 14 of the engrossed bill, line 33, delete the numeral "4", and insert the numeral "2" in lieu thereof

On page 15 of the engrossed bill, line 5, delete the numeral "4", and insert the numeral "2" in lieu thereof

On page 15 of the engrossed bill, line 10, delete the numeral "3", and insert the numeral "2" in lieu thereof

On page 15 of the engrossed bill, line 34, delete the following: "or 39-10-46."

On page 15 of the engrossed bill, after line 35, insert the following new paragraph: "(24) Overtaking and passing a school bus in violation of section 39-10-46, or equivalent ordinance 6 points"

On page 17 of the engrossed bill, after line 16 insert the following new section:

"SECTION 15.) A new subsection to section 39-06.1-10 of the 1973 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

Four additional points shall be assessed against a licensee if commission of one or more of the types of violations listed in subdivision a of subsection 3 of this section also contributed materially to a vehicular accident."

And renumber the pages, sections, and lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2118

On page 5, line 4 of the engrossed bill, delete the period and insert the following: ", except that an individual may be employed as a

probationary employee for a time not to exceed fourteen days, if the information required by 43-30-04 of this chapter is submitted to the attorney general within two days of the beginning of such probationary period, and if the probationary employee is covered by the bond as required pursuant to subsection 5 of section 43-30-05."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2130

On page 1, line 12 of the engrossed bill, delete the words "now or hereafter"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2207

On page 3, line 12, following the word "may" insert the following: ", upon approval of sixty percent of those voting in any special election or the next regularly scheduled primary or general election,"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2224

On page 1, line 23, of the engrossed bill, delete the words: "in accordance"

On page 1, delete all of line 24.

On page 2, delete all of line 1.

On page 2, line 2, delete all of the language before the period.

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2275

On page 2, line 19, of the engrossed bill after the word "district" delete the comma and insert the word "and"

Also on line 19 after the word "county" delete the following:

":, and municipal"

On page 2, line 20, after the word "and" insert the word "the"

And also on line 20 delete the word "members" and insert in lieu thereof "member"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2326

On page 1, line 3, delete the following: "hospitals,"

On page 1, line 4 after the word "homes" delete the comma

On page 1, line 14, delete the following: "hospital,"

On page 1, line 15 after the word "facility" delete the comma

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2332

On page 4, line 10, of the engrossed bill delete the words "date of sentencing" and insert in lieu thereof the words "first day in custody as defined in section 12.1-32-02(2), but not to include any time spent while released on bond prior to trial"

On page 4, line 21, insert beginning triple parentheses before the word "less"

On page 4, line 22, insert ending triple parentheses after the word "nor"

On page 4, line 24, insert beginning triple parentheses before the word "his"

And also on Line 24 insert closing triple parentheses following the word "wife"

And also on line 24 after the last word insert the word "spouse"

And renumber the lines and pages accordingly.



## HOUSE AMENDMENTS TO SENATE BILL No. 2376

On page 1, line 3, after the word "levies" insert the following:  
 "by sections 57-15-42 and 57-15-44"

On page 1, line 4, after the word "buildings" insert "or fire stations"

On page 1, line 13, delete the following: "a portion of its" and insert in lieu thereof "the"

On page 1, line 14, after the word "mill" delete the word "levy" and insert in lieu thereof "levies as authorized by sections 57-15-42 and 57-15-44"

On page 1, line 15, delete the word "this" and insert in lieu thereof "these" and also on line 15 delete the word "levy" and insert in lieu thereof "levies"

On page 1, line 17, after the word "buildings" insert the words "or fire stations"

And renumber the lines and pages accordingly.

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass.

Senate Bill No. 2427

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2111:

Rep. Wagner

Rep. Unhjem

Rep. Opedahl

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1477 refused to concur in the Senate amendment to House Bills Nos. 1049, 1332, and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

On House Bill No. 1049:

Rep. Kermott

Rep. Martinson

Rep. Irving

On House Bill No. 1332:

Rep. Scofield

Rep. Gunderson

Rep. Schuett

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2026:

Rep. Knudson

Rep. Hildebrand

Rep. Jacobson

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1614

House Concurrent Resolution No. 3090

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. 2018  
 Senate Bill No. 2025  
 Senate Bill No. 2071  
 Senate Bill No. 2101  
 Senate Bill No. 2142  
 Senate Bill No. 2148  
 Senate Bill No. 2155  
 Senate Bill No. 2168  
 Senate Bill No. 2170  
 Senate Bill No. 2185  
 Senate Bill No. 2189  
 Senate Bill No. 2192  
 Senate Bill No. 2209  
 Senate Bill No. 2229  
 Senate Bill No. 2249  
 Senate Bill No. 2291  
 Senate Bill No. 2300  
 Senate Bill No. 2312  
 Senate Bill No. 2346

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

## REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2061  
 Senate Bill No. 2115  
 Senate Bill No. 2139  
 Senate Bill No. 2237  
 Senate Bill No. 2263  
 Senate Bill No. 2273  
 Senate Bill No. 2329

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Fritzell moved that the report be adopted, which motion prevailed.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jones moved that the Senate do not concur in the House amendments to Senate Bill No. 2224 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2224:

Senator Jones  
 Senator Vosper  
 Senator Rait

Senator Nething moved that after the reading of House Bills Nos. 1001, 1003, 1004, 1007, 1010, 1012, 1014, 1015, 1062, 1113, 1138, 1221, 1323, 1413, 1478, 1519, 1530, 1541 and 1583, that the Senate recess until 10:00 A.M., Monday, March 17, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FORTY-NINTH DAY AFTER RECESS  
AND FIFTIETH DAY

Bismarck, March 17, 1975

The Senate convened at 10:00 A.M., pursuant to recess taken, the President presiding.

REPORTS OF PROCEDURAL COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2318

Was delivered to the Governor for his approval on March 14, 1975.

SENATOR STRAND, Chairman

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2093

Senate Bill No. 2210

Senate Bill No. 2265

Senate Bill No. 2434

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Maher 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. 2058

Senate Bill No. 2147

Senate Bill No. 2175

Senate Bill No. 2213

Senate Bill No. 2227

Senate Bill No. 2274

Senate Bill No. 2363

Senate Bill No. 2374

Senate Bill No. 2422

Senate Bill No. 2456

Senate Concurrent Resolution No. 4028

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Walsh moved that the report be adopted, which motion prevailed.

FIRST READING OF SENATE BILLS AND RESOLUTIONS

Committee on Delayed Bills introduced:

Senate Bill No. 2497. A Bill for an Act to provide for state legislative apportionment, and to repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code, relating to state legislative apportionment.

Was read the first time and referred to the Joint Committee on Reapportionment.

Committee on Delayed Bills introduced:

**Senate Concurrent Resolution No. 4075.** A concurrent resolution urging Congress to consider and approve legislation relating to the procedures to be utilized by the Bureau of the Census for the 1980 census.

Was read the first time and referred to the Joint Committee on Reapportionment.

Committee on Delayed Bills introduced:

**Senate Concurrent Resolution No. 4076.** A concurrent resolution directing the Legislative Council to carry out a comprehensive study of the administration, operation, and investment policies of the Bank of North Dakota.

Was read the first time and referred to the Committee on Legislative Council Resolutions Committee.

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1614.** A Bill for an Act relating to the establishment of a mutual liability insurance company to provide payments to injured parties for medical malpractice claims resulting from the rendering of or failure to render professional services by physicians, surgeons or authorized persons; if needed, authorizing a tax on physicians to create the mutual liability insurance company and a means to collect the tax; granting certain tax deductions and exemptions; and providing for duties and powers of directors in relation thereto.

Which was read the first time and referred to the Committee on Social Welfare and Veterans Affairs.

**House Concurrent Resolution No. 3090.** A concurrent resolution urging Congress to amend the National Occupational Safety and Health Act.

Which was read the first time and referred to the Committee on Industry, Business and Labor.

#### MOTION

Senator Nething moved that the following bills be placed in numerical order and placed at the foot of the calendar:

House Bill No. 1001  
 House Bill No. 1002  
 House Bill No. 1003  
 House Bill No. 1004  
 House Bill No. 1005  
 House Bill No. 1006  
 House Bill No. 1007  
 House Bill No. 1010  
 House Bill No. 1011  
 House Bill No. 1012  
 House Bill No. 1013  
 House Bill No. 1014  
 House Bill No. 1015  
 House Bill No. 1022  
 House Bill No. 1064  
 House Bill No. 1065  
 House Bill No. 1120  
 House Bill No. 1148  
 House Bill No. 1189  
 House Bill No. 1214  
 House Bill No. 1348  
 House Bill No. 1397  
 House Bill No. 1405  
 House Bill No. 1468  
 House Bill No. 1478  
 House Bill No. 1506



## MOTION

Senator Nething moved that House Bill 1514 be placed on the calendar in its numerical sequence along with the bills that have been placed at the foot of the calendar, which motion prevailed.

## MOTIONS

Senator Jones moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1049, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1049:

Senator Smykowski  
Senator Morgan  
Senator Holand

Senator Jones 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. 1332, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1332:

Senator Vosper  
Senator Morgan  
Senator Rait

Senator Melland moved that the Senate reconsider the action by which House Bill 1013 passed and that it be placed on the calendar in its numerical sequence, which motion prevailed.

Senator Sands moved that the Senate accede to the request of the House and return Senate Bill 2271, which motion prevailed.

## MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

Senate Bill No. 2271

Which the House requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2224, and the President has appointed as a conference committee to act with a like committee from the House:

Senator Jones  
Senator Vosper  
Senator Rait

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bills Nos. 1049, 1332:

On House Bill No. 1049:

Senator Smykowski  
Senator Morgan  
Senator Holand

On House Bill No. 1332:

Senator Vosper  
Senator Morgan  
Senator Rait

LEO LEIDHOLM, Secretary

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House

amendments to Senate Bill No. 2041 as printed on page 1113 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2041:

- Senator H. Christensen
- Senator Iszler
- Senator Schuster

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2118, as printed on pages 1113 and 1114 of the Senate Journal, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2118 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2118. A Bill for an Act to create and enact a new subsection to section 43-30-04 of the North Dakota Century Code, relating to private detective licensing powers of attorney general; to amend and reenact subsection 5 of section 43-30-05 of the North Dakota Century Code relating to qualifications of applicant; to amend and reenact section 43-30-07 of the North Dakota Century Code, relating to private detective identification card and to amend and reenact section 43-30-09 of the North Dakota Century Code, relating to detective agency license.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE														
REGULAR SESSION						ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW					
● BERUBE			● JACOBSON			● NASSET	●		● SMYKOWSKI					
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG					
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND					
● CONLIN			● LARSON			● RAIT			● STRINDEN					
● ERDMAN			● LASHKOWITZ			● REDLIN	●		● STROUP					
● FREED			● LEE			● REITEN			● THANE					
● FRITZELL			● LIPS			● RINGSAK			● THWETEN					
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER					
● GROHNOVD			● MAHER			● SANDNESS			● WALSH					
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM					
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT					
● HOMUTH			● MUTCH		●	● SCHUSTER			● MR. PRESIDENT					

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2130, as printed on page 1114 of the Senate Journal, which motion prevailed.

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2130 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2130. A Bill for an Act to provide for the deduction of contributions to certain retirement plans for state income tax purposes in





CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2275, as printed on page 1114 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2275 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2275. A Bill for an Act to provide for the creation of a commission on judicial qualifications for the discipline, censure, removal, and retirement of judges; to amend and reenact section 44-11-01 of the North Dakota Century Code, relating to the removal of certain officers by the governor; providing penalties; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 4; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON		•	• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEF			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2326, as printed on page 1114 of the Senate Journal, which motion prevailed.

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2326 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2326. 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 sales tax exemptions for all sales to nursing homes and intermediate care facilities licensed by the state health 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, 46; nays, 5; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		

CHRISTENSEN, L. #3	KAUTZMANN	PLYE	STRAND
CONLIN	LARSON	RAIT	STRINDEN
ERDMAN	LASHKOWITZ	REDLIN	STROUP
FREED	LEE	REITEN	THANE
FRITZELL	LIPS	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GRONHOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2332, as printed on page 1114 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2332 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2332. A Bill for an Act to amend and reenact sections 12-53-01, 12-53-06, 12-53-07, 12-53-10, 12-53-11 and 12-53-12 of the North Dakota Century Code, relating to when a sentence for a misdemeanor or felony may be suspended, to placing a defendant on probation when a felony sentence is suspended, to the duty of the clerk of court when a felony sentence is suspended, to arrest of a person under suspended sentence for breach of probation conditions, to revocation of suspension and termination of probation after hearing, and to release from probation.

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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PLYE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1578. A Bill for an Act to provide for the creation of municipal steam heating 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1609.** A Bill for an Act to provide that individuals, estates, and trusts shall not be required to restore to income for state income tax purposes any refund of their 1974 federal income tax liability that the Congress of the United States may authorize for stimulating the economy of the nation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Concurrent Resolution No. 3044.** A concurrent resolution urging Congress to enact legislation which would provide for taxation of certain federal properties within the states at the same rate which such lands would be taxed if those lands were owned by private citizens.

Which has been read.

The question being on the final adoption of the resolution.

Senator Barth moved that the resolution be adopted which motion prevailed, and House Concurrent Resolution No. 3044 was adopted.

**House Concurrent Resolution No. 3085.** A concurrent resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

Which has been read.

The question being on the final adoption of the resolution as amended (SJ 1006).

Senator Solberg moved that the resolution be adopted which motion prevailed and House Concurrent Resolution No. 3085 was adopted.

**House Concurrent Resolution No. 3087.** A concurrent resolution for the amendment of 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 adoption of the resolution, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN		• SHABLOW
• BERUBE			• JACOBSON		•	• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5	•		• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3	•		• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN			• LARSON		•	• RAIT	•	• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE		•	• REITEN		• THANE
• FRITZELL			• LIPS		•	• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE		•	• SANDS		• VOSPER
• GRONHOVD	•		• MAHER		•	• SANDNESS		• WALSH
• HOFFNER			• MELLAND		•	• SCHULTZ, C. #14	•	• WENSTROM
• HOLAND			• MORGAN		•	• SCHULTZ, J. #32	•	• WRIGHT
• HOMUTH			• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

House Concurrent Resolution No. 3087 was adopted.

MOTION

Senator Sands moved that House Bills 1413 and 1541 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1413.** A Bill for an Act to amend and reenact sections 11-10-10 and 11-10-10.2 of the North Dakota Century Code, relating to the salaries of county officers and the clerk of the district court.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1071 & 1072), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN		• SHABLOW
• BERUBE			• JACOBSON		•	• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5	•		• JONES		•	• NETHING		• SOLBERG
• CHRISTENSEN, L. #3	•		• KAUTZMANN		•	• PYLE		• STRAND
• CONLIN			• LARSON		•	• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ		•	• REDLIN		• STROUP
• FREED			• LEE		•	• REITEN		• THANE
• FRITZELL			• LIPS		•	• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE		•	• SANDS		• VOSPER
• GRONHOVD	•		• MAHER		•	• SANDNESS		• WALSH
• HOFFNER			• MELLAND		•	• SCHULTZ, C. #14	•	• WENSTROM
• HOLAND			• MORGAN		•	• SCHULTZ, J. #32	•	• WRIGHT
• HOMUTH			• MUTCH		•	• SCHUSTER		• MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1541.** A Bill for an Act to provide for the liability of political subdivisions, to set limitations upon such liability, and to require that political subdivisions carry liability insurance in areas of common risk; to authorize the state and political subdivisions thereof to insure against loss, damage, or injury and to waive immunity to the extent of the limits of insured liability; to amend and reenact section 39-01-08, relating to authorization to carry insurance on vehicles, to amend and reenact sections 40-42-01, 40-42-02, and 40-42-03, relating to claims for injuries on streets, and to repeal sections 40-43-01, 40-43-02, 40-43-03, 40-43-04, 40-43-05, 40-43-06, and 40-43-07, all of the North Dakota Century Code, relating to payment and compromise of judgments, and to authorization of political subdivisions to carry insurance and waiving immunity; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ

1075), the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAA DEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAN			● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

PERSONAL PRIVILEGE—HOUSE BILL No. 1147

Senator Melland:

Mr. President, members of the Senate, I have a conflict of interest in this bill and I do request under Rule 24 to be excused from voting upon it. I may have a couple of conflicts in this bill. First of all, loosely worded and poorly drafted as it may have been, I was the one who had it drafted. It was introduced in the House of Representatives by another person in the same industry who has an interest in the bill. I was happy to have him do that. I have no objection to the amendments as I think they strengthen the bill. I operate an appliance business and in many instances we make installations contrary to existing law. That is my conflict in the bill. However I would like to state to you that I have taken the time of this body on many instances indicating conflicts of one kind or another. I point out to you, and I think we took an outstanding position the other day, the distinguished Senator from District 36 amended and then passed a pre-election personal interest disclosure bill. I believe that bill will result in future legislatures not having to be concerned about Rule 24. I think conflict is a healthy condition. Those people with conflicts indicate to you they have broad interests. Their very conflicts indicate to you they have knowledge and experience that may be pertinent to the discussion and judgment of this body. I'm not going to rise under Rule 24 any more this session. I'm going to violate Rule 24 for the balance of this session. I will be voting on several bills of significance to the utility industry. I'm a director of the electrical utility that was mentioned by name in the passage of HB 1578 only a few minutes ago. I'd like you to know I'll be voting contrary to my personal interest — contrary to the interest of the utility company. Utilities don't want the provisions of all the measures we will be voting upon. The costs of coal taxes and production taxes will raise the price of the product of utilities to consumers. They will pass the costs along — they have to and it's the utility who will bear the responsibility and absorb the public abuse of those whose costs for utility services increase. I'll not be rising any further this session under Rule 24. I wanted you all to know that I think the provision of the disclosure act are very important but I hope there will always be members in this Senate who have conflicts of interest-disclosed conflicts. Their involvement makes them effective.

SECOND READING OF HOUSE BILLS

House Bill No. 1147. A Bill for an Act to create and enact section 43-18-11.1 of the North Dakota Century Code, relating to the need for a plumber's license; and to amend and reenact section 43-09-16 of the North Dakota Century Code, relating to the need for an electrician's license.

Which has been read.

Senator Nething moved that those Senators who have a conflict of interest with this bill be permitted to vote, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1003), the roll was called and there were ayes, 50; nays, 1; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

**House Bill No. 1222.** A Bill for an Act to create and enact section 26-15-02.1 of the North Dakota Century Code and to amend sections 26-15-05, 26-15-08, 26-15-13, 26-15-15 and 26-15-18 of the North Dakota Century Code relating to the maximum insurance on a single risk, extending the territorial limits of a county mutual insurance company and authorizing county mutual insurance companies to charge premiums.

Which has been read.

Senator Nething moved that those Senators who have a conflict of interest with this bill be permitted to vote, which motion prevailed.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1003), the roll was called and there were ayes, 32; nays, 18; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

### MOTION

Senator Nething moved that the Senate recess, which motion prevailed. The Senate reconvened, the President presiding.

### MOTION

Senator Nething moved that the Senate resolve itself into a Confirmation Session of advise and consent, which motion prevailed.

REPORTS OF STANDING COMMITTEE  
CONCERNING GOVERNOR'S APPOINTMENT

Mr. President:

Your Committee on Social Welfare & Veterans Affairs recommends that the Senate do advise and consent to the following Governor's Appointment:

STATE SOCIAL SERVICE BOARD (50-06-02)

Mrs. Laura S. Maixner, New England

SENATOR RINGSAK, Chairman

Senator Ringsak moved that the report be adopted, which motion prevailed.

MOTION

Senator Nothing moved that the Senate dissolve itself from the Confirmation Session, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTIETH DAY

Bismarck, March 17, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Joe Agee, Jr., Pastor, Washington Heights Community Church, Bismarck.

"Our blessed Heavenly Father, we bow before you this afternoon in humble adoration. We confess that we are a people of great need, our sin is ever before us, but we know as we confess them you will forgive, for you are a forgiving God. We thank you for your gracious forgiveness.

Jesus, I bring before you this body of government, asking you to give them the courage and strength to serve the people well. May their greatest service be turned toward you and to your righteous cause.

You have ordained government for the purpose of helping people, your creation, to walk more perfectly through this world. I pray that this body gathered here will have the knowledge and the wisdom to use that knowledge for the purpose of a better ordered state of North Dakota. Father, it is so easy for us to lose sight of the right, the good, and the better, but as we allow You to have Your rightful place in our individual and community lives, our vision will be made clear by Your mighty Holy Spirit. Your Helper, the Holy Spirit has been sent into this world and lives in men to teach how to live and love in the peace of God.

May Your blessing rest here today, I ask in the name of the ever living Saviour, Jesus Christ.

AMEN"

Roll Call: All Senators present except Stroup.

A quorum was declared by the President:

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-eighth day after recess and forty-ninth day and finds the same to be correct.

SENATOR VOSPER, Vice-Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1460. A Bill for an Act to create and enact a new section to chapter 40-45 and a new section to chapter 40-46 of the North Dakota Century Code, relating to cost of living increases or decreases through the police pension fund and the city employees' pension fund.

Which has been read.

Senator J. Schultz moved that House Bill No. 1460 be amended as follows:

On page 1 of the engrossed bill, line 1, delete the words "a new section" and insert in lieu thereof the words "two new sections"

On page 1 of the engrossed bill, line 2, delete the words "a new section" and insert in lieu thereof the words "two new sections"

On page 1 of the engrossed bill, after line 20, insert the following new section:

"SECTION 2.) A new section to chapter 40-45 of the North Dakota Century Code is hereby created and enacted to read as follows:

PENSION COST OF LIVING DECREASE.) The pensions provided in this chapter may be decreased by the police pension board if the cost of living goes down."

On page 2 of the engrossed bill, line 11, delete the words "above" and after the word "pensions" insert the following: "provided in this chapter"

On page 2 of the engrossed bill, line 12, after the word "decreased" insert the following: "by the city employee's pension board"

And renumber the lines and sections accordingly.

Senator J. Schultz moved that the amendments be adopted, which motion prevailed.

Senator J. Schultz moved that the rules be suspended, that House Bill No. 1460 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1460. A Bill for an Act to create and enact a new section to chapter 40-45 and a new section to chapter 40-46 of the North Dakota Century Code, relating to cost of living increases or decreases through the police pension fund and the city employees' pension fund.

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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NETHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT		●	STRINDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STROUP	●
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSAK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

House Bill No. 1075. A Bill for an Act to provide for an inflation credit against income taxes payable by individuals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1029), the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.



NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1204. A Bill for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of the county welfare boards.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 3; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

House Bill No. 1224. A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code, relating to the limitations on county tax levies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1030 & 1031), the roll was called and there were ayes, 38; nays, 8; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1328.** A Bill for an Act to amend and reenact subsection 1 of section 26-01-11 of the North Dakota Century Code, to provide for the exemption of considerations for annuities from the insurance premium tax.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 2; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE			• JACOBSON			• NASSET			• SNYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT		•	• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1359.** A Bill for an Act to amend and reenact section 20.1-07 and subsection 11 of section 20.1-02-05 of the North Dakota Century Code, relating to the use of motor vehicles in hunting.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1032), the roll was called and there were ayes, 45; nays, 0; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		•
• BERUBE			• JACOBSON			• NASSET			• SANYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1440.** A Bill for an Act to create and enact a new section to chapter 15-29, and 7 new subsections to section 15-29-09 of the North Dakota Century Code, relating to legislative intent and the duties of the clerks of public school districts; to amend and reenact subsection 1 of section 11-14-13 and sections 11-14-14, 11-14-15, 15-18-06, 15-29-03, 15-29-04, 15-29-11, 15-29-13, 15-44-04, 15-44-05, 15-44-09, 15-47-05, 15-47-08, 15-47-21, 15-49-05, 15-49-06, 15-55-19, subsection 2 of section 21-01-01, and sections 21-03-40 and 54-10-15 of the North Dakota Century Code, relating to duties of the treasurers and clerks of public school districts.

Which has been read.

Senator Redlin moved that House Bill No. 1440 be amended as follows:

On page 8, the last 2 lines of Section 14, remove beginning and ending triple parentheses around "The school district clerk need not be a resident of the district."

Senator Redlin moved that the amendments be adopted, which motion prevailed.

Senator Redlin moved that the rules be suspended, that House Bill No. 1440 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1440.** A Bill for an Act to create and enact a new section to chapter 15-29, and 7 new subsections to section 15-29-09 of the North Dakota Century Code, relating to legislative intent and the duties of the clerks of public school districts; to amend and reenact subsection 1 of section 11-14-13 and sections 11-14-14, 11-14-15, 15-18-06, 15-29-03, 15-29-04, 15-29-11, 15-29-13, 15-44-04, 15-44-05, 15-44-09, 15-47-05, 15-47-08, 15-47-21, 15-49-05, 15-49-06, 15-55-19, subsection 2 of section 21-01-01, and sections 21-03-40 and 54-10-15 of the North Dakota Century Code, relating to duties of the treasurers and clerks of public school districts.

Was read the second time.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 1032-1037), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1509.** A Bill for an Act to amend and reenact section 24-08-10 of the North Dakota Century Code, relating to allowing counties or municipalities to assist in constructing bridges.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 1038), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.







1. From the establishment of the Bank in 1919, the activities and operations of the Bank have expanded to a \$389 million operation. The cashier's department has expanded to handle over 9,000 individual accounts, savings accounts, and certificates of deposit with total individual deposits of over \$20,284,000. The loan department presently has over \$32 million in loans made directly to farmers or farm-related industries out of a total amount of \$53,828,000 in the loan portfolio. In addition, the Bank has over \$38,200,000 in housing loans and over \$27 million in student loans.

2. The present management structure of the Bank of North Dakota is not organized so as to present a strong chain of command from senior management down to the employees. There appears to be no senior management officers between the various department heads and the president of the Bank.

3. The present structure of the management of the Bank gives department heads substantial authority over their individual departments. The securities department has complete control over its transactions. The loan department can loan up to \$50,000 without prior approval from the investment committee, while the investment committee can approve transactions of up to \$250,000 without prior approval of the Industrial Commission. Loans over \$250,000 presently receive prior approval from the Industrial Commission.

4. The responsibilities of the president of the Bank of North Dakota have expanded in recent years to the point that managing the operations of the Bank is a full-time job and non-Bank responsibilities of the president should be reduced.

5. There exists no procedure within the Bank to ensure that the Bank receives the full amount of profit from a securities transaction. However, after the disclosure of questionable securities transactions at the Bank, the previous procedure was changed so that the securities department and the cashier's department are both involved in a securities transaction.

6. The importance given to profit motivation and Bank operations may, in some instances, result in limiting the services of the Bank to the citizens of the State.

7. The number of people in the cashier's department relate directly to the expanded activities the Bank has undertaken in the private account business. This business of the Bank is, to some extent, in direct competition with the private banking institutions in the Bismarck-Mandan area.

8. The expanding operations of the Bank of North Dakota in its loan department, student loan department, and computer service require additional operating space.

As the result of the findings of the Committee, the Committee makes the following recommendations concerning the operations of the Bank of North Dakota:

1. The Committee recommends that Senate Bill No. 2453 be amended to provide that each member of the Industrial Commission should be able to appoint three members to an operations board of the Bank of North Dakota. This nine-member board should represent the three groups dominant in their relationships with the Bank — agriculture; industry, business and small manufacturing; and banking institutions. The board should reflect more than a review board in that it should take an active part in establishing policies and recommending procedures to be followed by Bank personnel in their transactions. The board should be utilized as a board of directors of the Bank of North Dakota, subject to final authority of the Industrial Commission.

2. The Committee recommends that the Industrial Commission employ

a qualified auditor whose responsibilities would be to the Industrial Commission. The auditor would act as the executive director of the operations board and would review the operations of the industries under control of the Industrial Commission.

3. The Committee recommends that the president of the Bank of North Dakota promulgate and put into effect a manual of standard operating procedures for Bank of North Dakota personnel. This manual should list job descriptions and qualifications, should describe the procedures to be followed in handling loans, and should establish the responsibility of the various personnel to management.

4. The Committee recommends that the Industrial Commission and the operations board review the loan policies of the Bank, including loan approval authority, and establish procedures to be followed by Bank personnel in making loans.

5. The Committee recommends that the Industrial Commission and the operations board review the standards and qualifications of investment firms with which the Bank does business.

6. The Committee recommends that the Industrial Commission restructure the senior management at the Bank of North Dakota. Senior management of a bank the size of the Bank of North Dakota should include qualified senior vice presidents and other staff personnel, including a qualified investment specialist and a representative whose primary responsibilities would be to contact the private banking institutions in the State.

7. The Committee recommends that the Industrial Commission and the operations board establish a policy that the Bank be expanded as a service institution for political subdivisions and financial institutions in the State.

8. The Committee recommends that the Industrial Commission and the operations board establish a policy that primary emphasis of the Bank of North Dakota should be its relationship with other financial institutions in the State and with political subdivisions, and that retail operations of the Bank with private depositors should be de-emphasized towards the goal of elimination of private accounts.

9. The Committee recommends that the Industrial Commission and the operations board establish a policy for the Bank that interest rates on overlines and on participation loans should not exceed prevailing rates charged by private financial institutions.

10. The Committee recommends that the space of the Bank building be totally utilized by the Bank in its operations.

11. The Committee recommends that the Legislative Council conduct an interim study of the Bank of North Dakota to determine the extent the recommendations of this Select Senate Committee are followed and to determine if anything further is needed for improvement in Bank operations.

Theron Strinden  
State Senator  
Chairman, Select Senate Committee  
on the Bank of North Dakota

Senator Strinden moved that the report be adopted, which motion prevailed.

Senator J. Schultz moved that the remarks of Senator Strinden and the report of the Select Committee be printed in the Journal, which motion prevailed.

#### PERSONAL PRIVILEGE

Senator Nething: Mr. President, I rise on a point of personal privilege. I think all of us owe a debt of gratitude to the senators who were so willing



to serve on this select committee, for the work that they did. I think, that as near as I could gather, that during the course of the study that was made, that it was an absolute bi-partisan effort. There was no attempt at all to embarrass any individuals and I think that it was the type of a study that the Senate and the citizens of this state can be very proud. I think also, that the recommendations that they have made to us are particularly significant and I sincerely hope that we will be able to set up the vehicle to see that these recommendations are followed through. The Bank of North Dakota is the type of an industry that is unique, not only in the business world but to us who are legislators because we have nothing to which we can relate in the study of its operations except that which we learn by ourselves as we have a committee we have had function. It's my sincere hope that when these proposals are put into bill form; and I do believe that they will be; one bill and one resolution that comes before this body; will be received with unanimous support and I again certainly want to commend not only the senators, chairman and the vice-chairman, but all the members who gave all those hours, and believe me there were times when we left this capitol, that these people stayed here afterwards because they felt that the work that they were doing was that important and it truly is. Again, thank you to these committee members for their fine efforts.

MOTION

Senator Strinden moved that the Committee of the Bank of North Dakota be discharged, which motion prevailed.

Senator Melland moved that House Bill 1189 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1189. A Bill for an Act to amend and reenact subsections 1, 2, 3, and 4 of section 44-08-04, and sections 54-03-20 and 54-06-09 of the North Dakota Century Code, relating to the mileage and expense reimbursement for members of the legislative assembly, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1029 and 1030), the roll was called and there were ayes, 37; nays, 12; absent and not voting, 2.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			ISZLER	●		●		SHABLOW
●			JACOBSON	●		●		SMYKOWSKI
●			JONES	●		●		SOLBERG
●			KAUTZMANN	●		●		STRAND
●			LARSON	●		●		STRINDEN
●			LASHKOWITZ	●		●		STROUP
●			LEE	●		●		THANE
●			LIPS	●		●		TWETEN
●			LONGMIRE	●		●		VOSPER
●			MAHER	●		●		WALSH
●			MELLAND	●		●		WENSTROM
●			MORGAN	●		●		WRIGHT
●			MUTCH	●		●		MR. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause carried.

MOTION

Senator Stroup moved that House Bill 1221 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

**House Bill No. 1221.** A Bill for an Act to provide for an energy conversion tax on coal gasification and electrical generating plants; to provide that such tax be in lieu of certain other taxes; to provide for the administration and collection of such tax; to provide powers and duties of the state tax commissioner; to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to gross receipts from the sale of coal and electricity; to amend and reenact subsections 2, 3, and 5 of section 57-39.2-01, subsection 2 of section 57-39.2-02, subsection 2 of section 57-39.2-03, subsection 2 of section 57-39.2-03.1, subsection 2 of section 57-39.2-18, and subdivision a of subsection 6 of section 57-40.2-01, and section 57-53-02 of the North Dakota Century Code, relating to the exemption of coal, electricity, and heating fuels from sales and use and special fuels taxes; to provide a penalty; to provide that this Act shall be temporary; and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1067 and 1068), the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	ISZLER		●	NAADEN		●	SHABLOW	
		●	●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NETHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT ●		●	STRINDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STROUP	
●	●		●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSAK		●	TWETEN	
●			●	LONGMIRE		●	SANDS	●	●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

**House Bill No. 1611.** A Bill for an Act to amend and reenact section 61-06-22 of the North Dakota Century Code, relating to the salary of the directors of irrigation 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, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NETHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT ●		●	STRINDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STROUP	
●	●		●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSAK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

## REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had the following under consideration:

Senate Concurrent Resolution No. 4004  
Senate Concurrent Resolution No. 4006  
Senate Concurrent Resolution No. 4011  
Senate Concurrent Resolution No. 4016  
Senate Concurrent Resolution No. 4025  
Senate Concurrent Resolution No. 4042  
Senate Concurrent Resolution No. 4045  
Senate Concurrent Resolution No. 4048  
Senate Concurrent Resolution No. 4050  
Senate Concurrent Resolution No. 4058  
Senate Concurrent Resolution No. 4059  
Senate Concurrent Resolution No. 4063  
Senate Concurrent Resolution No. 4067  
Senate Concurrent Resolution No. 4069

And recommends that the same do pass, and be placed on the consent calendar.

SENATOR GOODMAN, Chairman

Senator Goodman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4005 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4005 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4021 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4021 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4022 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4022 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural 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 be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4033 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4047 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4047 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4049 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4049 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4051 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4051 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4052 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4052 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4053 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4053 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4055 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4055 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4056 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4056 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4057 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4057 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4060 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4060 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural 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 GOODMAN, Chairman

Senate Concurrent Resolution No. 4062 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4064 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4064 was placed on the 6th order of business for the succeeding legislative day.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4068 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4068 was placed on the 6th order of business for the succeeding legislative day.

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 17, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 14, 1975, I signed the following Senate Bills:

2358	2437
2365	2454
2386	2471
2387	2473
2394	2484
2433	

Sincerely yours,  
ARTHUR A. LINK  
Governor

SECOND READING OF HOUSE BILLS  
AND RESOLUTIONS

**House Concurrent Resolution No. 3033.** A concurrent resolution urging the Governor to close deer hunting season during 1975.

Which has been read.

The question being on the final adoption of the resolution as amended, (SJ 1039 and 1040).

Senator Lee moved that the resolution be adopted, which motion prevailed and House Concurrent Resolution 3033 was adopted.

**House Bill No. 1062.** A Bill for an Act to require written notice and approval before a permit to surface mine land is issued by the public service commission, to provide for surface damage and disruption payments, to provide for a financial obligation to reclaim land disturbed by a mining operation, and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ



it would be difficult for me to build a home on some land that would be impossible to own the mineral rights or would have the problem staying where the surface could be destroyed at any time in the future. I just wanted to make that clear that this is going to be a deterrent to the proper and decent living in western North Dakota.

### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1043

House Bill No. 1046

House Bill No. 1060

House Bill No. 1101

House Bill No. 1176

House Bill No. 1232

House Bill No. 1298

House Bill No. 1338

House Bill No. 1407

House Bill No. 1574

House Bill No. 1576

House Bill No. 1593

House Concurrent Resolution No. 3046

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2118, 2130, 2207, 2275, 2326, 2332, refused to concur in the House amendment to Senate Bill No. 2041, and the President has appointed as a conference committee to act with a like committee from the House:

Senator H. Christensen

Senator Iszler

Senator Schuster

LEO LEIDHOLM, Secretary of Senate

### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2066

Senate Bill No. 2126

Senate Bill No. 2146

Senate Bill No. 2430

Senate Bill No. 2464

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2064

Senate Bill No. 2089

Senate Bill No. 2143

Senate Bill No. 2182

Senate Bill No. 2231

Senate Bill No. 2306

Senate Bill No. 2348

Senate Bill No. 2377

Senate Concurrent Resolution No. 4002

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2064

On page 1, line 3, of the engrossed bill, insert a period after the word "drugs" and delete all of lines 4 and 5.

On page 1, line 17, place beginning triple parentheses before the word "He"

On page 1, line 18, delete the beginning triple parentheses before the comma.

And also on line 18 delete the semi-colon and insert the following:

"There is ten-hundredths of one percent or more by weight of alcohol in his blood;"

And renumber the lines and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2089

On page 1 of the engrossed bill, line 22, delete the word "project" and insert in lieu thereof the words: "single project at a single location in this state"

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2143

On page 1, line 3, of the engrossed bill after the word "matters," insert the word "and", and also on line 3 delete the comma and words: ", and heart"

On page 1, line 4, delete the words: "attacks and strokes"

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2182

On page 1, line 16, of the engrossed bill delete the words "and a"

On page 1, delete all of lines 17 and 18

On page 1, line 19, delete everything before the semicolon

And renumber the lines and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2231

On page 1, line 14, of the engrossed bill insert beginning triple parentheses before the partial word "Contri-"

On page 1, line 17, delete the beginning and ending triple parentheses around the words "one-half of"

On page 2, line 6, insert ending triple parentheses after the word and period "fund." and insert in lieu thereof the following:

"1. Failure of any employing unit subject to the North Dakota unemployment compensation law to file contribution reports and pay contributions in the manner and time prescribed by the bureau shall subject such employing unit to interest and penalty charges as follows:

a. Contributions unpaid when due shall bear interest at the rate of one percent per month or fraction thereof from due date;

b. In the event of unexcused failure to file contribution reports within sixty days from due date there shall be added a penalty in an amount equal to five percent of such contributions or the sum of ten dollars, whichever is the greater;

c. When such unexcused failure to file contribution reports continues for more than sixty days there shall be added an additional penalty in an amount equal to five percent of such contributions for each additional sixty days or fraction thereof, but such additional penalty shall not exceed twenty percent.

2. The amount added pursuant to the provisions of this section shall be collected at the same time and in the same manner and as a part of the contributions and shall be paid into the unemployment trust fund.

3. The executive director, or any bureau employee authorized in writing by him, is authorized to enter into written agreements with



employers relating to their liability in respect to delinquent contributions, interest, penalties, and costs when such employers are indebted to the bureau because of failure to pay contributions required to be paid within any given period of time; provided that such agreements shall be in accordance with regulations promulgated by the bureau and filed as provided by law, and further provided that they do not contravene any other law, rule or regulation."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2306

On page 1, line 14, of the engrossed bill, after the word "and" delete the word "the" and insert in lieu thereof "any known or existing"

On page 1, line 15, after the word "city" delete the following:

"with a population in excess of two thousand"

On page 1, line 23, after the word "and" delete the word "the" and insert in lieu thereof "any known or existing"

On page 2, line 1, delete the following: "with a population in excess of two thousand"

On page 2, after line 2, add the following: "Failure to have included any address on a recorded deed shall not defeat the doctrine of constructive notice."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2348

On page 1, line 13, after the word "physician" insert the following: "or licensed hospital"

On page 1, line 14, delete the word "four" and insert in lieu thereof the word "six"

On page 1, line 17, after the word "physician" insert the following: "or licensed hospital"

On page 1, after line 17, add the following: "This limitation shall be subject to the provisions of section 28-01-25."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2377

On page 1, line 14, delete the word "twenty-five" and insert in lieu thereof the word "ten"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION No. 4002

On page 1, before line 1, delete the following: "ALTERNATIVE 1"

And renumber the lines and pages accordingly.

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2199

Senate Bill No. 2251

Senate Bill No. 2280

Senate Bill No. 2388

Senate Bill No. 2391

Senate Bill No. 2392

Senate Bill No. 2411

Senate Bill No. 2455

Senate Concurrent Resolution No. 4014

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2461

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1067

House Bill No. 1307

House Bill No. 1412

House Bill No. 1472

House Bill No. 1473

House Bill No. 1492

House Bill No. 1496

House Bill No. 1502

House Bill No. 1507

House Bill No. 1508

House Bill No. 1542

House Bill No. 1544

House Bill No. 1579

House Bill No. 1588

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. 1067

House Bill No. 1307

House Bill No. 1412

House Bill No. 1472

House Bill No. 1473

House Bill No. 1492

House Bill No. 1496

House Bill No. 1502

House Bill No. 1507

House Bill No. 1508

House Bill No. 1542

House Bill No. 1544

House Bill No. 1579

House Bill No. 1588

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

## Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1067

House Bill No. 1307

House Bill No. 1412

House Bill No. 1472

House Bill No. 1473

House Bill No. 1492

House Bill No. 1496

House Bill No. 1502

House Bill No. 1507

House Bill No. 1508

House Bill No. 1542

House Bill No. 1544

House Bill No. 1579  
House Bill No. 1588  
Which the President has signed.

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2018  
Senate Bill No. 2025  
Senate Bill No. 2061  
Senate Bill No. 2071  
Senate Bill No. 2101  
Senate Bill No. 2115  
Senate Bill No. 2139  
Senate Bill No. 2142  
Senate Bill No. 2148  
Senate Bill No. 2155  
Senate Bill No. 2168  
Senate Bill No. 2170  
Senate Bill No. 2185  
Senate Bill No. 2189  
Senate Bill No. 2192  
Senate Bill No. 2209  
Senate Bill No. 2229  
Senate Bill No. 2237  
Senate Bill No. 2249  
Senate Bill No. 2263  
Senate Bill No. 2273  
Senate Bill No. 2291  
Senate Bill No. 2300  
Senate Bill No. 2312  
Senate Bill No. 2329  
Senate Bill No. 2346

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2018  
Senate Bill No. 2025  
Senate Bill No. 2061  
Senate Bill No. 2071  
Senate Bill No. 2101  
Senate Bill No. 2115  
Senate Bill No. 2139  
Senate Bill No. 2142  
Senate Bill No. 2148  
Senate Bill No. 2155  
Senate Bill No. 2168  
Senate Bill No. 2170  
Senate Bill No. 2185  
Senate Bill No. 2189  
Senate Bill No. 2192  
Senate Bill No. 2209  
Senate Bill No. 2229  
Senate Bill No. 2237  
Senate Bill No. 2249  
Senate Bill No. 2263

Senate Bill No. 2273  
 Senate Bill No. 2291  
 Senate Bill No. 2300  
 Senate Bill No. 2312  
 Senate Bill No. 2329  
 Senate Bill No. 2346

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

##### House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1103, 1206, 1266, 1495, 1546, 1566, refused to concur in the Senate amendment to House Bill No. 1091, 1484 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

House Bill No. 1091:

Rep. Farrington  
 Rep. Raymond  
 Rep. Powers

House Bill No. 1484:

Rep. Atkinson  
 Rep. Ekblad  
 Rep. Orange

ROY GILBREATH, Chief Clerk

##### House Chamber

Bismarck, N.D., March 17, 1975

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. 2041, 2224:

Senate Bill No. 2041:

Rep. Kretchmar  
 Rep. Wentz  
 Rep. Meiers

Senate Bill No. 2224:

Rep. Ekblad  
 Rep. Watkins  
 Rep. Orange

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President:

I have the honor to inform you that the House has reconsidered its action by which it refused to concur in the Senate amendments to House Bills Nos. 1009 and 1452, and discharged the Conference Committee appointed, and now concurs in the Senate amendments to House Bills Nos. 1009 and 1452.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2058  
 Senate Bill No. 2093  
 Senate Bill No. 2147  
 Senate Bill No. 2175  
 Senate Bill No. 2210

Senate Bill No. 2213  
 Senate Bill No. 2227  
 Senate Bill No. 2265  
 Senate Bill No. 2274  
 Senate Bill No. 2363  
 Senate Bill No. 2374  
 Senate Bill No. 2422  
 Senate Bill No. 2434  
 Senate Bill No. 2456

Senate Concurrent Resolution No. 4028

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2058  
 Senate Bill No. 2093  
 Senate Bill No. 2147  
 Senate Bill No. 2175  
 Senate Bill No. 2210  
 Senate Bill No. 2213  
 Senate Bill No. 2227  
 Senate Bill No. 2265  
 Senate Bill No. 2274  
 Senate Bill No. 2363  
 Senate Bill No. 2374  
 Senate Bill No. 2422  
 Senate Bill No. 2434  
 Senate Bill No. 2456

Senate Concurrent Resolution No. 4028

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1124  
 House Bill No. 1191  
 House Bill No. 1247  
 House Bill No. 1310  
 House Bill No. 1443  
 House Bill No. 1567

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1170  
 House Bill No. 1239  
 House Bill No. 1244  
 House Bill No. 1277  
 House Bill No. 1292  
 House Bill No. 1305  
 House Bill No. 1320  
 House Bill No. 1404  
 House Bill No. 1521  
 House Bill No. 1553  
 House Bill No. 1572

House Bill No. 1581  
 House Bill No. 1597  
 House Bill No. 1599  
 House Concurrent Resolution No. 3003  
 House Concurrent Resolution No. 3040  
 House Concurrent Resolution No. 3050  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1046, and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Rep. Kretchmar  
 Rep. Winkjer  
 Rep. Gerving

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1020  
 House Bill No. 1093  
 House Bill No. 1135  
 House Bill No. 1172  
 House Bill No. 1183  
 House Bill No. 1185  
 House Bill No. 1261  
 House Bill No. 1295  
 House Bill No. 1299  
 House Bill No. 1339  
 House Bill No. 1356  
 House Bill No. 1360  
 House Bill No. 1425  
 House Bill No. 1426  
 House Bill No. 1543

House Concurrent Resolution No. 3051

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2018  
 Senate Bill No. 2025  
 Senate Bill No. 2061  
 Senate Bill No. 2071  
 Senate Bill No. 2101  
 Senate Bill No. 2115  
 Senate Bill No. 2139  
 Senate Bill No. 2142  
 Senate Bill No. 2148  
 Senate Bill No. 2155  
 Senate Bill No. 2168  
 Senate Bill No. 2170  
 Senate Bill No. 2185  
 Senate Bill No. 2189

Senate Bill No. 2192  
Senate Bill No. 2209  
Senate Bill No. 2229  
Senate Bill No. 2237  
Senate Bill No. 2249  
Senate Bill No. 2263  
Senate Bill No. 2273  
Senate Bill No. 2291  
Senate Bill No. 2300  
Senate Bill No. 2312  
Senate Bill No. 2329  
Senate Bill No. 2346

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MOTION

Senator Ringsak moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1484, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1484:

Senator Sandness  
Senator Ringsak  
Senator Holand

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1484:

Senator Sandness  
Senator Ringsak  
Senator Holand

LEO LEIDHOLM, Secretary

House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2058  
Senate Bill No. 2093  
Senate Bill No. 2147  
Senate Bill No. 2175  
Senate Bill No. 2210  
Senate Bill No. 2213  
Senate Bill No. 2227  
Senate Bill No. 2265  
Senate Bill No. 2274  
Senate Bill No. 2363  
Senate Bill No. 2374  
Senate Bill No. 2422  
Senate Bill No. 2434  
Senate Bill No. 2456  
Senate Concurrent Resolution No. 4028  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

Senator Nething moved that the Senate recess until 9:30 a.m., March 18, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





FIFTIETH DAY AFTER RECESS  
AND FIFTY-FIRST DAY

Bismarck, March 18, 1975

The Senate convened at 9:30 A.M., pursuant to recess taken, the President presiding.

REPORTS OF PROCEDURAL COMMITTEES

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2018  
Senate Bill No. 2025  
Senate Bill No. 2058  
Senate Bill No. 2061  
Senate Bill No. 2071  
Senate Bill No. 2093  
Senate Bill No. 2101  
Senate Bill No. 2115  
Senate Bill No. 2139  
Senate Bill No. 2142  
Senate Bill No. 2147  
Senate Bill No. 2148  
Senate Bill No. 2155  
Senate Bill No. 2168  
Senate Bill No. 2170  
Senate Bill No. 2175  
Senate Bill No. 2185  
Senate Bill No. 2189  
Senate Bill No. 2192  
Senate Bill No. 2209  
Senate Bill No. 2210  
Senate Bill No. 2213  
Senate Bill No. 2227  
Senate Bill No. 2229  
Senate Bill No. 2237  
Senate Bill No. 2249  
Senate Bill No. 2263  
Senate Bill No. 2265  
Senate Bill No. 2273  
Senate Bill No. 2274  
Senate Bill No. 2291  
Senate Bill No. 2300  
Senate Bill No. 2312  
Senate Bill No. 2329  
Senate Bill No. 2346  
Senate Bill No. 2363  
Senate Bill No. 2374  
Senate Bill No. 2422  
Senate Bill No. 2434

Senate Bill No. 2456

Were delivered to the Governor for his approval on March 18, 1975.

SENATOR STRAND, Chairman

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4028

Was delivered to the Secretary of State on March 18, 1975.

SENATOR STRAND, Chairman

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 18, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 17, 1975, I signed Senate Bill 2318.

Sincerely yours,  
ARTHUR A. LINK  
Governor

MOTION

Senator Nething moved that the Senate deem Senate Bills 2109, 2413 and 2050 properly engrossed, which motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Joint Committee on Reapportionment to whom was referred Senate Bill No. 2497 has had the same under consideration and recommends that the same do pass.

SENATOR GOODMAN, Co-Chairman

REPRESENTATIVE ATKINSON, Co-Chairman

Senate Bill No. 2497 was placed on the 11th order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE

Mr. President: Your Joint Committee on Reapportionment to whom was referred Senate Concurrent Resolution No. 4075 has had the same under consideration and recommends that the same do pass.

SENATOR GOODMAN, Co-Chairman

REPRESENTATIVE ATKINSON, Co-Chairman

Senate Concurrent Resolution No. 4075 was placed on the 11th order of business on the calendar for the succeeding legislative day.

MOTIONS

Senator Holand moved that the Senate request the return of Senate Bill 2331 from the Joint Committee on Reapportionment, which motion prevailed.

Senator Holand requested the unanimous consent of the Senate to withdraw Senate Bill 2331. There being no objection, the request was granted.

Senator Naaden moved that the Senate request the return of Senate Bill 2370 from the Joint Committee on Reapportionment, which motion prevailed.

Senator Naaden requested the unanimous consent of the Senate to withdraw Senate Bill 2370. There being no objection, the request was granted.

**COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT**

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4005, as printed on page 1141 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Concurrent No. 4005, the roll was called and there were 46 ayes; 0 nays; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADE			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4005 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4021, as printed on page 1141 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4021, the roll was called and there were 15 ayes; 33 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADE			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

The motion failed, and Senate Concurrent Resolution No. 4021 was placed on the 11th Order of Business for the next succeeding legislative day.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4022, as printed on page 1141 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4022, the roll was called and there were 46 ayes; 0 nays; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADE			● SHABLOW		
● REIRIF			● JACOBSON			● NASSET			● SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NOTHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAM	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Concurrent Resolution No. 4022 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4033, as printed on page 1141 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4033, the roll was called and there were 45 ayes; 0 nays; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed; and Senate Concurrent Resolution No. 4033 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4047, as printed on page 1141 of the Senate Journal be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4047, the roll was called and there were 43 ayes; 1 nays; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET		●	● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4047 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4049, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4049, the roll was called and there were 36 ayes; 7 nays; absent and not voting, 8.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SHYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

The motion prevailed, and Senate Concurrent Resolution No. 4049 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4051, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4051, the roll was called and there were 14 ayes; 32 nays; absent and not voting, 5.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SHYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

The motion failed, and Senate Concurrent Resolution No. 4051 was placed on the 11th Order of Business for the next succeeding legislative day.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4052, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4052, the roll was called and there were 29 ayes; 21 nays; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SHYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN

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• GOODMAN	• LONGMIRE	• SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	• MR. PRESIDENT

The motion prevailed, and Senate Concurrent Resolution No. 4052 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4053, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4053, the roll was called and there were 46 ayes; 2 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SHYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4053 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4055, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4055, the roll was called and there were 20 ayes; 30 nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SHYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

The motion failed, and Senate Concurrent Resolution No. 4055 was placed on the 11th Order of Business for the next succeeding legislative day.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4056, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4056, the roll was called and there were 35 ayes; 8 nays; absent and not voting, 8.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAADEN			• SHABLOW		
• BERUBE	•		• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3	•		• KAUTZMANN	•		• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL	•		• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD	•		• MAHER	•		• SANDNESS			• WALSH		
• HOFFNER			• MELLAND	•		• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32	•		• WRIGHT	•	
• HOMUTH	•		• MUTCH	•		• SCHUSTER			MR. PRESIDENT		

The motion prevailed, and Senate Concurrent Resolution No. 4056 was indefinitely postponed.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4057, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4057, the roll was called and there were 24 ayes; 25 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAADEN			• SHABLOW		
• BERUBE	•		• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3	•		• KAUTZMANN	•		• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL	•		• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD	•		• MAHER	•		• SANDNESS			• WALSH		
• HOFFNER			• MELLAND	•		• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32	•		• WRIGHT	•	
• HOMUTH	•		• MUTCH	•		• SCHUSTER			MR. PRESIDENT		

The motion failed, and Senate Concurrent Resolution No. 4057 was placed on the 11th Order of Business for the next succeeding legislative day.

Senator Goodman moved that the Committee Report on Senate Concurrent Resolution No. 4060, as printed on page 1142 of the Senate Journal be adopted.

ROLL CALL

The question being on the adoption of the Committee Report on Senate Concurrent Resolution No. 4060, the roll was called and there were 41 ayes; 7 nays; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAADEN			• SHABLOW		
• BERUBE	•		• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3	•		• KAUTZMANN	•		• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL	•		• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD	•		• MAHER	•		• SANDNESS			• WALSH		
• HOFFNER			• MELLAND	•		• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32	•		• WRIGHT	•	
• HOMUTH	•		• MUTCH	•		• SCHUSTER			MR. PRESIDENT		





● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

The motion prevailed, and Senate Concurrent Resolution No. 4068 was indefinitely postponed.

### MOTION

Senator Lee moved that Senate Concurrent Resolution 4050 be withdrawn from the consent calendar, which motion prevailed.

### SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON THE CONSENT CALENDAR

**Senate Concurrent Resolution No. 4004.** A concurrent resolution directing the Legislative Council to carry out a study of the types and appropriateness of criminal liability which arises as a result of violation of administrative regulations; to study the case law and statutes relating to civil and criminal contempt; to study the desirability of appellate review of sentences; to study disqualifications attendant upon criminal liability; and to study the use of certain terminology in the domestic relations statutes.

Which has been read the second time.

**Senate Concurrent Resolution No. 4006.** A concurrent resolution directing the Legislative Council to study and review the statutes relating to water rights and water appropriation in North Dakota.

Which had been read the second time.

**Senate Concurrent Resolution No. 4011.** A concurrent resolution directing the legislative council to study and review the jurisdiction of the public service commission including the possibility of taking certain departments from the public service commission as well as adding other departments or agencies to the jurisdiction of the public service commission.

Which had been read the second time.

**Senate Concurrent Resolution No. 4016.** A concurrent resolution directing the Legislative Council to study the general area of administrative hearings.

Which had been read the second time.

**Senate Concurrent Resolution No. 4025.** A concurrent resolution directing a study by the Legislative Council to determine the feasibility of adopting a benefit formula retirement plan for the public employees' retirement system.

Which had been read the second time.

**Senate Concurrent Resolution No. 4042.** A concurrent resolution directing a study by the Legislative Council of alternative energy sources.

Which had been read the second time.

**Senate Concurrent Resolution No. 4045.** A concurrent resolution directing the Legislative Council to conduct a study to determine the need and the best method of financing additional college buildings and other capital improvements on a priority basis.

Which had been read the second time.

**Senate Concurrent Resolution No. 4048.** A concurrent resolution directing the Legislative Council to study the impact of the management

of wildlife refuges and waterfowl production areas by the fish and wildlife service of the Department of the Interior on the agriculture of North Dakota.

Which had been read the second time.

**Senate Concurrent Resolution No. 4058.** A concurrent resolution directing a study by the Legislative Council of the taxation of power transmission lines.

Which had been read the second time.

**Senate Concurrent Resolution No. 4059.** A concurrent resolution directing the Legislative Council to study the laws and practices relating to the buying, selling, renting, leasing, and servicing of trailer homes and trailer parks in North Dakota.

Which had been read the second time.

**Senate Concurrent Resolution No. 4063.** A concurrent resolution directing the Legislative Council to study the organizational and negotiation rights of public employees, and to reexamine Title 34 of the North Dakota Century Code, relating to labor managements relationships.

Which had been read the second time.

**Senate Concurrent Resolution No. 4067.** A concurrent resolution directing the Legislative Council to study the present criminal prosecutorial system and any feasible alternatives thereto to include a statewide system providing for full-time criminal prosecution.

Which had been read the second time.

**Senate Concurrent Resolution No. 4069.** A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees.

Which had been read the second time.

### ROLL CALL

The question being on the final adoption of the resolutions, the roll was called and there were ayes 50; nays 1; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•		• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the resolutions were adopted.

### MOTION

Senator Nething moved that Senate Concurrent Resolution No. 4021 be amended as follows:

On page 1, line 2, after the word "review", insert the words " , as part of the study carried out by the resources research committee,"

On page 2, line 2, after the word "review", insert the words " , to the extent feasible,"

On page 2, line 6, delete the following: " , and", and insert the following in lieu thereof: " . This study may be carried out by the resources research committee established by the Legislative Council pursuant to House Bill No. 1004. The Legislative Council shall"

And renumber the lines accordingly.





CHRISTENSEN, H. #5 ●	JONES ●	● NETHING	SOLBERG ●
● CHRISTENSEN, L. #3	KAUTZMANN ●	● PYLE	STRAND ●
● CONLIN ●	LARSON ●	RAIT ●	STRINDEN ●
● ERDMAN	● LASHKOWITZ	● REDLIN	STROUP ●
● FREED	● LEF	REITEN ●	THANE ●
● FRITZELL ●	● LIPS	RINGSAK ●	● TWETEN
● GOODMAN ●	● LONGMIRE ●	SANDS ●	VOSPER ●
● GRONHOVD	● MAHER	SANDNESS ●	● WALSH
● HOFFNER	● MELLAND	SCHULTZ, C. #14 ●	WENSTROM ●
● HOLAND	● MORGAN ●	● SCHULTZ, J. #32	● WRIGHT
● HOMUT ●	MUTCH ●	● SCHUSTER	MR. PRESIDENT

Senate Concurrent Resolution 4057 lost.

MOTION

Senator Nething moved that the Senate recess for lunch, which motion prevailed.

The Senate reconvened, the President presiding.

Senator Pyle moved that the absent Senator be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FIRST DAY

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Reverend Canon Bryan Green of England.

“Our Lord Jesus:

We acknowledge before You that to these senators that we have entrusted the happiness and well-being of the citizens of this state. With this end, we ask that Your guidance and wisdom to be given to them in discussion and decision. That without prejudice and self-interest, they would decide to the happiness of the people and the glory of Your name. In Jesus’ name, we pray. Amen.”

Roll Call: All Senators present except Smykowski.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the forty-ninth day after recess and fiftieth day and recommends that the same be corrected as follows:

On page 1135, line 32, delete the numbers 54-5212-05 and insert in lieu thereof 54-52.2-05.

On page 1150, line 31, delete the numbers 2014 and insert the numbers 2041.

And when so corrected recommends that the same be approved.

SENATOR VOSPER, Vice-Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3092

House Concurrent Resolution No. 3094

ROY GILBREATH, Chief Clerk



## PERSONAL PRIVILEGE

Senator Lashkowitz: Mr. President, I rise on a point of personal privilege.

I want to reiterate that I have nothing but complete respect and admiration for the committee and its chairman who I know toiled diligently and honorably with this difficult problem. My vote was simply to recognize that they had what I regard as an impossible assignment.

## MOTIONS

Senator Nething moved that the rules be suspended, that Senate Bill 2497 be messaged to the House immediately, which motion prevailed.

Senator Nething moved that Senate Concurrent Resolution 4075 be placed at the head of the calendar, which motion prevailed.

## SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4075. A concurrent resolution urging Congress to consider and approve legislation relating to the procedures to be utilized by the Bureau of the Census for the 1980 census.

Which has been read.

The question being on the final adoption of the resolution.

Senator Smykowski moved that the resolution be adopted, which motion prevailed and Senate Concurrent Resolution 4075 was adopted.

Senator Nething moved that the vote by which Senate Concurrent Resolution No. 4075 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MOTION

Senator Nething moved that the rules be suspended, that Senate Concurrent Resolution 4075 be messaged to the House immediately, which motion prevailed.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2064 was printed on page 1146 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2064:

Senator Freed  
 Senator Ringsak  
 Senator Schuster

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Stroup moved that the Senate do concur in the House amendments to Senate Bill No. 2089, as printed on page 1146 of the Senate Journal, which motion prevailed.

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2089 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2089. A Bill for an Act to create and enact a new section to chapter 40-57.1 of the North Dakota Century Code to exclude certain large industries from eligibility for tax exemptions for new industries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 4; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND	•		• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32		•	• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sands moved that the Senate do concur in the House amendments to Senate Bill No. 2182, as printed on page 1146 of the Senate Journal, which motion prevailed.

Senator Sands moved that the rules be suspended, that Senate Bill No. 2182 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2182. A Bill for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to the sheriff's mileage; 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, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•		• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2306, as printed on page 1147 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2306 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2306. A Bill for an Act to amend and reenact sections 47-



10-07 and 47-19-05 of the North Dakota Century Code, relating to the content of deeds granting interests in real property.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2348, as printed on page 1147 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2348 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2348. A Bill for an Act to amend and réenact subsection 3 of section 28-01-18 of the North Dakota Century Code, relating to the limitation of malpractice actions.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 1; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H.#5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C.#14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J.#32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Sands moved that the Senate do concur in the House amendments to Senate Bill No. 2376, as printed on page 1115 of the Senate Journal, which motion prevailed.

Senator Sands moved that the rules be suspended, that Senate Bill No.

2376 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2376. A Bill for an Act to create and enact subsection 7 of section 21-03-07 of the North Dakota Century Code, providing for dedication of authorized mill levies by sections 57-15-42 and 57-15-44 towards the purchase, construction, reconstruction, or repair of public buildings or fire stations.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAEDEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRIDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTRÖM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Stroup moved that the Senate do not concur in the House amendments to Senate Bill No. 2377 as printed on page 1147 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2377:

Senator Goodman  
 Senator Wright  
 Senator Shablow

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Nasset moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4002, as printed on page 1147 of the Senate Journal, which motion prevailed.

Senator Nasset moved that the rules be suspended, that Senate Concurrent Resolution No. 4002 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolutions No. 4002. A concurrent resolution for a constitutional amendment providing for a board of public education and a board of higher education; for the amendment of sections 82 and 83 of the Constitution of the state of North Dakota, relating to public education and to remove the superintendent of public instruction as a constitutional officer; for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

Which has been read.

**ROLL CALL**

The question being on the final adoption of the resolution, the roll was called and there were ayes, 49; nays, 2; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

Senate Concurrent Resolution 4002 was adopted.

**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 Senate accede with the House amendments.

For the Senate:

Senator Longmire

Senator Thane

Senator Maher

For the House:

Representative Christensen

Representative Laske

Representative Mertens

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2009 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2009. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 3.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT	●	● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER

• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

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. 2111 has had the same under consideration and recommends:

That the Senate accede with the House amendments.

For the Senate:

Senator C. Schultz

Senator Thane

Senator Erdman

For the House:

Representative Wagner

Representative Unhjem

Representative Opedahl

Senator C. Schultz moved that the report be adopted, which motion prevailed.

Senator C. Schultz moved that the rules be suspended, that Senate Bill No. 2111 be deemed properly re-engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2111. PERSONAL PROPERTY TAX REPLACEMENT—A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such moneys, 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, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

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. 2177 has had the same under consideration and recommends:

That the House recede from its amendments.

For the Senate:

Senator Mutch

Senator Tweten

Senator Gronhovd



● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

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. 2439 has had the same under consideration and recommends:

That the Senate accede with the House amendments.

For the Senate:

Senator J. Schultz

Senator Wright

Senator Conlin

For the House:

Representative Murphy

Representative Timm

Representative Glassheim

Senator J. Schultz moved that the report be adopted, which motion prevailed.

Senator J. Schultz moved that the rules be suspended, that Senate Bill No. 2439 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2439. A Bill for an Act to create and enact a new subsection to section 57-02-08, a new subsection to section 57-39.2-04, and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to the exemption from property taxes and sales and use taxes of solar energy systems to heat or cool buildings and structures.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 7; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		●	● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**REPORT OF CONFERENCE COMMITTEES**

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4034 has had the same under consideration and recommends:

That the Senate accede with the House amendments.

For the Senate:

Senator Solberg

Senator Iszler  
 Senator Lashkowitz

For the House:

Rep. Tennefos  
 Rep. Erickson  
 Rep. R. Metzger

Senator Solberg moved that the report be adopted, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Concurrent Resolution No. 4034 be deemed properly engrossed, and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolutions No. 4034.** A concurrent resolution urging the United States Civil Aeronautics Board to grant authority for airline service to North Dakota cities not served with a flight to Denver and the southwestern portion of the United States.

Which has been read.

The question being on the final passage of the bill, as amended.

Which motion prevailed.

Senator Solberg moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution 4034 was adopted.

## MOTIONS

Senator Lips moved that the Conference Committee on House Bill 1009 be dissolved, which motion prevailed.

Senator Freed moved that the Conference Committee on House Bill 1122 be dissolved, which motion prevailed.

Senator Melland moved that House Bill 1013 be moved to the head of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1013.** A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

Which has been read.

Senator Melland moved that House Bill No. 1013 be amended as follows:

On page 1, line 19 of the engrossed bill, delete the numerals and line "300" and insert in lieu thereof the numerals "300"

On page 1 of the engrossed bill, after line 19, insert the following line:  
 "Operations board of the Bank of North Dakota 199,175

On page 1, line 20 of the engrossed bill, delete the numerals "11,300" and insert in lieu thereof the numerals "210,475"

On page 1, line 23 of the engrossed bill, delete the numerals "2,013,020" and insert in lieu thereof the numerals "2,088,020"

On page 1, line 24 of the engrossed bill, delete the numerals "658,880" and insert in lieu thereof the numerals "586,880"

On page 2, line 6 of the engrossed bill, delete the numerals "3,137,286" and insert in lieu thereof the numerals "3,140,286"

On page 2, line 16 of the engrossed bill, delete the numerals "11,300" and insert in lieu thereof the numerals "210,475"

On page 2, line 17 of the engrossed bill, delete the numerals "9,988,040" and insert in lieu thereof the numerals "9,991,040"

On page 2, line 18 of the engrossed bill, delete the numerals "9,999,340" and insert in lieu thereof the numerals "10,201,515"

## Statement of Purpose of Amendment:

The purpose of this amendment is to provide funds for the operations board of the Bank of North Dakota created in Senate Bill No. 2453.

The salaries and wages appropriation for the Bank of North Dakota was increased \$75,000 for two additional senior vice presidents.

The appropriation for the Bank of North Dakota fees and services was reduced \$72,000 to delete advisory board fees and audit fees which are now provided in the appropriation for the operations board.

Senator Melland moved that the amendments be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1013 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1013.** A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

Was read the 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, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN	●		● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN	●	
● GOODMAN			● LONGMIRE			● SANDS		●	● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		●	● WENSTROM		
● HOLAND	●		● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

## MOTION

Senator Nething moved that House Bill 1478 be moved to the head of the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1478.** A Bill for an Act to amend and reenact sections 4-18.1-04, 4-18.1-07 (1), and 4-18.1-12 of the North Dakota Century Code, relating to the membership of the milk stabilization board, regulation of dairy farmer prices for all grade A milk, the amount of assessments for administration of the board.

Which has been read.

Senator Barth moved that House Bill No. 1478 be amended as follows:

On page 1, line 6 of the engrossed bill, after the word "board" insert "and providing an appropriation"

On page 7, after line 3, insert the following:

SECTION 4 APPROPRIATION) It is hereby appropriated the sum of \$9,000.00.

Senator Barth moved that the amendments be adopted, which motion prevailed.

Senator Barth moved that the rules be suspended, that House Bill No.





medical service corporation authorized to do business within this state shall deliver, issue, execute, or renew any policy of health insurance on a group or blanket or franchise or association basis where more than fifty persons are covered or are to be covered by such policy and where the number of persons covered or to be covered represents more than seventy percent of all persons eligible for such coverage unless such policy shall conform to the requirements of this Act.

SECTION 3. TYPES OF COVERAGE REQUIRED.) Any policy described in section 2 of this Act shall provide benefits, of the same type offered under such policy for other illnesses, for health services to any person covered under such policy, for the diagnosis, evaluation, and treatment of mental illness, alcoholism, drug addiction, or other related illness, in a licensed hospital.

SECTION 4. TYPES OF BENEFITS REQUIRED.) The benefits described in section 3 of this Act may be provided for inpatient treatment and treatment by partial hospitalization:

1. In the case of benefits provided for inpatient treatment, such benefits shall be provided for a minimum of seventy days of service in any calendar year.

2. In the case of benefits provided for partial hospitalization, such benefits shall be provided for a minimum of one hundred forty days of service in any calendar year.

3. Benefits may also be provided for a combination of inpatient and partial hospitalization treatment. For the purpose of computing the period for which benefits shall be payable, each day of inpatient treatment shall be equivalent to two days of treatment by partial hospitalization.

SECTION 5. OTHER POLICIES.) The provisions of this Act shall not be construed to prevent any insurance company or nonprofit hospital or medical service corporation from issuing, delivering, or renewing, at its option, any policy or contract containing provisions similar to those required by this Act, where such policy or contract is not subject to such provisions."

And renumber the lines and pages accordingly.

Senator Homuth moved that the amendments be adopted, which motion prevailed.

Senator Homuth moved that the rules be suspended, that House Bill No. 1596 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

## SECOND READING OF HOUSE BILLS

**House Bill No. 1596.** A Bill for an Act to provide benefits for alcoholism, drug addiction, and drug abuse costs in health insurance policies, service contracts, and medical service contracts; to provide hospitalization benefits for a minimum number of days; and to define terms.

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, 43; nays, 6; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAADEN		•	• SHARLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5	•		• JONES			• NOTHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• EROMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANF		

● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1113. A Bill for an Act to amend and reenact section 16-04-01 of the North Dakota Century Code, relating to the date of the primary 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, 32; nays, 18; absent and not voting, 1.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
	●		●	●		●		●
● BARTH		●	● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE		●	● JACOBSON		●	● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5		●	● JONES		●	● NETHING		● SOLBERG
● CHRISTENSEN, L. #3		●	● KAUTZMANN		●	● PYLE		● STRAND
● CONLIN		●	● LARSON		●	● RAIT		● STRINDEN
● ERDMAN		●	● LASHKOWITZ		●	● REDLIN		● STROUP
● FREED		●	● LEE		●	● REITEN		● THANE
● FRITZELL		●	● LIPS		●	● RINGSAK		● TWETEN
● GOODMAN		●	● LONGMIRE		●	● SANDS		● VOSPER
● GRONHOVD		●	● MAHER		●	● SANDNESS		● WALSH
● HOFFNER		●	● MELLAND		●	● SCHULTZ, C #14		● WENSTROM
● HOLAND		●	● MORGAN		●	● SCHULTZ, J #32		● WRIGHT
● HOMUTH		●	● MUTCH		●	● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 18, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505  
Dear Mr. President:

This is to inform you that on March 18, 1975, I forwarded without signature Senate Bill 2431.

Sincerely yours,  
ARTHUR A. LINK  
Governor

SECOND READING OF HOUSE BILLS

House Bill No. 1138. A Bill for an Act to create and enact chapter 26-17.1 of the North Dakota Century Code and to amend and reenact subsection 9 of section 26-09-01, sections 26-09B-01, 26-09B-02, 26-09B-06, 26-09B-07, 26-09B-10, 26-09B-11, 26-09B-12, 26-10-10, 26-10-11, 26-10-13.1, 26-13-17 and 26-14-22 of the North Dakota Century Code, all relating to the qualifications and procedures for the licensing of insurance agents, insurance brokers, surplus lines brokers, insurance consultants and limited insurance representatives and grounds for license denial, non-renewal, or termination; and to repeal subsection 10 of section 26-09-01, sections 26-09B-03, 26-10-08 and 26-10-12, and chapter 26-17 of the North Dakota Century Code, relating to the qualifications and procedures for the licensing of insurance agents; and providing a penalty for the violation thereof.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1066 and 1067), the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

House Bill No. 1323. 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 counties and cities.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1070 and 1071), the roll was called and there were ayes, 17; nays, 33; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

House Bill 1323 lost.

Senator Mutch changed his vote from aye to nay for the purpose of reconsideration.

Senator Ringsak moved that the vote by which House Bill No. 1323 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1519. "A Bill for an Act to provide for the preferential assessment of agricultural lands, and to provide for the reclassification of agricultural lands if there is a change in use."

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1072-1074), the roll was called and there were ayes, 7; nays, 44; absent and not voting, 0.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI

CHRISTENSEN, H. #5	JONES	NETHING	SOLBERG
CHRISTENSEN, L. #3	KAUTZMANN	PYLE	STRAND
CONLIN	LARSON	RAIT	STRINDEN
ERDMAN	LASHKOWITZ	REDLIN	STROUP
FREED	LEE	REITEN	THANE
FRITZELL	LIPS	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GRONHOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

House Bill 1519 lost.

House Bill No. 1583. A Bill for an Act to create and enact section 21-03-06.1 of the North Dakota Century Code, relating to bond issues and the purposes thereof; and to amend and reenact subdivision f of subsection 2 of section 21-03-06 and subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to bond issues, the purposes thereof, and the exceptions to the election requirement therefor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1075 and 1076), the roll was called and there were ayes, 48; nays, 3; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZER			• NAADEN					• SHABLOW
• BERUBE			• JACOBSON			• NASSET					• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING					• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE					• STRAND
• CONLIN			• LARSON			• RAIT					• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN					• STROUP
• FREED			• LEE			• REITEN					• THANE
• FRITZELL			• LIPS			• RINGSAK					• TWETEN
• GOODMAN			• LONGMIRE			• SANDS					• VOSPER
• GRONHOVD			• MAHER			• SANDNESS					• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14					• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32					• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER					• MR. PRESIDENT

So the bill passed and the title was agreed to.

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 18, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505  
Dear Mr. President:

Senate Bill 2175 would create a Legislative Council committee on administrative rules whose purpose would be, among other things, to study and review administrative rules and regulations to assure that executive branch agencies are following legislative intent.

I consider this legislation objectionable for three primary reasons:

1. It is contrary to the separation of powers doctrine inherent in the North Dakota Constitution. Section 25 of the Constitution states that "legislative power of this state shall be vested in a legislature" while section 75 states that the Governor "shall take care that the laws be faithfully executed." The relationship is clear: the legislature establishes policy and law, but the Governor supervises execution of the law. Here, however, Senate Bill 2175 would create a legislative oversight committee to supervise the details of executive branch operations.

2. Section 1 of the bill states that the committee shall "assure that administrative agencies are properly carrying out the intent of legislation enacted by the legislative assembly." Legislative intent should be readily discernable from statutes or from the expressions of the legislature at the time of passage (e.g., journals and committee minutes), rather than interpreted and reinterpreted by a legislative committee at a later date.

3. The bill contains no express legislative statement justifying the need for this kind of government expansion.

For the above reasons, I veto Senate Bill 2175.

Sincerely yours,  
ARTHUR A. LINK  
Governor

#### MOTION

Senator Nething moved that Senate Bill 2175 be placed at the foot of the calendar and that a vote be taken to over-ride the veto of the Governor, which motion prevailed.

#### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1615

ROY GILBREATH, Chief Clerk

#### FIRST READING OF A SENATE CONCURRENT RESOLUTION

Committee on Delayed Bills by Committee on Employment introduced:

**Senate Concurrent Resolution No. 4077.** A concurrent resolution providing for the retaining of certain employees of the Senate and the House of Representatives after the legislative session for the purpose of completing legislative work.

Was read the first time.

#### MOTION

Senator Nething moved that the rules be suspended, that Senate Concurrent Resolution 4077 not be printed as a resolution, not referred to a committee, but printed in the Journal and laid over one legislative day, which motion prevailed.

#### SENATE CONCURRENT RESOLUTION No. 4077

A concurrent resolution providing for the retaining of certain employees of the Senate and the House of Representatives after the legislative session for the purpose of completing legislative work.

WHEREAS, it is necessary to complete and close all legislative work; and

WHEREAS, in order to so complete and close all legislative work of the Forty-fourth Legislative Assembly, it is necessary to retain certain employees;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the following employees from the Senate and the House of Representatives of the Forty-fourth Legislative Assembly be retained after the close of session to complete legislative work:

Roy Gilbreath, Chief Clerk, be retained fifteen days at \$53.80 per day;  
 Delano Wawers, Assistant Chief Clerk, five days, at \$47.20 per day;  
 Barbara King, Desk Reporter, ten days, at \$52.80 per day;  
 Clara Wendt, Bill Clerk, five days, at \$42.40 per day;  
 Tillie Johanneson, Chief Steno and Payroll Clerk, five days, at \$40.00 per day;

James Sette, Calendar Clerk, five days, at \$33.60 per day;  
 Cecil Crandell, Sergeant-at-Arms, ten days, at \$35.00 per day;  
 Jack Whereatt, Deputy Sergeant-at-Arms, five days, at \$32.00 per day;  
 Louise Ebert, Chief Committee Clerk, five days, at \$40.00 per day;  
 LuGale Backlin, Appropriations Committee Clerk, five days, at \$40.00 per day;

Alvin Manning, Chief Journal and Bill Room Clerk, five days, at \$33.60 per day;

Enola Eck, Bill and Journal Room Clerk, three days, at \$29.60 per day;  
 Ron Otto, Enrolling and Engrossing Clerk, twelve days, at \$33.60 per day;

Thomas Neill, Assistant Enrolling and Engrossing Clerk, twelve days, at \$33.60 per day;

Marion Hadzor, Journal Proofreader, five days, at \$33.60 per day;  
 Freda Borth, Journal Proofreader, five days, at \$33.60 per day;  
 Willa Carlson, Telephone Clerk, five days, at \$29.60 per day;  
 Leo Leidholm, Secretary of the Senate, fifteen days, at \$53.80 per day;  
 Albert Bradley, Sergeant-at-Arms, ten days, at \$35.00 per day;  
 Doris McMahan, Desk Reporter, five days, at \$52.80 per day;  
 Mary Alice Simonson, Chief Steno and Payroll Clerk, five days, at \$40.00 per day;

Arthur Herk, Assistant Secretary of the Senate, ten days, at \$47.20 per day;

J. Vernon Asheim, Bill Clerk, five days, at \$42.40 per day;  
 Peggy Ormseth, Chief Committee Clerk, five days, at \$40.00 per day;  
 Gladys Derrick, Appropriations Committee Clerk, five days, at \$40.00 per day;

Wanda Froelich, Chief Page, five days, at \$33.60 per day;  
 Olger Sandven, Deputy Sergeant-at-Arms, five days, at \$32.00 per day;  
 Peggy Stenhjem, Chief Telephone Attendant, three days, at \$32.00 per day;

Janna Tjaden, Enrolling and Engrossing Clerk, twelve days, at \$33.60 per day;

Ruth Moyer, Assistant Enrolling and Engrossing Clerk, twelve days, at \$33.60 per day;

Joleen Cunningham, Journal Proofreader, five days, at \$33.60 per day;  
 Patricia Martin, Journal Proofreader, five days, at \$33.60 per day;  
 Kari Lee, Assistant Appropriations Committee Clerk, five days, at \$28.80 per day;

BE IT FURTHER RESOLVED, that the above named employees be paid their regular rates of pay as specified in Senate Concurrent Resolution No. 4017, and all of the above expenses are to be paid out of the per diem employees fund of the Forty-fourth Legislative Assembly and paid when the respective claims are verified by the affidavits of said parties named herein at the completion of said work.

#### MOTION

Senator Nothing moved that the following bills be moved to the head of the calendar:

House Bills 1004, 1014, 1064, 1065, 1120, 1148, 1214, 1405, 1506, 1514, 1515, 1530, 1587, which motion prevailed.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1020  
 House Bill No. 1093  
 House Bill No. 1135  
 House Bill No. 1172  
 House Bill No. 1183  
 House Bill No. 1185  
 House Bill No. 1261  
 House Bill No. 1295  
 House Bill No. 1299  
 House Bill No. 1339  
 House Bill No. 1356  
 House Bill No. 1360  
 House Bill No. 1425  
 House Bill No. 1426  
 House Bill No. 1543

House Concurrent Resolution No. 3051

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1020  
 House Bill No. 1093  
 House Bill No. 1135  
 House Bill No. 1172  
 House Bill No. 1183  
 House Bill No. 1185  
 House Bill No. 1261  
 House Bill No. 1295  
 House Bill No. 1299  
 House Bill No. 1339  
 House Bill No. 1356

House Bill No. 1360

House Bill No. 1425

House Bill No. 1426

House Bill No. 1543

House Concurrent Resolution No. 3051

Which the President has signed.

LEO LEIDHOLM, Secretary

## FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3092.** A concurrent resolution directing the Director of Institutions to study the feasibility of converting all or part of the State Farm into an area for the propagation and distribution of pheasants.

Which was read the first time and referred to the Committee on Natural Resources.

**House Concurrent Resolution No. 3094.** A concurrent resolution providing for the completion of the legislative journals of the house and senate.

Which was read the first time and placed at the foot of the calendar. (HJ 1297 and 1298)

## MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the Senate has adopted the following motion:



“Senator Nething moved that the Senate deem Senate Bills 2109, 2413 and 2050 properly engrossed, which motion prevailed.”

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4072  
Senate Concurrent Resolution No. 4073

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2084

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it refused to concur in the Senate amendments to House Bill No. 1122, and discharged the Conference Committee appointed, and now concurs in the Senate amendments to House Bill No. 1122.

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1549

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1464

House Bill No. 1518

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1058

House Bill No. 1386

House Bill No. 1465

House Bill No. 1531

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2497

Senate Concurrent Resolution No. 4075

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2089, 2182, 2306, 2348,

2376, Senate Concurrent Resolution No. 4002, refused to concur in the House amendment to Senate Bill Nos. 2064, 2377 and the President has appointed as a conference committee to act with a like committee from the House:

Senators on Senate Bill No. 2064

Senator Freed  
 Senator Ringsak  
 Senator Schuster

Senators on Senate Bill No. 2377

Senator Goodman  
 Senator Wright  
 Senator Shablow

Very respectfully,  
 LEO LEIDHOLM, Secretary of Senate

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1204  
 House Bill No. 1328  
 House Bill No. 1578  
 House Bill No. 1609  
 House Bill No. 1611  
 House Concurrent Resolution No. 3044  
 House Concurrent Resolution No. 3087  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1062	House Bill No. 1413
House Bill No. 1075	House Bill No. 1440
House Bill No. 1147	House Bill No. 1460
House Bill No. 1189	House Bill No. 1509
House Bill No. 1221	House Bill No. 1541
House Bill No. 1222	House Bill No. 1591
House Bill No. 1224	House Concurrent Resolution No. 3033
House Bill No. 1359	House Concurrent Resolution No. 3085

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1077  
 House Bill No. 1602

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

#### FIRST READING OF HOUSE BILLS

House Bill No. 1615. A Bill for an Act to establish the state office of energy management and to provide for an administrator, for control of the distribution and sale of energy and fuels, and for energy conservation measures, and to provide a penalty; to amend and reenact section 37-17.1-02, subsection 1 of section 37-17.1-04, and subsection 6 of section 37-17.1-05 of the North Dakota Century Code, relating to emergency powers of the governor in the event of a severe state or national energy shortage; to provide an expiration date for certain portions of the Act; and to provide an appropriation.

Which was read the first time and referred to the Committee on Natural Resources.

## MOTIONS

Senator Freed moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1046, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1046:

Senator Freed  
Senator Sands  
Senator Lashkowitz

Senator Ringsak moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1091, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1091:

Senator H. Christensen  
Senator Sandness  
Senator Conlin

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bills Nos. 1046, 1091:

Senators on House Bill No. 1046

Senator Freed  
Senator Sands  
Senator Lashkowitz

Senators on House Bill No. 1091

Senator H. Christensen  
Senator Sandness  
Senator Conlin

Very respectfully,  
LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bills Nos. 2009, 2111, 2177, 2195, 2245, 2439, Senate Concurrent Resolution No. 4034, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

## MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3095  
House Concurrent Resolution No. 3096

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2002  
Senate Bill No. 2059  
Senate Bill No. 2085  
Senate Bill No. 2335  
Senate Bill No. 2344  
Senate Bill No. 2440

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Bill No. 2005  
 Senate Bill No. 2013  
 Senate Bill No. 2022  
 Senate Bill No. 2031  
 Senate Bill No. 2047  
 Senate Bill No. 2060  
 Senate Bill No. 2069  
 Senate Bill No. 2079  
 Senate Bill No. 2157  
 Senate Bill No. 2193  
 Senate Bill No. 2247  
 Senate Bill No. 2248  
 Senate Bill No. 2389  
 Senate Bill No. 2412  
 Senate Bill No. 2429  
 Senate Bill No. 2443  
 Senate Bill No. 2445  
 Senate Bill No. 2453  
 Senate Bill No. 2487

Senate Concurrent Resolution No. 4027

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2005

On page 2, line 1, of the engrossed bill, delete the numerals "6,250" and insert in lieu thereof the numerals "7,762"

On page 2, line 4, of the engrossed bill, delete the numerals "572,893" and insert in lieu thereof the numerals "574,405"

On page 2, line 19 of the engrossed bill, delete the numerals "891,277" and insert in lieu thereof the numerals "936,077"

On page 2, line 20 of the engrossed bill, delete the numerals "104,192" and insert in lieu thereof the numerals "113,718"

On page 2, line 21 of the engrossed bill, delete the numerals "94,708" and insert in lieu thereof the numerals "103,734"

On page 2, line 22 of the engrossed bill, delete the numerals "54,725" and insert in lieu thereof the numerals "72,050"

On page 2, line 23 of the engrossed bill, delete the numerals "1,144,902" and insert in lieu thereof the numerals "1,225,579"

On page 2, line 35, of the engrossed bill, delete the numerals "6,174,381" and insert in lieu thereof the numerals "6,256,570"

On page 3, line 2, of the engrossed bill, delete the numerals "6,324,381" and insert in lieu thereof the numerals "6,406,570"

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2013

On page 2, of the engrossed bill, line 13, delete the numerals "465,060" and insert in lieu thereof the numerals "457,218"

On page 2, line 14, delete the numerals "178,318" and insert in lieu thereof the numerals "186,160"

On page 2, line 22, delete the numerals "1,115,978" and insert in lieu thereof the numerals "1,123,820"

On page 2, line 23, delete the numerals "690,545" and insert in lieu thereof the numerals "682,703"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2022, PART I

On page 1, line 13, of the engrossed bill after the word "district" insert the word "which"

On page 1, line 14, place triple parentheses around "taining" and insert in lieu thereof "tains" and also on line 14, after the word "or" insert the word "an"

On page 1, line 15, after the word "education" place triple parentheses around the word "meeting" and insert in lieu thereof the words "which meets"

On page 1, line 19, after the word "for" place triple parentheses around the word "every" and insert in lieu thereof the word "each"

On page 3, line 2, place beginning triple parentheses before the word "If"

On page 3, line 9, place ending triple parentheses after the word "basis" and insert in lieu thereof the following: "If funds appropriated according to the provisions of this section are insufficient to meet the standards set forth in this section, such funds shall be paid on a pro rata basis"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2022, PART 2

On page 2, of the engrossed bill, line 4, after the numerals "15-18-05" insert the following: " , and provided that payments shall be made for out of state students only at such junior colleges or educational centers where out of state tuition is charged in amounts equal to at least that which is charged out of state students enrolled in state colleges under the control of the board of higher education"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2031

On page 1, line 22 of the engrossed bill, delete the word "thirty" and insert in lieu thereof the word "fifty"

On page 1, line 24, delete the word "thirty-five" and insert in lieu thereof the word "sixty"

On page 5, delete lines 29 through 35 and insert in lieu thereof the following:

"1. Twelve percent shall be allocated to the coal producing counties and shall be distributed among such counties in such proportion as the number of tons of coal severed in each county bears to the total number of tons of coal severed in the state during such quarterly period. The county treasurer of each county receiving such funds shall distribute the proceeds received as follows: forty percent shall be credited to the county general fund; forty-five percent shall be apportioned quarterly to school districts within the county on the average daily attendance distribution basis, as certified to him by the county superintendent of schools; and fifteen percent shall be paid quarterly to the incorporated cities of the county in that proportion which the population of each incorporated city bears to the population of all incorporated cities in the county according to the last official decennial federal census.

2. Thirty-eight percent shall be credited to a special fund in the state treasury to be held in trust to be administered by the board of university and school lands, which shall have full authority to invest such funds and may consult with the state investment board as provided by law. The income from such trust shall be deposited in the state's general fund. Such trust fund shall be perpetual and held in trust as a replacement for depleted natural resources.

3. The balance shall be deposited in the state's general fund, to be appropriated by the legislature to the coal development impact office."

On page 6 delete all of lines 1 through 15

On page 7, line 6, after the word "to" add "state agencies,"

On page 7, line 20, delete the words "chairman of the"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2047

On page 1, line 20 of the engrossed bill delete the word "a"

On page 2, line 1 delete the words: "for purposes of" and insert in lieu thereof the words "with respect to an act of delinquency"

And on page 2, line 2, delete the words "any delinquent act"

On page 3, line 3, insert triple parentheses before the word "reaches"

On page 3, line 4, delete the triple parentheses before the word "eighteen"

And also on line 4 before the word "twenty" insert the following: "attains the age of"

And also on line 4 insert triple parentheses before the word "of" and insert triple parentheses after the word "age"

On page 3, line 11, after the word "under" insert the words "the age of"

And also on line 11 delete the words "of age"

On page 4, line 14, delete the word "over"

And also on line 14 after the word "seventeen" insert the words "or more"

On page 4, line 16, place triple parentheses around the word "sixteen" and insert in lieu thereof the word "fourteen"

On page 4, line 29, after the word "that" insert the following: "at least two of the following criteria exist"

On page 4, line 35, place beginning triple parentheses before the word "committable" and place ending triple parentheses after the word "to" and insert in lieu thereof the words "treatable in"

On page 5, line 7, place triple parentheses around the word "the"

And also on line 7 insert the word "a" before the word "request"

On page 5, line 8, after the word "or" insert the word "the"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2060

On page 1, line 1 of the engrossed bill, following the word "Act", insert the following words: "creating a pesticide control board, and"

On page 1, following line 12 of the engrossed bill, insert the following new section:

"SECTION 2. CREATION OF PESTICIDE CONTROL BOARD.) There is hereby created the pesticide control board, hereinafter also called the "board", consisting of the commissioner of agriculture, the director of the cooperative extension division of the North Dakota state university of agriculture and applied science, and the director of the agricultural experiment station at North Dakota state university of agriculture and applied science. The commissioner of agriculture shall be chairman of the board and shall be responsible for the enforcement of this Act. The board shall meet at the call of the chair. The members of the board shall be compensated for their expenses in performing their duties under this Act at the same rate as other state officials and the board's expenses shall be paid from funds provided for the administration of this Act to the commissioner of agriculture. The board may act through the office of the commissioner of agriculture, and one person on the commissioner's staff may be specifically responsible to, or act as the state-level agent of, the board."

On page 1, line 13 of the engrossed bill, delete the word "OFFICIAL" and insert in lieu thereof the word "AGENCY"

On page 1, line 14 of the engrossed bill, delete the words "agriculture commissioner of the state of" and insert in lieu thereof the words "pesticide control board"

On page 1, line 15 of the engrossed bill, delete the words "North Dakota"; and in that same line delete the word "commissioner" and insert in lieu thereof the word and period "board."

On page 1 of the engrossed bill, delete line 16

On page 2, line 19 of the engrossed bill, delete the third comma, and insert a period in lieu thereof

On page 2 of the engrossed bill, delete line 20

On page 3 of the engrossed bill, delete lines 7 through 17

On page 5, line 2 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the word "board"

On page 6, line 28 of the engrossed bill, delete the words "commissioner of agriculture" and insert in lieu thereof the word "board"

On page 7, line 9 of the engrossed bill, delete the words "AGRICULTURE COMMISSIONER" and insert in lieu thereof the words "PESTICIDE CONTROL BOARD"; and in the same line, delete the word "AND"

On page 7, line 10 of the engrossed bill, delete the word "ENFORCE"

On page 7, line 11 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the words "pesticide control board"; and in the same line, delete the word "and"

On page 7, line 12 of the engrossed bill, delete the word "enforce"

On page 7, line 17 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 7, line 25 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 7, line 34 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8, line 4 of the engrossed bill, delete the word "agriculture"

On page 8, line 5 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8, line 8 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the word "board"

On page 8, line 11 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the word "board"

On page 8, line 17 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8, line 27 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8 of the engrossed bill, delete lines 31 through 35

On page 9 of the engrossed bill, delete lines 1 through 24

On page 9, line 25 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 9 of the engrossed bill, delete lines 34 and 35

On page 10 of the engrossed bill, delete lines 1 through 8

On page 10, line 9 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"; and in the same line following the word "may", insert the following words: "by regulation"

On page 10, line 10 of the engrossed bill, delete the words "subsection 18 of section 4" and insert in lieu thereof the words "the definition of the term 'pest' contained within this Act"; and in the same line delete the word "he" and insert in lieu thereof the word "it"

On page 10, line 17 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 10, line 19 of the engrossed bill, delete the word "he" and insert in lieu thereof the word "it"

On page 10, line 26 of the engrossed bill, delete the word "his" and insert in lieu thereof the word "its"

On page 10, line 29 of the engrossed bill, delete the word "he" and insert in lieu thereof the word "it"

On page 10, line 33 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 10 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 15 of the engrossed bill, delete the words "the commissioner" and insert in lieu thereof the words "a county treasurer"

On page 11, line 18 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 19 of the engrossed bill, delete the words "pursuant to section 5 of this Act"; and in that same line delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 22 of the engrossed bill, following the word "examination", insert the words ", both of which are to be paid to the county treasurer, who shall deposit the fees in the county general fund"

On page 11, line 23 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county extension agent"

On page 11, line 25 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 27 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer of the appropriate county"

On page 11, line 29 of the engrossed bill, following the word "not" insert the words "to be"

On page 11, line 30 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county extension agent"

On page 11, line 34 of the engrossed bill, delete the words "If an application for renewal of"

On page 11 of the engrossed bill, delete all of line 35

On page 12 of the engrossed bill, delete all of lines 1 and 2

On page 12, line 3 of the engrossed bill, delete the words "before the renewal license will be issued."

On page 12, line 5 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 12, line 7 of the engrossed bill, following the word "necessary", insert the words "or that a new evaluation is necessary to assure a continuing level of competence and ability to use pesticides safely and properly"

On page 12, line 30 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer in each county in which the applicant operates his business"

On page 13, line 3 of the engrossed bill, following the word "license" insert the words "from any county treasurer"

On page 13, line 7 of the engrossed bill, delete the word "commissioner" where it first appears and insert in lieu thereof the word "board"; and in that same line, delete the second word "commissioner" and insert in lieu thereof the word "board"

On page 13, line 18 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 13 of the engrossed bill, delete lines 23 through 29

On page 13, line 30 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 13, line 31 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county extension agent"

On page 13, line 35 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer"



On page 14, line 21 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer"

On page 14, line 23 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 14, line 30 of the engrossed bill, after the word "supervise", insert the words "the use of"

On page 14, line 33 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 6 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 7 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 10 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 13 of the engrossed bill, delete the words "and shall issue each private applicator who" and insert in lieu thereof the following: "or as necessary to assure a continuing level of competence and ability to use pesticides safely and properly. The county extension agent in the county of the residence of the applicant shall issue a certificate, without fee, to any private applicator who has qualified as prescribed by the board."

On page 15 of the engrossed bill, delete lines 14 and 15

On page 15, line 18 of the engrossed bill, delete the words "suspend, pending inquiry, for not longer than"

On page 15, line 19 of the engrossed bill, delete the words "ten days, and"; and in the same line, delete the word "may"

On page 15, line 30 of the engrossed bill, following the word "labeling", insert the words "or other restrictions prescribed by the board"

On page 16 of the engrossed bill, delete lines 8 through 12.

On page 17, line 4 of the engrossed bill, following the word "certification", insert the word "requirements"; and in the same line, following the word "Act", insert the words " , unless otherwise exempted therefrom"

On page 17 of the engrossed bill, delete lines 5 through 8

On page 17, line 10 of the engrossed bill, delete the second word "commissioner" and insert in lieu thereof the word "board"

On page 17, line 13 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 17 of the engrossed bill, delete lines 19 through 24

On page 17, line 25 of the engrossed bill, delete the partial word "commiss-"

On page 17, line 26 of the engrossed bill, delete the following: "ioner shall" and insert in lieu thereof the words "board may"

On page 17, line 29 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 17, line 31 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 17, line 34 of the engrossed bill, delete the words "The commissioner" and insert in lieu thereof the words "Any county extension agent"

On page 18, line 15 of the engrossed bill, before the period, insert the following: " , unless the pesticide labeling requires that a certified applicator personally applies the particular pesticide. A pesticide shall be considered to be applied under the direct supervision of a certified applicator if it is applied by a competent person acting under the instructions and control of a certified applicator who is available if and when needed, even though such certified applicator is not physically present at the time and place that the pesticide is applied"

On page 18, line 27 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 18, line 32 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 18, line 33 of the engrossed bill, delete the words "his office" and insert in lieu thereof the words "the commissioner of agriculture"

On page 19, line 15 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 20 of the engrossed bill, following line 18, insert the following:  
4. For the purpose of carrying out the provisions of this Act, the commissioner may enter upon any public or private premises at reasonable times, in order to:

a. Have access for the purpose of inspecting any equipment subject to this Act and the premises on which such equipment is stored or used;

b. Inspect or sample lands actually or reported to be exposed to pesticides;

c. Inspect storage or disposal areas;

d. Inspect or investigate complaints of injury to humans or land;

e. Sample pesticides and tank mixes being applied or to be applied;

f. Observe the use and application of a pesticide; or

g. Have access for the purpose of inspecting any premises or other place where pesticides or devices are held for distribution, sale, or for use or for the purpose of inspecting and obtaining samples of any pesticides packaged, labeled, and released for shipment and samples of any containers or labeling for such pesticides.

5. The commissioner is authorized to make appropriate regulations, in accordance with chapter 28-32, for carrying out the provisions of this Act, including, but not limited to, regulations providing for:

a. The collection, examination, and reporting of samples of pesticides; and

b. The safe handling, transportation, storage, display, distribution, and disposal of pesticides and their containers.

6. Should the commissioner be denied access to any land or records pertaining to pesticide application and sales where such access was sought for the purposes set forth in this Act, he may apply to any court of competent jurisdiction for a search warrant authorizing access to such land or records for said purposes. The court may, upon such application and upon compliance with the provisions of chapter 29-29.1, issue the search warrant for the purposes requested.

On page 20, line 19 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 20, line 28 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 21, line 16 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

And renumber the lines, sections, subsections, and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2069

On page 5, line 25 of the engrossed bill, after the word "DRIVING" insert the following: "— AGGRAVATED RECKLESS DRIVING"

On page 5, line 28 place beginning triple parentheses before the word "Carelessly" and also on line 28 place ending triple parentheses after the word "wanton" and insert in lieu thereof the words "Recklessly in"

On page 6, line 8 insert beginning triple parentheses before the word "violating"

On page 6, line 9 after the comma insert ending triple parentheses and also on line 9 after the word "who" insert ","

On page 7, line 28 delete the beginning triple parentheses before the

word "upon" and also on line 28 delete the ending triple parentheses after the word "highway" and also on line 28 before the word "without" insert the following: "or private or public property open to the public for the operation of motor vehicles"

And renumber the lines accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2079

On page 3, line 21, of the engrossed bill, delete the word "twenty" and insert in lieu thereof the word "six"

On page 4, line 3, delete the word "twenty" and insert in lieu thereof the word "ten"

On page 4, line 7, delete the word "twenty" and insert in lieu thereof the word "fifteen"

On page 5, line 9, delete the word "twenty" and insert in lieu thereof the word "six"

On page 5, line 21, delete the word "twenty" and insert in lieu thereof the word "six"

On page 6, line 14, delete the word "twenty" and insert in lieu thereof the word "six"

On page 6, line 32, delete the word "twenty" and insert in lieu thereof the word "six"

On page 7, line 10, delete the word "twenty" and insert in lieu thereof the word "six"

On page 7, line 20, delete the word "twenty" and insert in lieu thereof the word "six"

On page 8, line 3, delete the word "ten" and insert in lieu thereof the word "two"

On page 8, line 8, delete the word "twenty" and insert in lieu thereof the word "ten"

On page 8, line 33, delete the word "twenty" and insert in lieu thereof the word "ten"

On page 9, line 4, delete the word "twenty" and insert in lieu thereof the word "ten"

On page 9, line 34, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"

On page 10, line 8, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"

On page 12, line 7, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2157

On page 3, line 2 of the engrossed bill, delete the numeral "14" and insert in lieu thereof the numeral "16"

And renumber the lines accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2193

On page 1, line 1, of the engrossed bill, delete the following: "amend and reenact" and insert in lieu thereof "repeal"

On page 1, line 7, delete the word "AMENDMENT" and insert in lieu thereof "REPEAL"

On page 1, line 8, delete the word "amended" and insert in lieu thereof the word "repealed."

On page 1 delete all of lines 9 through 21.

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2247

On page 1, line 12 place triple parentheses around the numerals "73,280" and insert the numerals "82,000"

On page 1, line 16, place triple parentheses around the numerals "73,280" and insert the numerals "82,000"

On page 1, line 22, after the period insert the following words:

"The registrar shall design a distinctive number plate for such vehicles, commencing with the next plate issue. Until the next plate issue, the registrar shall issue distinctive yearly renewal stickers."

On page 3, line 1, place beginning triple parentheses before the word "YEARS"

On page 3, line 13 place ending triple parentheses after the numeral "697.00" and insert in lieu thereof the following:

"58,001-60,000	246.00	197.00	148.00	95.00
60,001-62,000	256.00	205.00	154.00	99.00
62,001-64,000	266.00	213.00	160.00	103.00
64,001-66,000	276.00	221.00	166.00	107.00
66,001-68,000	286.00	229.00	172.00	111.00
68,001-70,000	296.00	237.00	178.00	115.00
70,001-72,000	306.00	245.00	184.00	119.00
72,001-74,000	316.00	253.00	190.00	123.00
74,001-76,000	326.00	261.00	196.00	127.00
76,001-78,000	336.00	269.00	202.00	131.00
78,001-80,000	346.00	277.00	208.00	135.00
80,001-82,000	356.00	285.00	214.00	139.00

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2248

On page 3, line 28 after the semicolon delete the word "and"

On page 3, line 30, after the word "sisters" insert the following:

"; and the transfer of a motor vehicle to reflect a new name of the owner caused by a business reorganization but the ownership of which business organization remains in the same person or persons as prior to the reorganization"

On page 3, line 32, delete the words "pursuant to the exercise of a right to purchase"

On page 3, line 33, delete the words "under a lease agreement"

And renumber the lines accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2389, PART 1

On page 1, line 12, delete the word "members" and insert in lieu thereof "members-elect"

On page 1, line 13, delete the word "present"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2389, PART 2

On page 1, line 15, of the engrossed bill, after the word "which" delete the remainder of the line and insert in lieu thereof "has spending, borrowing, or eminent domain powers and acts in an advisory capacity or assists in policy decisionmaking."

On page 1, delete all of lines 16 and 17

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2412

On page 1, line 4 of the engrossed bill, after the word "marshal" insert the following: ", and to provide a penalty"

On page 4, following line 32, insert the following new subsection:

"7. No launching site or recovery area shall be located within five miles

of any airport, unless written permission is first obtained from the appropriate airport authority, or other agency responsible for operation of the airport."

On page 5, following line 21, insert the following new section:

"SECTION 7. PENALTY.) Any person who shall violate any provisions of this Act shall be guilty of a class B misdemeanor."

And renumber the lines and pages and sections and subsections accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2429

On page 1 of the engrossed bill, delete lines 11 through 18

On page 2, line 6, delete the letter "a"

On page 2, line 7, delete the following: "boarding home for the aged and infirm,"

On page 3, line 7, after the word "at" insert the words "a special election or"

On page 3, line 18, after the period add the following: "However, if less than sixty percent of the voters voting in each organized or unorganized township or city do not vote in favor of establishing the hospital district, that township or city shall not be included within the hospital district. The nonparticipation of one or more cities or such townships included within the petition shall not preclude the other cities or townships included in the petition from forming a hospital district, regardless of geographical separation."

On page 3, line 27 after the word "If" insert the following "at least"

On page 4, line 16, before the period add the words "and the cost of any special election"

On page 4, line 24, after the word "electors" delete the following: "who are owners of any interest"

On page 4, delete all of line 25

On page 4, line 26, delete the words "who are"

On page 5, line 8, after the word "electors" delete the following: "who are owners of any"

On page 5, delete all of line 9

On page 5, line 10, delete the words "district and who are"

On page 5, line 11, after the word "shall" delete the following: "have the opportunity to decide by majority" and insert in lieu thereof the following: ", by approval of a majority of those present, establish election procedures and elect a"

On page 5, line 12, delete the following: "vote of those present who shall be on the"

On page 8, line 35, after the word "by" delete the word "twenty" and insert in lieu thereof the word "thirty"

On page 9, line 32, after the word "shall" delete the words "promptly designate a time and place for" and insert in lieu thereof the following: "give notice of election in the manner prescribed by section 3 of this Act and submit the question to the voters at the next regular scheduled primary or general election as to whether or not the voters of the proposed area desire to be annexed and whether they approve of the mill levy authorized by section 7 of this Act for the purpose of supporting such hospital district. If at least sixty percent of the voters voting in the election within the territory proposed to be annexed approve, the territory shall become a part of the existing hospital district."

On page 9, delete lines 33 through 35

On page 10 delete lines 1 through 17

And renumber the lines, pages, and subsections accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2443, PART I

On page 1, following line 18, insert the following: "funded only in savings accounts or certificates of deposit"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2443, PART 2

On page 2, line 18, of the engrossed bill, following the ".", insert the following words: "Such electronic operations at premises separate from its banking house or duly authorized paying and receiving station or facility, shall be considered a customer electronic funds transfer center and may be established subject to rules and regulations that the State Banking Board shall adopt."

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2445

On page 2, line 20 of the engrossed bill delete ", or under the actual"

On page 2, line 21, delete "physical control of,"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2453

On page 1 of the engrossed bill, line 2, after the word "sections" insert the numerals "6-09-15,"; and on the same line delete the second comma and insert in lieu thereof the word "and"

On page 1 of the engrossed bill, line 3, delete the following:  
", and 54-17-11"

On page 1 of the engrossed bill, line 4, delete the word "review", and on the same line after the word "board" delete the word "for" and insert in lieu thereof the word "of"

On page 1 of the engrossed bill, line 19, after the period insert the following words: "The legislative assembly finds that it is in the public interest to provide additional capital sources within the state of North Dakota for residents who wish to purchase stock in banks located in the state of North Dakota to encourage increased deposits and bank business with the Bank of North Dakota by banks within the state."

On page 1 of the engrossed bill, after line 22, insert the following section: "SECTION 2. AMENDMENT.) Section 6-09-15 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09-15. BANK MAY MAKE LOANS — BANK PURCHASE LOANS — REAL ESTATE LOANS LIMITED.) The Bank of North Dakota may make loans to, and purchase securities issued by instrumentalities of this state, and such loans shall be repaid with interest to the Bank. The Bank of North Dakota may make loans 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. The bank 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. The Bank of North Dakota may invest its funds in bonds, notes, or debentures of any corporation 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 for any one corporation, ten percent of the combined capital, and surplus of the Bank. The Bank 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 certificate and savings accounts offered as

security. The Bank 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 recorded mortgages giving the Bank of North Dakota a first lien on real estate in 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 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, excluding those loans insured or guaranteed by the United States or its agencies.

The Bank of North Dakota may make loans to residents of this state for the purpose of purchasing stock in banks located in the state if such loans are secured by the stock purchased in such bank, on such terms and under such rules and regulations as established by the industrial commission. The total of such loans made for this purpose shall not exceed twenty-five percent of the capital and surplus of the Bank of North Dakota, nor shall it exceed twenty-five percent of the total deposits in the Bank of North Dakota from all banks located within the state."

On page 2 of the engrossed bill, line 4, delete the word "REVIEW", and on the same line after the word "BY" insert the word "INDUSTRIAL"

On page 2 of the engrossed bill, line 13, delete the words "The industrial commission shall appoint a nine" and insert in lieu thereof the words "Members of the industrial commission shall appoint a nine-member operations board which shall consist of three persons who are officers of banking institutions within the state, three persons directly engaged in grain farming or livestock farming, and three persons directly engaged in business, industry, or manufacturing. Each member of the industrial commission shall appoint three members of the nine-member operations board and each of the appointments by a member of the industrial commission shall be from a different category as specified in this section"

On page 2 of the engrossed bill, delete lines 14 through 20

On page 2 of the engrossed bill, line 21, delete the words "the public at large"

On page 2 of the engrossed bill, line 32, delete the words "of this title"

On page 2 of the engrossed bill, line 33, after the word "at" insert the words "least monthly and at"

On page 2 of the engrossed bill, line 35, delete the word "review" and insert in lieu thereof the words "participate in"

On page 3 of the engrossed bill, line 2, delete the words "At the creation of the operations" and insert in lieu thereof the words "Original appointments to the operations board shall be so that one member of each of the three categories shall be appointed for a term of one year, one member of each of the three categories shall be appointed for a term of two years, and one member of each of the three categories shall be appointed"

On page 3 of the engrossed bill, delete lines 3 and 4

On page 3 of the engrossed bill, line 5, delete the words "two years, and three members"

On page 3 of the engrossed bill, line 16, delete the word "REVIEW"

On page 3 of the engrossed bill, line 19, delete the word "review"

On page 3 of the engrossed bill, line 27, delete the word "review"

On page 3 of the engrossed bill, delete lines 30 through 35

On page 4 of the engrossed bill, delete lines 1 through 15

And renumber the lines, pages, and sections accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2487

On page 1, line 13, place triple parentheses around the word "committeeman" and insert in lieu thereof "committeemen"

And renumber the lines and pages accordingly.

## JOURNAL OF THE SENATE

HOUSE AMENDMENTS TO  
SENATE CONCURRENT RESOLUTION No. 4027

On page 1, line 14, delete the word "primary" and insert in lieu thereof the word "general"

On page 1, line 16, before the period insert the following new language: "if Senate Concurrent Resolution 4002, having been submitted to the voters, is not adopted in the preceding primary election"

And renumber the lines and pages accordingly.

Senator Nething moved that the Senate recess until 9:00 A.M., March 19, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTY-FIRST DAY AFTER RECESS  
AND FIFTY-SECOND DAY

Bismarck, March 19, 1975

The Senate convened at 9:00 A.M., pursuant to recess taken, the President presiding.

MOTION

Senator Longmire moved that the Senate reconsider the action by which Senate Concurrent Resolution No. 4057 lost, which motion lost.

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Lips moved that the Senate do concur in the House amendments to Senate Bill No. 2013, as printed on page 1190 of the Senate Journal, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2013 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2013. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			● ISZLER			● NAADEN			● SHABLOW		
● BARTH			● JACOBSON			● NASSSET			● SMYKOWSKI		
● BERUBE			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, H. #5			● KAUTZMANN			● PYLE			● STRAND		
● CHRISTENSEN, L. #3			● LARSON			● RAIT			● STRINDEN		
● CONLIN			● LASHKOWITZ			● REDLIN			● STROUP		
● ERDMAN			● LEE			● REITEN			● THANE		
● FREED			● LIPS			● RINGSAM			● TWETEN		
● FRITZELL			● LONGMIRE			● SANDS			● VOSPER		
● GOODMAN			● MAHER			● SANDNESS			● WALSH		
● GROMHOVD			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOFFNER			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOLAN			● MUTCH			● SCHUSTER			● MR. PRESIDENT		
● HOMUTH											

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Nasset moved that the Senate do not concur in the House amendments to Senate Bill No. 2022 as printed on page 1191 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2022:

Senator Solberg  
 Senator Strand  
 Senator Berube

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2047, as printed on page 1192 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2047 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2047. A Bill for an Act to create and enact subsection 6 of section 27-20-36, and to amend and reenact subsections 1 and 10 of section 27-20-02, section 27-20-09, subsections 1 and 4 of section 27-20-34, and subsection 5 of section 27-20-36, of the North Dakota Century Code, relating to the definitions of "child" and "minor traffic offense", transfers to the juvenile court from other courts, limitations of time on orders of disposition of the juvenile court, and to waiver of juvenile jurisdiction in certain instances.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays; 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH	•		• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAR			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 2060, as printed on pages 1192-1196 of the Senate Journal, which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 2060 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2060. A Bill for an Act creating a pesticide control board, and relating to the distribution, storage, transportation, use and application and disposal of pesticides and devices; providing for the examination of such materials and the licensing of pesticide dealers and





SECOND READING OF SENATE BILLS

Senate Bill No. 2429. A Bill for an Act to provide for the formation of hospital districts, to authorize counties to levy taxes for the support and maintenance of the hospital districts, 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, 41; nays, 6; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			•	ISZLER		•	MAADEN		•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	•
•			•	JONES		•	NETHING		•	SOLBERG	
•			•	KAUTZMANN		•	PYLE		•	STRAND	
•			•	LARSON		•	RAIT		•	STRINDEN	
•			•	LASHKOWITZ		•	REDLIN		•	STROUP	
•			•	LEE		•	REITEN		•	THANE	
•			•	LIPS		•	RINGSAAK		•	TWETEN	
•			•	LONGMIRE		•	SANDS		•	VOSPER	
•			•	MAHER		•	SANDNESS		•	WALSH	
•			•	MELLAND		•	SCHULTZ, C. #14		•	WENSTROM	
•			•	MORGAN		•	SCHULTZ, J. #32		•	WRIGHT	
•			•	MUTCH		•	SCHUSTER		•	MR. PRESIDENT	

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Freed moved that the Senate do concur in the House amendments to Senate Bill No. 2445, as printed on page 1200 of the Senate Journal, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2445 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2445. A Bill for an Act to create and enact subsection 4 of section 39-08-01, and to amend and reenact section 39-06-42, all of the North Dakota Century Code, relating to the impoundment of motor vehicles following conviction of driving while license suspended or revoked or for driving while intoxicated.

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, 27; nays, 21; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			•	ISZLER		•	MAADEN		•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	•
•			•	JONES		•	NETHING		•	SOLBERG	
•			•	KAUTZMANN		•	PYLE		•	STRAND	
•			•	LARSON		•	RAIT		•	STRINDEN	
•			•	LASHKOWITZ		•	REDLIN		•	STROUP	
•			•	LEE		•	REITEN		•	THANE	
•			•	LIPS		•	RINGSAAK		•	TWETEN	
•			•	LONGMIRE		•	SANDS		•	VOSPER	
•			•	MAHER		•	SANDNESS		•	WALSH	
•			•	MELLAND		•	SCHULTZ, C. #14		•	WENSTROM	
•			•	MORGAN		•	SCHULTZ, J. #32		•	WRIGHT	
•			•	MUTCH		•	SCHUSTER		•	MR. PRESIDENT	

So the bill passed and the title was agreed to.

Senator C. Schultz moved that the vote by which Senate Bill No. 2445



NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN	●	● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON	●		● RAIT	●	● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAP		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN	●		● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		● MR. PRESIDENT

Senate Concurrent Resolution No. 4027 was adopted.

**REPORT OF PROCEDURAL COMMITTEES**

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred Senate Concurrent Resolution No. 4076 has had the same under consideration and recommends the same do pass.

SENATOR GOODMAN, Chairman

Senate Concurrent Resolution No. 4076 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**REPORTS OF STANDING COMMITTEE**

Mr. President: Your Committee on Natural Resources to whom was referred House Bill No. 1615 has had the same under consideration and recommends that the same do pass and be re-referred to the Committee on Appropriations.

SENATOR JACOBSON, Chairman

House Bill No. 1615 was re-referred to the Committee on Appropriations.

Mr. President: Your Committee on Natural Resources to whom was referred House Concurrent Resolution No. 3092 has had the same under consideration and recommends that the same do pass.

SENATOR JACOBSON, Chairman

House Concurrent Resolution No. 3092 was placed on the 14th order of business on the calendar for the succeeding legislative day.

**FIRST READING OF  
A SENATE CONCURRENT RESOLUTIONS**

Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4078. A concurrent resolution requesting and urging the elected state officials, or their designees, acting as a commission, to review the structure and operations of the executive branch, and to report their findings to the Forty-fifth Legislative Assembly.

Was read the first time and referred to the Committee on State and Federal Government.

Committee on Delayed Bills introduced:

Senate Concurrent Resolution No. 4079. A concurrent resolution urging the President of the United States to exercise his authority pursuant to 7 U.S.C. 1854 to limit the import into the United States of fresh, chilled, or frozen cattle meat.

Was read the first time and referred to the Committee on Agriculture.

**FIRST READING OF HOUSE CONCURRENT RESOLUTIONS**

House Concurrent Resolution No. 3095. A concurrent resolution congratulating the Williston Coyotes on winning the 1975 state Class A Basketball Championship.





So the bill passed, the title was agreed to, and the emergency clause carried.

**House Bill No. 1014.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the attorney general's office.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (SJ 1063 & 1064), the roll was called and there were ayes, 43; nays, 6; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP	●	
● FREED			● LEE	●		● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●		● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MP. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1064.** A Bill for an Act making an appropriation for the upgrading of the law enforcement radio communications system and for the operation of the upgraded system for the upcoming biennium.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 7; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH	●		● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN	●		● PYLE	●		● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP	●	
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●		● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**House Bill No. 1065.** A Bill for an Act making an appropriation for the upgrading of the law enforcement teletype communications system and for the operation of that system for the upcoming biennium.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 6; absent and not voting, 3.



**House Bill No. 1214.** A Bill for an Act to provide for the compensation of injured persons resulting from motor vehicle accidents; for security for motor vehicles on a compulsory basis; for certain mandatory minimum insurance or self-insurance protection benefits payable regardless of fault in cases of accidental bodily injury; for an exemption for secured persons from general damages; for subrogation, intercompany arbitration, and offset of benefits paid against judgments; for an assigned claims plan; for a mandatory offering of excess optional no-fault benefits; to create and enact new subsections to sections 39-04-05 and 39-04-06 relating to the suspension or revocation of motor vehicle registration for failure to have security in effect as required by this Act; providing an effective date; and providing an appropriation.

Which has been read.

Senator Ringsak moved that House Bill No. 1214 be amended as follows:

On page 10, after line 5 of the engrossed bill insert the following: "4. The Commissioner of Insurance shall disapprove any proposed increase in insurance premiums for a period of two years as a result of this Act."

Renumber the lines and pages accordingly.

Senator Ringsak moved that the amendments be adopted, which motion lost.

Senator Ringsak moved that House Bill No. 1214 be amended as follows:

On page 10, before line 6, insert the following: "5. The Commissioner of Insurance shall direct that all insurance contracts for motor vehicles, automobiles and trucks, shall be lowered by twenty percent after two years from the effective date of this Act."

Renumber the lines and pages accordingly.

Senator Ringsak moved that the amendments be adopted, which motion lost.

Senator Wenstrom moved the previous question, which motion prevailed.

Senator Nothing moved that those Senators having a conflict of interest be permitted to vote, which motion prevailed.

**ROLL CALL**

The question being on the final passage of House Bill 1214, the roll was called and there were yeas, 33; nays, 16; absent and not voting, 2.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	ISZLER			●	NAADEN			●	SHABLOW
●			●	JACOBSON			●	NASSET			●	SMYKOWSKI
●			●	JONES			●	NOTHING			●	SOLBERG
●			●	KAUTZMANN	●		●	PYLE			●	STRAND
●			●	LARSON			●	RAIT			●	STRINDEN
●			●	LASHKOWITZ	●		●	REDLIN			●	STROUP
●			●	LEE			●	REITEN			●	THANE
●			●	LIPS			●	RINGSAK	●		●	TWETEN
●			●	LONGMIRE	●		●	SANDS			●	VOSPERS
●			●	MAHER	●		●	SANDNESS			●	WALSH
●			●	MELLAND	●		●	SCHULTZ, C #14			●	WENSTROM
●			●	MORGAN			●	SCHULTZ, J #32			●	WRIGHT
●			●	MUTCH	●		●	SCHUSTER	●		●	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Thane moved that the vote by which House Bill No. 1214 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**MOTION**

Senator Nothing moved that the Senate recess, which motion prevailed. The Senate reconvened, the President presiding.

## REPORTS OF STANDING COMMITTEES

Mr. President: Your Committee on Appropriations to whom was referred House Bill No. 1615 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR LIPS, Chairman

House Bill No. 1615 was placed on the 14th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business and Labor to whom was referred House Concurrent Resolution No. 3090 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 12 after “;” delete the word “and”

On page 1, delete all of lines 13, 14 and 15

On page 2, delete all of lines 3, 4 and 5

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR KAUTZMANN, Chairman

House Concurrent Resolution No. 3090 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Social Welfare & Veterans Affairs to whom was referred House Bill No. 1614 has had the same under consideration and recommends that the same be placed on calendar without recommendation.

SENATOR RINGSACK, Chairman

House Bill No. 1614 was placed on the 14th order of business on the calendar for the succeeding legislative day.

## MOTION

Senator Homuth moved that House Concurrent Resolution No. 3090 be placed on the 6th Order for the purpose of adopting amendments, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

Senator Homuth moved that the amendments to House Concurrent Resolution No. 3090 as recommended by the Committee on Industry, Business and Labor be adopted, which motion prevailed.

## MOTION

Senator Homuth moved that the rules be suspended, that House Concurrent Resolution No. 3090 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF  
A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3090.** A concurrent resolution urging Congress to amend the National Occupational Safety and Health Act. Which has been read.

The question being on the final adoption of the resolution.

Senator Homuth moved that the resolution be adopted, which motion prevailed and House Concurrent Resolution No. 3090 was adopted.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2005 as printed on page 1190 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2005:

- Senator Longmire
- Senator Strinden
- Senator Maher

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Solberg moved that the Senate do concur in the House amendments to Senate Bill No. 2069, as printed on pages 1196 and 1197 of the Senate Journal, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Bill No. 2069 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2069.** A Bill for an Act to create and enact sections 39-10-01.1 and 39-10-07.3 of the North Dakota Century Code, relating to required obedience to traffic laws, interference with official traffic-control devices or railroad signs or signals, and moving heavy equipment at railroad grade crossings; to amend and reenact section 24-01-14, subsection 1 of section 39-01-01, sections 39-01-08, 39-07-05, 39-08-03, 39-08-08, 39-08-17, 39-09-01, 39-09-03, 39-09-04, 39-09-09, 39-10-01, 39-10-02, 39-10-04, 39-10-06, 39-10-07, 39-10-11, 39-10-12, 39-10-13, 39-10-18, 39-10-19, 39-10-22, 39-10-23, 39-10-24, 39-10-25, 39-10-28, 39-10-30, 39-10-39, 39-10-42, 39-10-45, 39-10-46, 39-10-52, 39-10-54.1, 39-10-55, 39-10-56, 39-10-57, 39-10-58, and 39-13-03 of the North Dakota Century Code, relating to determination of speed, definitions within Title 39, insurance on vehicles owned by the state and political subdivisions of the state, applicability of chapters 39-08 through 39-13, the penalty for reckless driving, duty of driver upon striking fixtures upon a highway, reporting of traffic convictions, care required in operating a vehicle, local authorities setting speed limitations, speed limits on bridges, causeways, and viaducts, minimum speed limits, provisions of chapter referring to vehicles upon the highways, obedience to police officers, obedience to and required traffic-control devices, pedestrian control signals, flashing signals, overtaking a vehicle on the left, overtaking on the right, following too closely, driving on divided highways, vehicle approaching or entering intersection, vehicle turning left, vehicle entering stop or yield intersection, vehicle entering highway from private road or turning left to enter private road, pedestrian right-of-way in crosswalks, drivers to exercise due care, signals and signal lamps, all vehicles to stop at certain railroad crossings, emerging from alley, driveway, or building, overtaking and passing school bus, limitations on backing, opening and closing vehicle doors, driving on mountain highways, coasting prohibited, following fire apparatus prohibited, crossing fire hose, enforceability of local parking regulations where signs are not legible or not in proper position; and to repeal sections 39-07-04 and 39-09-08 of the North Dakota Century Code, relating to powers of local authorities and regulation of speed control signs.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHALOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Solberg moved that the Senate do concur in the House amendments to Senate Bill No. 2157, as printed on page 1197 of the Senate Journal, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Bill No. 2157 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

**Senate Bill No. 2157.** A Bill for an Act to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to driver's licenses issued to operators.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

REGULAR SESSION			NORTH DAKOTA SENATE						1975 LEGISLATURE		
ROLL-CALL			ROLL-CALL						ROLL-CALL		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

#### MOTIONS

Senator Stroup moved that the Senate request the return of House Bill 1609 for the purpose of reconsideration, which motion prevailed.

Senator Smykowski moved that the Senate reconsider the action by which House Bill 1478 passed, which motion prevailed.

Senator Melland moved that House Bill 1478 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1478.** A Bill for an Act to amend and reenact sections 4-18.1-04, 4-18.1-07 (1), and 4-18.1-12 of the North Dakota Century Code, relating to the membership of the milk stabilization board, regulation of dairy farmer prices for all grade A milk, the amount of assessments for administration of the board.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 24; nays, 25; absent and not voting, 2.



one of the most serious problems facing the Legislative Assembly, i.e. that is the problem of excessive, highly pressurized lobbying by constitutional officers, state department heads, agency heads, and their representatives.

If I do not succeed in introducing the bill at this late hour to the Delayed Bills Committee, I will either as a citizen or through a member of the Legislative Assembly take some action.

We have heard a great deal about alleged, excessive abuse of the various private lobbyists.

Yet, perhaps the largest most organized most accessible lobbyist group is that of government itself.

During this session and immediately prior thereto, some of us have witnessed an almost brazen attempt of some constitutional offices to overwhelm this Legislative Assembly in an effort to sell their pet projects, even at the expense of the taxpaying public.

My proposed delayed bill will be designed to restrict this over-reaching, highly pressurized lobbying of the Legislative Assembly by some constitutional officers, department heads, division heads, and their representatives.

My proposed legislation will make it unlawful for any of the aforementioned governmental officials or representatives to make untruthful representation to any legislators and further it shall provide that it's unlawful to solicit support to secure the enactment or defeat of legislation on behalf of any economic interest at the expense of the taxpaying public.

I shall further propose that the said state officials shall not engage in legislative activities during the business hours during which their office is open to serve the public nor shall they appear before any legislative committee except by invitation. Further, I shall propose that any state official, in his or her contacts with legislators, shall give equal time to those favoring or opposing any proposed legislation.

Government in North Dakota is growing. It is perhaps one of our largest businesses in that it sustains itself by the expenditure of tax dollars. Therefore, the purpose of my proposed legislation is that state constitutional officers, department heads, division heads, or their representatives shall not in effect be seeking the promotion or the defeat of legislation by using tax dollars by utilizing their office forces and the time during which they are required by law to be serving the public.

Big government is here and we've all heard about it. We as a Legislative Assembly must take positive steps to see that big government does not overwhelm or consume the resources of a taxpaying public as a result of over-zealous, highly pressurized governmental lobbying, particularly during the hours that the said governmental officials and officers are expected to be administering their respective offices.

Thank you ladies and gentlemen.

SECOND READING OF HOUSE BILLS

House Bill No. 1405. A Bill for an Act to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to legal notices and fees.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 4; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5		●	JONES		●	NETHING		●	SOLBERG	



● CHRISTENSEN, I. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSACK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1405 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 1506.** A Bill for an Act making an appropriation to the North Dakota legislative council for the purposes of conducting a phase one statewide commuter airline basic needs assessment study to be followed by a phase two study to determine the North Dakota cities to be served, the cost of the service, and the route system, provided that the phase two study is conditioned on legislative council approval.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 11; absent and not voting, 1.

REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAAEDN		●
● BERUBE			● JACOBSON		●	● NASSET		● SHABLOW
● CHRISTENSEN, H. #5	●		● JONES		●	● NETHING		● SMYKOWSKI
● CHRISTENSEN, I. #3			● KAUTZMANN		●	● PYLE		● STRAND
● CONLIN			● LARSON		●	● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ		●	● REDLIN		● STROUP
● FREED			● LEE		●	● REITEN		● THANE
● FRITZELL			● LIPS		●	● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE		●	● SANDS		● VOSPER
● GRONHOVD			● MAHER		●	● SANDNESS		● WALSH
● HOFFNER			● MELLAND		●	● SCHULTZ, C. #14		● WENSTROM
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH		●	● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Naaden moved that the vote by which House Bill No. 1506 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**House Bill No. 1514.** A Bill for an Act to provide an appropriation for state matching funds for school lunch programs; and to repeal section 15-54-07 of the North Dakota Century Code, relating to restrictions on the expenditure of state funds.

Which has been read.

Senator Naaden moved that House Bill No. 1514 be amended as follows:

On page 1 of the engrossed bill, line 1, delete the words "an appropriation", and insert the following in lieu thereof: "for expenditure of foundation program funds"

On page 1 of the engrossed bill, delete lines 9 through 15, and insert the following in lieu thereof:

"SECTION 1. SCHOOL LUNCH MATCHING FUNDS.) The sum of \$750,000.00, or so much thereof as may be necessary, as appropriated for per-pupil payments by the "foundation payments" line item of subdivision 1 of house bill no. 1005 or such other Act providing an appropriation for foundation payments as enacted by the forty-fourth legislative assembly, shall be the state matching funds for school districts for participation in school lunch programs, pursuant to federal law and regulations, during the biennium commencing July 1, 1975, and ending June 30, 1977. "The moneys expended pursuant to this section

shall be a designated portion of, and not a reduction of, the per-pupil payment as made under chapter 15-40.1 of the Century Code.”

And’ renumber the lines accordingly.

Senator Naaden moved that the amendments be adopted, which motion prevailed.

Senator Naaden moved that House Bill No. 1514 be further amended as follows:

Delete the following language: “The moneys expended pursuant to this section shall be a designated portion of, and not a reduction of, the per-pupil payment as made under chapter 15-40.1 of the Century Code.”

Senator Naaden moved that the amendments be adopted, which motion prevailed.

Senator Naaden moved that the rules be suspended, that House Bill No. 1514 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1514. A Bill for an Act to provide an appropriation for state matching funds for school lunch programs; and to repeal section 15-54-07 of the North Dakota Century Code, relating to restrictions on the expenditure of state funds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 5; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHARLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H. #5	•		• JONES	•		• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRONDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN		•	• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZEL	•		• LIPS			• RINGSAK		•	• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•		• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH	•		• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething 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 prevailed.

House Bill No. 1515. A Bill for an Act to create and enact new sections to chapter 50-24.1 of the North Dakota Century Code, relating to the provision of remedial eye care, recovery from estates of medical assistance recipients, and inapplicability of statute of limitations to claims; to amend and reenact section 50-24.1-02 of the North Dakota Century Code, relating to persons eligible for the receipt of medical assistance; and to repeal section 50-09-05 of the North Dakota Century Code, relating to durational residency requirements for the receipt of aid to 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, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER ●			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP ●		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH ●			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1515 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**House Bill No. 1530.** A Bill for an Act to amend and reenact sections 25-04-05, 25-09-02, 25-09-02.2, 25-09-03, 25-09-04, 25-09-04.1, 25-09-05, 25-09-06, subsection 1 of section 25-09-07, and section 25-09-10 of the North Dakota Century Code, relating to provisions for the charging of expenses for care and treatment of patients of the Grafton state school; and to repeal sections 25-09-03.1 and 25-09-11.1 of the North Dakota Century Code, relating to claims against estates of responsible relatives and reduction of claims against responsible relatives.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 2; absent and not voting, 3.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER ●			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN ●		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP ●		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14 ●			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH ●			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1530 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

**House Bill No. 1587.** A Bill for an Act to create a Devils Lake basin advisory committee, providing an appropriation, and providing for an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER ●			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTRÖM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MP. PRESIDENT

So the bill passed, the title was agreed to, and the emergency clause carried.

Senator Nething moved that the vote by which House Bill No. 1587 was passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

MOTIONS

Senator Melland moved that House Bill 1468 be moved to the head of the calendar, House Bill 1011 immediately following House Bill 1002 and House Bill 1015 immediately following House Bill 1011, which motion prevailed.

Senator Hoffner moved that House Bill No. 1468 be moved to the foot of the calendar.

Senator Hoffner requested a roll call vote on the motion to move House Bill 1468 to the foot of the calendar, which request was granted.

ROLL CALL

The question being on the motion to place House Bill 1468 at the foot of the calendar, the roll was called and there were 19 ayes; 31, nays; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		
●	BARTH		●	ISZLER		●	NAADEN		●	SHABLOW	
●	BERUBE		●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●	CHRISTENSEN, H. #5	●	●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L. #3		●	KAUTZMANN		●	PYLE		●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	
		●			●			●			●
		●			●			●			●
	FRITZELL			LIPS			RINGSAK			TWETEN	
	GOODMAN	●		LONGMIRE			SANDS			VOSPER	
	GRONHOVD			MAHER			SANDNESS			WALSH	
	HOFFNER			MELLAND			SCHULTZ, C. #14			WENSTRÖM	
	HOLLAND			MORGAN			SCHULTZ, J. #32			WRIGHT	
	HOMUTH			MUTCH			SCHUSTER			MR. PRESIDENT	

The motion to place House Bill No. 1468 at the foot of the calendar lost.

MOTION

Senator Hoffner requested a recess so that the Minority party could hold a caucus, which request was granted.

The Senate reconvened, pursuant to recess taken, the President presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 1468. A Bill for an Act to provide for an appropriation of general fund moneys to the college building fund under the control of the board of higher education, and an appropriation for the construction, additions to, remodeling, and equipping of buildings on the college campuses.

Which has been read.

Senator Melland moved that House Bill No. 1468 be amended as follows:

On page 1 of the engrossed bill, delete all of the words after the words "A Bill", delete the remainder of the bill and insert in lieu thereof the

following: "for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:**

**SECTION 1.)** On July first of each year, until the sum of twenty-one million, eight hundred fifteen thousand dollars, or so much thereof as may be necessary, shall have been transferred to the state capital construction 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 that the cash balance in the general fund as of the close of business on the previous thirtieth day of June shall exceed thirty million dollars, the director of the department of accounts and purchases shall direct the state treasurer to transfer to the state capital construction fund an amount of six million dollars on July first of each year, or so much thereof as may be necessary, or the amount in excess of thirty million dollars in the general fund, whichever is the lesser. Such funds shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriations to be made by the legislative assembly.

**SECTION 2. APPROPRIATIONS.)** There is hereby appropriated out of any moneys in the state capital construction fund the sum of \$21,815,000.00, or so much thereof as may be necessary, to state agencies, departments and institutions listed herein for the construction or addition, remodeling, and equipping of buildings and facilities within the limitations hereafter stated in this section: Name of agency, department, or institution

Name of Agency, Department, or Institution	Type of Facility	State funds
Blind School	Multi-purpose room	\$ 240,000
Main Experiment Station	Completion of veterinary science building	375,000
Main Experiment Station	Meat-handling facility	150,000
Main Experiment Station	Chemical storage building	52,000
Division of Independent Study	Film storage unit	48,000
State Fair Association	Completion of multi-purpose building	300,000
Minot State College	Completion of allied health and science building	200,000
State School of Science	Physical education activities center	3,000,000
Main Experiment Station	Agriculture science building	3,000,000
North Dakota State University	Library addition	1,500,000
Grafton State School	Administration building	1,200,000
State Fair Association	Exhibition facilities	500,000
Heritage Commission	Heritage center	4,000,000
University of North Dakota	Office facilities and class lab	3,000,000
Minot State College	Physical education activities center	3,000,000
Dickinson State College	Multi-purpose arena	250,000
State Hospital	Maximum security unit	1,000,000
		<u>\$21,815,000</u>

The order in which the projects are listed in this section shall be the priority list for the construction or remodeling of such facilities. The

construction or remodeling of a building or facility shall not be commenced until the amount of funds indicated for such building or facility has been transferred to the state capital construction fund as provided in this Act. In addition to the appropriations and authorizations set forth in this Act, there is hereby appropriated to the state agencies, departments, and institutions listed herein, any moneys available from private, federal, or other sources to construct or remodel facilities set forth in this Act. In no event shall any facility exceed the cost indicated in the column "state funds" except to the extent funds may be received from federal and private sources.

SECTION 3.) For the purpose of making recommendations to the legislative assembly regarding the order of priority and costs for the construction or addition, remodeling, and equipping of buildings, the legislative council shall appoint an interim committee to conduct an ongoing study of such costs and order of priority.

SECTION 4. APPROPRIATION.) In addition to amounts appropriated in section 2, there is hereby appropriated to the North Dakota heritage commission the sum of \$2,000,000.00, or such greater amounts arising from legislative appropriations and private and other sources as may be on deposit with the heritage commission, towards the construction of a heritage center on the state capitol grounds. The heritage commission may invest amounts received pursuant to the appropriation from the general fund in certificates of deposit in the Bank of North Dakota.

SECTION 5.) The state hospital and the health department are hereby authorized to conduct a study of the feasibility of entering into a joint project with Stutsman County and the city of Jamestown for the construction of a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown. The funds herein appropriated to the state hospital for the state share of construction costs of a maximum security unit shall not be expended until such a study has been completed.

SECTION 6. APPROPRIATION.) In addition to other appropriations and authorizations provided in this Act, there is hereby appropriated to North Dakota state university from any moneys derived from private or federal sources such amounts as may be necessary for the construction of a fine arts center."

And renumber the lines and pages accordingly.

Senator Conlin moved to amend the amendment as follows:

In Section 1, line 2 delete the word one and insert in lieu thereof the word two

Section 1, line 3, delete the figure 21,815,000.00 and insert in lieu thereof the figure 22, 815,000.00.

On page 2, line 16, delete the figure \$1,500,000 and insert in lieu thereof the figure \$2,500,000.00

On line 26, delete the figure \$21,815,000.00 and insert in lieu thereof the figure \$22,815,000.00

Senator Conlin moved that the amendments be adopted, which motion lost.

Senator Strinden moved the previous question, which motion prevailed.

The President ruled the amendments were not in order.

Senator Nething moved that the body challenge the ruling of the chair, which motion prevailed.

Senator Hoffner requested a roll call vote on the motion to challenge the ruling of the chair, which request was granted.

The question being on the motion to challenge the ruling of the chair.

#### ROLL CALL

The roll was called and there were 19 ayes; 31, nays; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED		●	● LEE			● REITEN		● THANE
● FRITZELL		●	● LIPS			● RINGSAK		● TWETEN
● GOODMAN		●	● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The decision of the chair was over-ridden.

Senator Lashkowitz moved that the amendments proposed by Senator Conlin be adopted.

Senator Melland requested a roll call vote on the motion to adopt the amendments proposed by Senator Conlin, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments proposed by Senator Conlin, the roll was called and there were 16 ayes; 33 nays; absent and not voting, 2.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED		●	● LEE			● REITEN		● THANE
● FRITZELL		●	● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C.#14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J.#32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		● MR. PRESIDENT

The motion to adopt the amendments proposed by Senator Conlin lost.

Senator Maher moved that the following line "Dickinson State College Multi-purpose arena — 250,000 be moved ahead of the State Fair Association, which motion lost.

Senator Lashkowitz moved to increase the sum for the proposed University of North Dakota office facilities and class lab \$600,000 and adjust the total accordingly, which motion lost.

Senator Nething moved the previous question, which motion prevailed.

Senator Melland moved that the amendments be adopted.

Senator Barth requested a roll call vote on the motion to adopt the proposed amendments, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments, the roll was called and there were 32 ayes; 18 nays; absent and not voting, 1.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH		●	● ISZLER			● NAADEN		● SHABLOW
● BERUBE		●	● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H.#5		●	● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L.#3		●	● KAUTZMANN			● PYLE		● STRAND
● CONLIN		●	● LARSON			● RAIT		● STRINDEN
● ERDMAN		●	● LASHKOWITZ			● REDLIN		● STROUP
● FREED		●	● LEE			● REITEN		● THANE
● FRITZELL		●	● LIPS			● RINGSAK		● TWETEN

• GOODMAN	• LONGMIRE	SANDS	• VOSPER
• GRONHOVD	• MAHER	• SANDNESS	• WALSH
• HOFFNER	• MELLAND	• SCHULTZ, C. #14	• WENSTROM
• HOLLAND	• MORGAN	• SCHULTZ, J. #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

The amendments to House Bill 1468 were adopted.

Senator Melland moved that the rules be suspended, that House Bill 1468 be placed on the calendar as amended for second reading and final passage, which motion lost for a lack of two-thirds of a majority needed to suspend the rules.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1001.** A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

Which has been read.

Senator Melland moved that House Bill 1001 be amended as follows:

On page 1057 of the Senate Journal, delete lines 31 through 34 of the amendments to the engrossed bill

On page 1057 of the Senate Journal, line 36 of the amendments to the engrossed bill, delete the numerals "27,374,362" and insert in lieu thereof the numerals "24,374,362"

On page 1058 of the Senate Journal, delete lines 7 through 10 of the amendments to the engrossed bill

On page 1058 of the Senate Journal, line 12 of the amendments to the engrossed bill, delete the numerals "12,592,867" and insert in lieu thereof the numerals "9,592,867"

On page 1058 of the Senate Journal, delete lines 23 through 27 of the amendments to the engrossed bill

On page 1058 of the Senate Journal, line 29 of the amendments to the engrossed bill, delete the numerals "7,359,559" and insert in lieu thereof the numerals "7,159,559"

On page 1058 of the Senate Journal, line 45 of the amendments to the engrossed bill, delete the numerals "95,689,938" and insert in lieu thereof the numerals "89,489,938"

On page 1058 of the Senate Journal, line 49 of the amendments to the engrossed bill, delete the numerals "126,701,129" and insert in lieu thereof the numerals "120,501,129"

On page 1058 of the Senate Journal, delete lines 52 through 58 of the amendments to the engrossed bill and insert in lieu thereof the following:

"SECTION 7. APPROPRIATION AND AUTHORIZATION.) In addition to the appropriations and authorizations approved by this Act, there is hereby appropriated to North Dakota state university, for the hard surfacing of the fieldhouse parking lot, any moneys received from private sources designated for such purposes, and parking fees collected from parking lot operations. North Dakota state university is hereby authorized to use funds appropriated in its land, structures, and major improvements line item of this Act to cover the portion of the parking lot project costs not funded by private sources and parking fees."

On page 1059 of the Senate Journal, delete lines 1 through 5 of the amendments to the engrossed bill

And renumber the lines and pages in the engrossed bill accordingly.

Senator Melland moved that the amendments be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill 1001 be placed on second reading and final passage, as amended, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

**House Bill No. 1001.** A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.





Which has been read.

Senator Melland moved that House Bill No. 1002 be amended as follows:

On page 2 of the engrossed bill, delete lines 16 through 20

On page 2, line 22 of the engrossed bill, delete the numerals "13,915,122" and insert in lieu thereof the numerals "8,614,122"

On page 4, line 18 of the engrossed bill, delete the numerals "18,156,098" and insert in lieu thereof the numerals "12,855,098"

On page 4, line 20 of the engrossed bill, delete the numerals "31,292,020" and insert in lieu thereof the numerals "25,991,020"

And renumber the lines accordingly.

Senator Melland moved that the amendments be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1002 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1002.** A Bill for an Act making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• COWLIN			• LARSON			• RAIT			• STRINDEN		
• CROWMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FRED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1002 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1011.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

Senator Melland moved that House Bill No. 1011 be amended as follows:

On page 2 of the engrossed bill, delete lines 25, 26, 27, and 28

On page 2, line 30 of the engrossed bill, delete the numerals "1,740,967" and insert in lieu thereof the numerals "940,967"

On page 2, line 32 of the engrossed bill, delete the numerals "883,370" and insert in lieu thereof the numerals "83,370"

On page 3, line 11 of the engrossed bill, delete the numerals "1,509,044" and insert in lieu thereof the numerals "709,044"

On page 3, line 13 of the engrossed bill, delete the numerals "3,758,148" and insert in lieu thereof the numerals "2,958,148"

And renumber the lines accordingly.

Senator Melland moved that the amendments be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1011 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nefing moved that the vote by which House Bill No. 1011 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1015. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1064 and 1065), the roll was called and there were ayes, 47; nays, 3; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

Senator Nething moved that the vote by which House Bill No. 1015 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

## MOTION

Senator Nething moved that the vote by which House Bills 1004, 1014, 1064, 1065, 1120 and 1148 were passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2001  
Senate Bill No. 2003  
Senate Bill No. 2004  
Senate Bill No. 2006  
Senate Bill No. 2007  
Senate Bill No. 2010  
Senate Bill No. 2011  
Senate Bill No. 2014  
Senate Bill No. 2081  
Senate Bill No. 2090  
Senate Bill No. 2150

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2001

On page 1, line 19 of the engrossed bill, delete the numerals "355,435" and insert in lieu thereof the numerals "341,263"

On page 2, line 1 of the engrossed bill, delete the numerals "446,213" and insert in lieu thereof the numerals "432,041"

On page 2, line 4 of the engrossed bill, delete the numerals "13,952" and insert in lieu thereof the numerals "21,628"

On page 2, line 8 of the engrossed bill, delete the numerals "21,402" and insert in lieu thereof the numerals "29,078"

On page 2, line 12, of the engrossed bill, delete the numerals "35,800" and insert in lieu thereof the numerals "40,800"

On page 2, line 14, of the engrossed bill, delete the numerals "9,600" and insert in lieu thereof the numerals "11,600"

On page 2, line 17, of the engrossed bill, delete the numerals "405,049" and insert in lieu thereof the numerals "412,049"

On page 2, line 21, of the engrossed bill, delete the numerals "300,000" and insert in lieu thereof the numerals "200,000"

On page 2, line 22, of the engrossed bill, delete the numerals "305,000" and insert in lieu thereof the numerals "205,000"

On page 3, line 7, delete the numerals "211,031" and insert in lieu thereof the numerals "222,749"

On page 3, line 13, delete the numerals "353,445" and insert in lieu thereof the numerals "365,163"

On page 3, line 26 of the engrossed bill, delete the numerals "2,948,144" and insert in lieu thereof the numerals "2,827,383"

On page 3, line 27 of the engrossed bill, delete the numerals "488,850" and insert in lieu thereof the numerals "470,250"

On page 3, line 34 of the engrossed bill, delete the numerals "4,268,123" and insert in lieu thereof the numerals "4,128,762"

On page 4, line 21 of the engrossed bill, delete the numerals "450,022" and insert in lieu thereof the numerals "469,714"

On page 4, line 26 of the engrossed bill, delete the numerals "535,414" and insert in lieu thereof the numerals "555,106"

On page 5, line 3, of the engrossed bill, delete the numerals "1,228,790" and insert in lieu thereof the numerals "1,273,979"

On page 5, line 9, of the engrossed bill, delete the numerals "1,631,511" and insert in lieu thereof the numerals "1,676,700"

On page 5, delete lines 24 through 29.

On page 6, line 7 of the engrossed bill, delete the numerals "22,000" and insert in lieu thereof the numerals "17,000"

On page 6, line 9 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "14,000"

On page 6, line 10 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "14,500"

On page 6, line 11 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "13,000"

On page 6, line 13 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "13,000"

On page 6, line 14 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "14,000"

On page 6, line 15 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "14,000"

On page 6, line 16 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "14,000"

On page 6, line 17 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "14,000"

On page 6, line 18 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "14,000"

On page 6, line 19 of the engrossed bill, delete the numerals "17,000" and insert in lieu thereof the numerals "13,000"

On page 6, line 21 of the engrossed bill, delete the numerals "501,000" and insert in lieu thereof the numerals "374,000"

On page 6, line 29 of the engrossed bill, delete the numerals "501,000.00" and insert in lieu thereof the numerals "374,000.00"

On page 7, line 5, of the engrossed bill, delete the numerals "13,318,407" and insert in lieu thereof the numerals "13,026,649"

On page 7, line 8, of the engrossed bill, delete the numerals "16,676,025" and insert in lieu thereof the numerals "16,384,267"

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2003

On Page 1, line 19, of the engrossed bill delete the numerals "\$1,237,396" and insert in lieu thereof the numerals "\$1,209,156"

On Page 1, line 23, delete the numerals "\$1,556,752" and insert in lieu thereof the numerals "\$1,528,512"

On Page 2, line 1, delete the numerals "\$1,539,652" and insert in lieu thereof the numerals "\$1,511,412"

On Page 2, line 4, delete the numerals "\$1,510,317" and insert in lieu thereof the numerals "\$1,313,470"

On Page 2, line 7, delete the numerals "\$1,774,517" and insert in lieu thereof the numerals "\$1,577,670"

On Page 2, line 8, delete the numerals "\$3,314,169" and insert in lieu thereof the numerals "\$3,089,082"

On Page 2, line 10, delete the numerals "\$3,331,269" and insert in lieu thereof the numerals "\$3,106,182"

And renumber the lines accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2004

On Page 1, of the engrossed bill, line 14, delete the numerals "447,915" and insert in lieu thereof the numerals "474,415"

On page 1, line 17, delete the numerals "129,436" and insert in lieu thereof the numerals "137,936"

On page 1, line 19, delete the numerals "3,400" and insert in lieu thereof the numerals "4,900"

On page 1, line 20, delete the numerals "40,000" and insert in lieu thereof the numerals "45,000"

On page 1, line 21, delete the numerals "628,751" and insert in lieu thereof the numerals "670,251"

And renumber the lines accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2006

On page 3, line 19, delete the numerals "30,000" and insert in lieu thereof the numerals "60,000"

On page 3, line 20, delete the numerals "30,000" and insert in lieu thereof the numerals "60,000"

On page 3, line 21, delete the numerals "1,601,060" and insert in lieu thereof the numerals "1,631,060"

And renumber the lines accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2007

On page 2, line 2 of the engrossed bill, delete the numerals "28,750" and insert in lieu thereof the numerals "20,750"

On page 2, line 5 of the engrossed bill, delete the numerals "5,211,334" and insert in lieu thereof the numerals "5,203,334"

On page 2, line 7 of the engrossed bill, delete the numerals "5,106,334" and insert in lieu thereof the numerals "5,098,334"

On page 2, line 14 of the engrossed bill, delete the numerals "1,384,260" and insert in lieu thereof the numerals "1,320,060"

On page 2, line 15 of the engrossed bill, delete the numerals "1,384,260" and insert in lieu thereof the numerals "1,320,060"

On page 2, line 17 of the engrossed bill, delete the numerals "785,288" and insert in lieu thereof the numerals "721,088"

On page 3, line 5 of the engrossed bill, delete the numerals "188,923" and insert in lieu thereof the numerals "136,183"

On page 3, line 6 of the engrossed bill, delete the numerals "42,539" and insert in lieu thereof the numerals "39,859"

On page 3, line 7 of the engrossed bill, delete the numerals "68,013" and insert in lieu thereof the numerals "48,881"

On page 3, line 9 of the engrossed bill, delete the numerals "859,700" and insert in lieu thereof the numerals "785,148"

On page 3, line 12 of the engrossed bill, delete the numerals "1,724,662" and insert in lieu thereof the numerals "1,740,662"

On page 3, line 14 of the engrossed bill, delete the numerals "299,228" and insert in lieu thereof the numerals "321,786"

On page 3, line 15 of the engrossed bill, delete the numerals "80,677" and insert in lieu thereof the numerals "100,677"

On page 3, line 18 of the engrossed bill, delete the numerals "2,510,403" and insert in lieu thereof the numerals "2,568,961"

On page 3, line 19 of the engrossed bill, delete the numerals "563,361" and insert in lieu thereof the numerals "443,361"

On page 3, line 20 of the engrossed bill, delete the numerals "1,947,042" and insert in lieu thereof the numerals "2,125,600"

On page 3, line 27 of the engrossed bill, delete the numerals "243,550" and insert in lieu thereof the numerals "266,742"

On page 3, line 28 of the engrossed bill, delete the numerals "849,807" and insert in lieu thereof the numerals "872,999"

On page 3, line 29 of the engrossed bill, delete the numerals "157,340" and insert in lieu thereof the numerals "115,340"

On page 3, line 30 of the engrossed bill, delete the numerals "692,467" and insert in lieu thereof the numerals "757,659"

On page 4, line 2 of the engrossed bill, delete the numerals "156,820" and insert in lieu thereof the numerals "276,820"

On page 4, line 3 of the engrossed bill, delete the numerals "1,863,281" and insert in lieu thereof the numerals "1,983,281"

On page 4, line 4, of the engrossed bill, delete the numerals "392,630" and insert in lieu thereof the numerals "261,302"

On page 4, line 5 of the engrossed bill, delete the numerals "1,470,651" and insert in lieu thereof the numerals "1,721,979"

On page 4, after line 5 of the engrossed bill, insert the following: "(The above line item entitled "land, structures, and major improvements" in subdivision 8 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.)"

On page 4, line 8 of the engrossed bill, delete the numerals "10,971,986" and insert in lieu thereof the numerals "10,883,034"

On page 4, line 11 of the engrossed bill, delete the numerals "127,550" and insert in lieu thereof the numerals "123,050"

On page 4, line 13 of the engrossed bill, delete the numerals "14,175,698" and insert in lieu thereof the numerals "14,082,246"

On page 4, line 14 of the engrossed bill, delete the numerals "3,264,783" and insert in lieu thereof the numerals "3,239,988"

On page 4, line 15 of the engrossed bill, delete the numerals "10,910,915" and insert in lieu thereof the numerals "10,842,258"

On page 4, line 18 of the engrossed bill, delete the numerals "2,258,617" and insert in lieu thereof the numerals "2,336,617"

On page 4, line 30 of the engrossed bill, delete the numerals "4,798,752" and insert in lieu thereof the numerals "4,876,752"

On page 4, line 32 of the engrossed bill, delete the numerals "3,400,413" and insert in lieu thereof the numerals "3,478,413"

On page 5, line 2 of the engrossed bill, delete the numerals "758,168" and insert in lieu thereof the numerals "801,563"

On page 5, line 5 of the engrossed bill, delete the numerals "4,856,732" and insert in lieu thereof the numerals "4,900,127"

On page 5, line 7 of the engrossed bill, delete the numerals "4,544,184" and insert in lieu thereof the numerals "4,587,579"

On page 5, line 8 of the engrossed bill, delete the numerals "30,713,680" and insert in lieu thereof the numerals "31,114,744"

On page 5, line 9 of the engrossed bill, delete the numerals "6,907,973" and insert in lieu thereof the numerals "6,589,850"

On page 5, line 10 of the engrossed bill, delete the numerals "37,621,653" and insert in lieu thereof the numerals "37,704,594"

On page 5, line 35 of the engrossed bill, delete the numerals "1,259,084.00" and insert in lieu thereof the numerals "1,234,289.00"

On page 6, line 7 of the engrossed bill, delete the numerals "1,259,084.00" and insert in lieu thereof the numerals "1,234,289.00"

On page 6, after line 17 of the engrossed bill, insert the following sections:

"SECTION 7. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that seventy-eight thousand, six hundred ten dollars of the appropriation for salaries and wages to the Grafton state school be used to hire a full-time medical director, and that, at the time a full-time medical director is hired, the school discontinue obtaining part-time medical director services.

SECTION 8. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the cost of education for those students attending the Grafton state school, but do not reside there, be absorbed within the funds appropriated in subdivision 9 of this Act."

And renumber the lines, pages and sections accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2010

On page 2, line 14 of the engrossed bill, delete the numerals "34,980" and insert in lieu thereof the numerals "19,980"

On page 2, line 17 of the engrossed bill, delete the numerals "942,701" and insert in lieu thereof the numerals "927,701"

On page 2, line 19 of the engrossed bill, delete the numerals "82,701" and insert in lieu thereof the numerals "67,701"

On page 2 of the engrossed bill, delete lines 22 and 23 and insert in lieu thereof the following lines:

"Salaries and wages	\$ 47,923
Fees and services	58,500
Supplies and materials	7,600
Total general fund appropriation	<u>\$114,023</u> "

On page 2, line 26 of the engrossed bill, delete the numerals "166,000" and insert in lieu thereof the numerals "129,354"

On page 2, line 27 of the engrossed bill, delete the numerals "100,000" and insert in lieu thereof the numerals "58,500"

On page 2, line 28 of the engrossed bill, delete the numerals "23,600" and insert in lieu thereof the numerals "16,000"

On page 2, line 31 of the engrossed bill, delete the numerals "570,000" and insert in lieu thereof the numerals "484,254"

On page 2, line 33 of the engrossed bill, delete the numerals "240,000" and insert in lieu thereof the numerals "154,254"

On page 2 of the engrossed bill, delete lines 34 and 35

On page 3 of the engrossed bill, delete lines 1, 2, and 3

On page 3, line 4 of the engrossed bill, delete the numerals "1,475,483" and insert in lieu thereof the numerals "1,478,760"

On page 3, line 6 of the engrossed bill, delete the numerals "2,934,727" and insert in lieu thereof the numerals "2,938,004"

On page 3 of the engrossed bill, following line 21, insert the following section:

"SECTION 4. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that an executive secretary of the heritage commission be appointed to the position authorized by section 55-09-03 and that such position shall have experience and the qualifications of a professional fund raiser."

And renumber the lines, pages and sections accordingly.

## HOUSE AMENDMENTS TO SENATE BILL 2011

On page 2, line 10, of the engrossed bill, delete the numerals "20,000" and insert in lieu thereof the numerals "50,000"

On page 2, line 12, of the engrossed bill, delete the numerals "469,020" and insert in lieu thereof the numerals "499,020"

On page 2, line 29 of the engrossed bill, delete the numerals "1,472,454" and insert in lieu thereof the numerals "1,449,555"

On page 2, line 33 of the engrossed bill, delete the numerals "362,200" and insert in lieu thereof the numerals "352,000"

On page 2, line 34 of the engrossed bill, delete the numerals "89,800" and insert in lieu thereof the numerals "79,000"

On page 2, line 35 of the engrossed bill, delete the numerals "105,200" and insert in lieu thereof the numerals "72,200"

On page 3, line 1 of the engrossed bill, delete the numerals "224,529" and insert in lieu thereof the numerals "154,475"

On page 3, line 4 of the engrossed bill, delete the numerals "2,274,183" and insert in lieu thereof the numerals "2,127,230"

On page 3, line 14 of the engrossed bill, delete the numerals "3,397,731" and insert in lieu thereof the numerals "3,280,778"

And renumber the lines accordingly.



## HOUSE AMENDMENTS TO SENATE BILL No. 2014

On page 1, line 21, of the engrossed bill, delete the numerals "66,600" and insert in lieu thereof the numerals "82,375"

On page 2, line 1, delete the numerals "187,806" and insert in lieu thereof the numerals "203,581"

On page 3, line 8, delete the numerals "5,241,031" and insert in lieu thereof the numerals "5,256,806"

On page 3, line 10, delete the numerals "17,430,564" and insert in lieu thereof the numerals "17,446,339"

On page 3 of the engrossed bill, after line 26, insert the following new section:

"SECTION 4. DEVILS LAKE FLOOD CONTROL PROJECT.) The funds appropriated in section 1 of this Act to the water commission for the Devils Lake flood control project shall not be expended until such time as a comprehensive water and drainage study of the Devils Lake basin has been completed and a plan for flood control agreed to by the Devils Lake basin advisory committee."

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2081

On page 1, line 18, following the word "of" delete the remainder of the line and insert in lieu thereof "counties."

On page 1, delete all of lines 19, 20, 21, 22

On page 2, line 3, delete the words "one-tenth" and insert in lieu thereof "one-twentieth"

And renumber the lines and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2090

On page 1, of the engrossed bill, line 17, delete the numerals "224,025" and insert in lieu thereof the numerals "243,025"

On page 1, line 21, delete the numerals "2,051,374" and insert in lieu thereof the numerals "2,070,374"

On page 1, line 23, delete the numerals "1,823,874" and insert in lieu thereof the numerals "1,842,874"

And renumber the lines accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2150

On page 2, line 13 delete the words "twenty five cents" and insert in lieu thereof the words "one dollar"

And renumber the lines accordingly.

## MESSAGES FROM THE HOUSE

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2313

Senate Bill No. 2368

Senate Bill No. 2479

Senate Bill No. 2495

Senate Concurrent Resolution No. 4029

Senate Concurrent Resolution No. 4039

Senate Concurrent Resolution No. 4046

Senate Concurrent Resolution No. 4054

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2313

On page 1, line 16, of the engrossed bill, after the ending triple parentheses delete the word "thirty" and insert in lieu thereof the word "thirty-three"

On page 1, line 19, delete the following: "five hundred" and insert in lieu thereof "one thousand"

On page 2, line 1, after the ending triple parentheses delete the word "twenty-eight" and insert in lieu thereof the word "thirty-one"

On page 2, line 11, delete the numeral "\$29,100.00" and insert in lieu thereof the numeral "\$35,385.00"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE BILL No. 2368, PART I

On page 2, line 30, delete the comma after the word "shall"

On page 2, line 33, delete the following: "legislative assembly does not meet."

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2368

On page 1, line 17 of the engrossed bill, following the word "subdivisions" insert the words "acting in their official capacity"

On page 1, line 24 of the engrossed bill, delete the words "secure the passage, amendment, or defeat" and insert in lieu thereof the words "influence decisions made"

On page 2, line 1 of the engrossed bill, delete the words "of any recommended legislation"

On page 2, line 14 of the engrossed bill, following the word "registration" insert the following: "and a distinctive lobbyist identification badge"

On page 2, line 21 of the engrossed bill, following the period insert the following: "The registration shall expire on December thirty-first of each calendar year unless an earlier expiration date is requested by the registrant."

On page 2, line 22 of the engrossed bill, delete the words "and agents"

On page 2, line 25 of the engrossed bill, delete the words "or agent"

On page 2, line 28 of the engrossed bill, delete the word "may" and insert in lieu thereof the word "shall"

On page 2, line 30 of the engrossed bill, delete the words "within ten days" and insert in lieu thereof "on or before December thirty-first in each year registered"

On page 2, delete lines 31 and 32 of the engrossed bill

On page 2, line 34 of the engrossed bill, delete the word "under"

On page 2, line 35 of the engrossed bill, delete the word "oath"

On page 3, line 3 of the engrossed bill, following the period insert the following sentence: "The secretary of state shall provide a prescribed form for reporting pursuant to this chapter."

On page 3, line 15 of the engrossed bill, delete the words "as a" and insert in lieu thereof "and to design and furnish a distinctive lobbyist identification badge"

On page 3, line 16 of the engrossed bill, delete the word "lobbyist"

On page 4, line 1 of the engrossed bill, delete the following:

"on or before the tenth," and insert in lieu thereof "upon request. A current list of lobbyists shall be posted in the legislative chambers during the legislative session."

On page 4, delete line 2 of the engrossed bill

On page 5, line 10 of the engrossed bill delete the letter "A" and insert in lieu thereof the letter "B"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO SENATE BILL No. 2479

On page 3 of the engrossed bill, delete lines 21 through 29

On page 5, line 27, delete the word "audited"

On page 6 delete lines 12 through 18

And renumber the lines, subsections and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2495

On page 2, line 17, delete the numerals "50,000.00" and insert in lieu thereof the numerals "10,000.00"

And renumber the lines accordingly.

HOUSE AMENDMENTS TO  
SENATE CONCURRENT RESOLUTION No. 4029

On page 2, line 17 of the engrossed resolution, after the comma, insert the following: "that landowners severely damaged by the construction of an irrigation canal be allowed to draw water from such canal regardless of membership or nonmembership in an irrigation district,"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE CONCURRENT RESOLUTION No. 4039

On page 1, line 18 delete the words "is currently" and insert in lieu thereof the words "until recently was"

On page 1, line 19 delete the word "have" and insert in lieu thereof the word "had"

On page 1, line 24 delete the word "urges" and insert in lieu thereof the word "commends" and also on line 24 after the second word "the" insert the following: "President for his recent release of federal highway funds for the benefit of several states; and North Dakota in particular, and urges"

On page 2, line 1, after the word "request" insert the words "in the future" and also on line 1 delete "to con."

On page 2, line 2 delete the letters "tinue" and also on line 2 delete the word "several"

And renumber the lines and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE CONCURRENT RESOLUTION No. 4046

On page 1, line 2, after "32," insert the word "and" and after the numeral "35" delete the following ", 45, and 56"

On page 1, line 4, following the first comma insert the following "and to repeal section 45 of the Constitution of the State of North Dakota, relating to"

On page 1, line 4, delete the second comma and insert in lieu thereof a ",

On page 1, delete line 5

On page 1, line 11, after "32," insert the word "and" and after the numeral "35" delete the following ", 45, and 56"

On page 2, line 18, place triple parentheses before and after the word "sixty" and insert in lieu thereof the word "thirty"

On page 2, line 19, delete the word "fifteen" and insert in lieu thereof the word "four"

On page 2, line 23, delete beginning triple parentheses before the word "Each"

On page 2, line 25, insert a "." after the word "representative" and also on line 25 place beginning triple parentheses before the word "except"

On page 3, line 8, delete the following "The members of the house of"

On page 3, delete all of line 9

On page 3, line 10, delete the following "from each senatorial district."

On page 3, delete all of lines 18 through 35

On page 4, delete all of lines 1 through 7 and insert in lieu thereof the following: "SECTION 5. REPEAL.) Section 45 of the Constitution of the State of North Dakota is hereby repealed."

And renumber the lines, sections and pages accordingly.

HOUSE AMENDMENTS TO  
SENATE CONCURRENT RESOLUTION No. 4054

On page 1, delete all of lines 11 through 15 and insert in lieu thereof the following:

“WHEREAS, problems created for landowners are intensifying, not decreasing, with included difficulties regarding;

1. extreme hardship caused by farms intersected or totally destroyed by construction features,

2. lack of lead time for landowners before construction,

3. lack of available suitable land for adequate replacement purposes,

4. extensive legal costs resulting to landowners forced to take settlements into court because of unrealistically low land purchase offers from the Bureau of Reclamation,

5. financial demands made through provisions of capitol gains tax laws on disadvantaged landowners unable to invest in replacement land; and

WHEREAS, it is clearly intolerable that farmers being asked to give up land for the projected benefit of others be any longer treated in the unjust manner that has characterized much of the construction history to date on this project; and”

On page 1, line 17, delete the word “provide”

On page 1, delete all of line 18

On page 1, line 19, delete the words “timely and” and insert in lieu thereof the words “ensure the”

On page 1, delete all of lines 20 through 24

On page 2, delete all of lines 1 and 2

On page 2, delete all of lines 6 through 11 and insert in lieu thereof the following:

“That the Congress of the United States is hereby urged and requested to attach conditions to further appropriations for this project such that construction shall be limited to that already underway where land has already been acquired until the following conditions have been met:

1. The Bureau of Reclamation releases information giving the legal description of all of the approximate 220,000 acres of land to be taken for this project including the anticipated date of taking,

2. The Bureau of Reclamation releases information pertaining to the legal description of all of the 250,000 acres of land to be irrigated with the project including a description of the alternate land areas to be irrigated if continuing Canadian objections should force major redesign of the project,

3. The Bureau of Reclamation releases the environmental, social and economic impact information on the roughly three-fourths of the project area including the Souris section, the Mid-North Dakota section and the LaMoire and Oakes section which is now five years overdue; and

BE IT FURTHER RESOLVED, that the United States Congress be memorialized that this resolution shall not be taken as an expression of discontent with the objectives of the Garrison Diversion development but rather as an expression of concern for corrective action toward problems that have become apparent since the Bureau of Reclamation commenced construction on the project; and”

And renumber the lines, sections and pages accordingly.

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2064:

Rep. Winkjer

Rep. Wentz

Rep. Benedict

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1222, refused to concur in the Senate amendment to House Bills Nos. 1440, 1541, 1509, and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives on House Bill No. 1440:

Rep. Ekblad  
Rep. Hildebrand  
Rep. Berger

Representatives on House Bill No. 1541:

Rep. Royse  
Rep. A. Hausauer  
Rep. Anderson

Representatives on House Bill No. 1509:

Rep. A. Hausauer  
Rep. Metz  
Rep. Anderson

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1147, 1189.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bills Nos. 2079, 2143, 2193, 2231, 2377.

Representatives on Senate Bill No. 2079:

Rep. Knudson  
Rep. Wentz  
Rep. Bye

Representatives on Senate Bill No. 2143:

Rep. E. Metzger  
Rep. VanderVorst  
Rep. Orange

Representatives on Senate Bill No. 2193:

Rep. Winkjer  
Rep. Rundle  
Rep. Dotzenrod

Representatives on Senate Bill No. 2231:

Rep. Rau  
Rep. Tennefos  
Rep. Langley

Representatives on Senate Bill No. 2377:

Rep. Goetz  
Rep. A. Hausauer  
Rep. Wilkie

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bills Nos. 1075, 1221, 1224, 1413, 1591, 1593, and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Representatives on House Bill No. 1075:

Rep. K. Johnson

Rep. Farrington  
 Rep. Weber  
 Representatives on House Bill No. 1221:  
 Rep. Gackle  
 Rep. A. Hausauer  
 Rep. Backes  
 Representatives on House Bill No. 1224:  
 Rep. A. Hausauer  
 Rep. Royse  
 Rep. Bye  
 Representatives on House Bill No. 1591:  
 Rep. Royse  
 Rep. Nermyr  
 Rep. Glassheim  
 Representatives on House Bill No. 1593:  
 Rep. Gackle  
 Rep. Murphy  
 Rep. Laughlin  
 Representatives on House Bill No. 1413:  
 Rep. Hilleboe  
 Rep. Nicholas  
 Rep. Clancy

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:  
 Senate Bill No. 2267

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3057  
 House Concurrent Resolution No. 3078

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1043, 1060, 1232, 1338, 1407, 1460, 1464, 1518, 1528, 1534, House Concurrent Resolutions Nos. 3046, 3085.

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES  
 FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2001 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2001:

Senator Mellard  
 Senator Wenstrom  
 Senator Erdman

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2004 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2004:

Senator Thane  
Senator Pyle  
Senator Larson

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendment to Senate Bill No. 2007 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2007:

Senator Longmire  
Senator Wenstrom  
Senator Maher

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Stroup moved that the Senate do not concur in the House amendments to Senate Bill No. 2031 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2031:

Senator J. Schultz  
Senator Stroup  
Senator Barth

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill No. 2313 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2313:

Senator Freed  
Senator Iszler  
Senator Schuster

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Kautzmann moved that the Senate do not concur in the House

amendments to Senate Bill No. 2453 as printed on pages 1200 & 1201 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2453:

- Senator Kautzmann
- Senator Jacobson
- Senator Gronhovd

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Solberg moved that the Senate do concur in the House amendments to Senate Bill No. 2247, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Bill No. 2247 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2247.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to registration of motor vehicles.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SMYKOWSKI	
●			●	JONES		●	NETHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT		●	STRINDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STROUP	
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSAK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER		●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Solberg moved that the Senate do concur in the House amendments to Senate Bill No. 2248, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Bill No. 2248 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

**Senate Bill No. 2248.** A Bill for an Act to amend and reenact subsections 8 and 9 of section 57-40.3-01 and to create and enact new subsections to



section 57-40.3-04 of the North Dakota Century Code, relating to exemptions and providing that said exemptions are found within section 57-40.3-04 of the North Dakota Century Code.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #37		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

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. 2495, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2495 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2495.** A Bill for an Act calling for a legislative council study of the teachers' fund for retirement, including the methods of funding and administering such fund; and providing an appropriation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 4; absent and not voting, 4.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER	●		● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NOTHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ	●		● REDLIN		● STROUP
● FREED			● LEE			● REITEN	●	● THANE
● FRITZELL			● LIPS			● RINGSAK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS	●	● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH

● HOFFNER	● MELLAN	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jones moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4029, which motion prevailed.

Senator Jones moved that the rules be suspended, that Senate Concurrent Resolution No. 4029 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4029.** A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Garrison Diversion Project and urging that the Bureau of Reclamation deal more equitably with persons affected by the project.

Which has been read.

The question being on the final adoption of the resolution.

Senator Jones moved that the resolution be adopted, which motion prevailed and Senate Concurrent Resolution 4029 was adopted.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jones moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 4046 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Concurrent Resolution No. 4046:

Senator Smykowski  
Senator Morgan  
Senator Rait

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jones moved that the Senate do not concur in the House amendments to Senate Concurrent Resolution No. 4054, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Concurrent Resolution No. 4054:

Senator Jones  
Senator Morgan  
Senator Rait

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2013, 2047, 2060, 2389, 2429, 2445, 2487, and Senate Concurrent Resolution No. 4027, refused to concur in the House amendment to Senate Bills Nos. 2022, 2079, 2143, 2193, 2231, and the President has appointed as a conference committee to act with a like committee from the House:

On Senate Bill No. 2022:  
 Senator Solberg  
 Senator Strand  
 Senator Berube  
 On Senate Bill No. 2079  
 Senator Vosper  
 Senator Smykowski  
 Senator Rait  
 On Senate Bill No. 2143:  
 Senator Reiten  
 Senator Fritzell  
 Senator Homuth  
 On Senate Bill No. 2193:  
 Senator Iszler  
 Senator H. Christensen  
 Senator Lashkowitz  
 On Senate Bill No. 2231:  
 Senator Kautzmann  
 Senator Jacobson  
 Senator Gronhovd

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4004  
 Senate Concurrent Resolution No. 4006  
 Senate Concurrent Resolution No. 4011  
 Senate Concurrent Resolution No. 4016  
 Senate Concurrent Resolution No. 4021  
 Senate Concurrent Resolution No. 4025  
 Senate Concurrent Resolution No. 4042  
 Senate Concurrent Resolution No. 4045  
 Senate Concurrent Resolution No. 4048  
 Senate Concurrent Resolution No. 4050  
 Senate Concurrent Resolution No. 4051  
 Senate Concurrent Resolution No. 4055  
 Senate Concurrent Resolution No. 4058  
 Senate Concurrent Resolution No. 4059  
 Senate Concurrent Resolution No. 4063  
 Senate Concurrent Resolution No. 4067  
 Senate Concurrent Resolution No. 4069

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2039

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2039

On page 1 of the engrossed bill, line 6, delete the numerals "4-13-14,"  
 On page 1 of the engrossed bill, line 11, delete the numerals "6-03-60,"  
 and in the same line, delete the numerals "6-03-63,"  
 On page 1 of the engrossed bill, line 21, delete the numerals "12-53-12,"  
 On page 2 of the engrossed bill, line 18, delete the numerals "21-10-09,"  
 On page 2 of the engrossed bill, line 26, delete the numerals "23-25-10,"

- On page 2 of the engrossed bill, line 27, delete the numerals "24-09-06,"
- On page 2 of the engrossed bill, line 32, delete the numerals "26-23-07,"
- On page 3 of the engrossed bill, line 6, delete the numerals "29-06-27,"
- On page 3 of the engrossed bill, line 15, delete the numerals "35-09-04,"
- On page 3 of the engrossed bill, line 20, delete the numerals "36-20-08,"
- On page 3 of the engrossed bill, line 21, delete the numerals "36-21-11,"
- On page 3 of the engrossed bill, line 29, delete the numerals "39-06-1-04,"; and in the same line, delete the numerals "39-07-08,"
- On page 3 of the engrossed bill, line 30, delete the numerals "39-08-03,"
- On page 4 of the engrossed bill, line 3, delete the numerals "43-05-17,"
- On page 4 of the engrossed bill, line 5, delete the numerals "43-10-1-08, 43-11-35,"
- On page 4 of the engrossed bill, line 7, delete the numerals "43-18-23,"
- On page 4 of the engrossed bill, line 14, delete the numerals "48-05-06,"; and in the same line, delete the numerals "49-04-14,"; and in the same line, delete the numerals "49-08-16,"
- On page 4 of the engrossed bill, line 17, delete the numerals "50-12-17,"
- On page 4 of the engrossed bill, line 18, delete the numerals "51-05-04, 51-05-08, 51-05-10,"
- On page 4 of the engrossed bill, line 19, delete the numerals "51-05-11, 51-05-13,"
- On page 4 of the engrossed bill, line 28, delete the numerals "57-02-49,"
- On page 5 of the engrossed bill, line 10, delete the numerals "65-04-15,"
- On page 13 of the engrossed bill, delete all of lines 22 through 32
- On page 27 of the engrossed bill, delete all of lines 33, 34, and 35
- On page 28 of the engrossed bill, delete all of lines 1 through 35
- On page 29 of the engrossed bill, delete all of lines 1 and 2
- On page 29 of the engrossed bill, delete all of lines 16 through 29
- On page 54 of the engrossed bill, delete all of lines 20 through 33
- On page 114 of the engrossed bill, delete all of lines 31 through 35
- On page 115 of the engrossed bill, delete all of lines 1 through 9
- On page 130 of the engrossed bill, delete all of lines 27 through 33
- On page 133 of the engrossed bill, delete all of lines 16 through 29
- On page 144 of the engrossed bill, delete all of lines 11 through 34
- On page 161 of the engrossed bill, delete all of lines 22 through 35
- On page 162 of the engrossed bill, delete all of lines 1 through 17
- On page 178 of the engrossed bill, delete all of lines 6 through 19
- On page 191 of the engrossed bill, delete all of lines 17 through 23
- On page 195 of the engrossed bill, delete all of lines 24 through 32
- On page 213 of the engrossed bill, delete all of lines 29 through 35
- On page 214 of the engrossed bill, delete all of lines 1 through 8
- On page 214 of the engrossed bill, delete all of lines 30 through 35
- On page 215 of the engrossed bill, delete all of lines 1 through 16
- On page 217 of the engrossed bill, delete all of lines 1 through 29
- On page 232 of the engrossed bill, delete all of lines 30 through 35
- On page 233 of the engrossed bill, delete all of lines 1 through 3
- On page 235 of the engrossed bill, delete all of lines 10 through 32
- On page 240 of the engrossed bill, delete all of lines 12 through 24
- On page 257 of the engrossed bill, delete all of lines 17 through 32
- On page 258 of the engrossed bill, delete all of lines 7 through 17
- On page 258 of the engrossed bill, delete all of lines 31 through 35
- On page 259 of the engrossed bill, delete all of lines 1 through 17
- On page 264 of the engrossed bill, delete lines 34 and 35
- On page 265 of the engrossed bill, delete all of lines 1 through 7
- On page 267 of the engrossed bill, delete all of lines 30 through 35
- On page 268 of the engrossed bill, delete all of lines 1 through 35
- On page 269 of the engrossed bill, delete all of lines 1 through 35
- On page 270 of the engrossed bill, delete all of lines 1 through 10

On page 292 of the engrossed bill, delete all of lines 3 through 21  
On page 326 of the engrossed bill, delete all of lines 15 through 35  
On page 327 of the engrossed bill, delete all of lines 1 through 11  
And renumber the lines, sections, and pages accordingly

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2296

Senate Bill No. 2364

Senate Concurrent Resolution No. 4030

Senate Concurrent Resolution No. 4032

ROY GILBREATH, Chief Clerk

Senator Nothing moved that the Senate recess until 9:00 A.M. March 20, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





fees and services and supplies and materials shall be allocated as follows to the committees on aging, committee on children and youth, committee on employment of the handicapped, and the commission on the status of women:

	FEES AND SERVICES	SUPPLIES AND MATERIALS
Committee on aging .....	\$11,861	\$1,131
Committee on children and youth .....	12,391	1,387
Committee on employment of the handicapped .....	16,537	1,439
Commission on the status of women .....	7,425	1,182
Total .....	<u>\$48,214</u>	<u>\$5,139"</u>

And renumber the lines and pages accordingly.

Statement of Purpose of Amendment:

The purpose of this amendment is to allocate the funds appropriated to the various committees and commissions within the council on human resources based on the ratio of the amounts budgeted for the committees and commissions during the 1973-75 biennium.

Senator Lips moved to amend the amendments as follows:

On the Committee on aging, delete the numbers \$11,861 and insert in lieu thereof the numbers \$7,714.24.

On the Committee on children and youth, delete the numbers \$12,391 and insert in lieu thereof the number \$11,426.72

On the Committee on employment of the handicapped, delete the numbers \$16,537 and insert in lieu thereof the numbers \$15,814.19

On the Commission on the status of women, delete the numbers \$7,425 and insert in lieu thereof the numbers \$13,258.85

Senator Lips moved that the amendments be adopted, which motion lost.

Senator Naaden moved that the amendments be adopted, which motion prevailed.

Senator Naaden moved that the rules be suspended, that House Bill No. 1003 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1003. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 1060) the roll was called and there were ayes, 46; nays, 3; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER		•	NAADEN		•	SHABLOW	
	•		•	JACOBSON		•	NASSET			SMYKOWSKI	•
•			•	JONES		•	NOTHING		•	SOLBERG	
•			•	CHRISTENSEN, H.#5		•	PYLE		•	STRAND	
•			•	CHRISTENSEN, L.#3		•	LARSON		•	STRINDEN	
•			•	CONLIN		•	RAIT		•	STROUP	
•			•	ERDMAN		•	LASHKOWITZ		•	REDLIN	
•			•	FREED		•	LEE		•	REITEN	
•			•	FRTZELL		•	LIPS		•	RINGSAR	
•			•	GOODMAN		•	LONGAIRE		•	SANDS	
•			•	GRONHOVD		•	MAHER		•	SANDNESS	
•			•	HOFFNER		•	MELAND		•	SCHULTZ, C.#14	
•			•	HOLAND		•	MORGAN		•	SCHULTZ, J.#32	
•			•	HOMUTH		•	MUTCH		•	WRIGHT	
						•				MR. PRESIDENT	



So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1003 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1006. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SAYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT	●		● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAM			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS	●		● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

MOTIONS

Senator Nething moved that House Bill No. 1348 be placed at the foot of the calendar, which motion prevailed.

Senator Nething moved that House Bill No. 1005 be placed right ahead of House Bill No. 1348, and House Bill No. 1022 be placed ahead of House Bill No. 1005, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return House Bill No. 1609, which the Senate has requested.

ROY GILBREATH, Chief Clerk

MOTION

Senator Stroup moved that the Senate reconsider the action by which House Bill No. 1609 passed, which motion prevailed.

Senator Stroup moved that House Bill No. 1609 be re-referred to the Committee on Finance and Taxation, which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 1007. A Bill for an Act making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

Which has been read.

Senator Solberg moved that House Bill No. 1007 be amended as follows:

In addition to the Amendments Adopted on Page 1061 of the Senate Journal:

On page 1, following line 19 of the engrossed bill, insert the following line: "Implementation of the random inspection program 91,000"

On page 1, line 23 of the engrossed bill, delete the numerals "4,318,604" and insert in lieu thereof the numerals "4,409,604"



On page 2, line 30 of the engrossed bill, delete the numerals "72,259" and insert in lieu thereof the numerals "172,259"

On page 3, line 2 of the engrossed bill, delete the numerals "17,396,529" and insert in lieu thereof the numerals "16,341,529"

On page 3, line 3 of the engrossed bill, delete the numerals "16,009,211" and insert in lieu thereof the numerals "15,909,211"

On page 3, line 4 of the engrossed bill, delete the numerals "33,405,740" and insert in lieu thereof the numerals "32,250,740"

On page 3, line 7 of the engrossed bill, delete the numerals "1,668,483" and insert in lieu thereof the numerals "1,643,483"

On page 3, line 13 of the engrossed bill, after the word "units" insert the following: "established under the provisions of chapter 25-12"

On page 3, line 14 of the engrossed bill, delete the words "created in accordance with law" and insert in lieu thereof the following: "established under the provisions of section 54-40-09"

On page 3, after line 15 of the engrossed bill, insert the following:

"Human service centers	\$ 562,483
Mental health and retardation centers	<u>1,081,000</u>
Total	<u>\$1,643,483</u>

On page 3 of the engrossed bill, delete all remaining lines after line 15

On page 4 of the engrossed bill, after line 21, insert the following new section:

"SECTION 6. SECURITY UNIT.) The state health department and the state hospital are hereby authorized to investigate the feasibility of entering into a joint project with Stutsman County and the city of Jamestown for the construction of a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown."

Statement of Purpose of Amendment:

A \$200,000 line item for patient labor salaries was inserted to allow the state hospital to pay the federal minimum wage to patient labor in the event that patient labor is not exempted from the Federal Fair Labor Standards Act. Salaries and wages were reduced \$100,000 for the amount of patient labor salaries that were included in salaries and wages.

The funds for a maximum security building were deleted and a new section was added to the bill authorizing the health department and the state hospital to study the possibility of a joint construction project with Stutsman County and the city of Jamestown for a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown.

The improvements appropriation for the state hospital was increased \$270,000 for the installation of protective screens in five ward buildings.

The estimated income in the appropriation to the South Central Mental Health Center was adjusted to reflect a revised federal matching formula.

Moneys for mental health and retardation centers and human service centers were consolidated into allocations to mental health and retardation centers and human service centers. The human service centers are the Human Services Center, Devils Lake, the Badlands Human Service Center, Dickinson, and the Northwest Human Resource Center, Williston. Moneys for the Heart of America Human Services Center, Rugby, were deleted from the engrossed bill. It is the intent of the Legislative Assembly that the North Central Mental Health and Retardation Center, Minot, cooperate with such center in providing mental health services.

Senator Melland moved that the amendments be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1007 be placed on the calendar as amended for second reading and final passage, which motion prevailed.



amendments to Senate Bill No. 2081 as printed on page 1235 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2081:

Senator Smykowski  
Senator Reiten  
Senator Berube

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2090 as printed on page 1235 of the Senate Journal, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2090:

Senator Thane  
Senator C. Schultz  
Senator Erdman

#### MOTIONS

Senator Sands 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. 1413, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1413:

Senator J. Schultz  
Senator Smykowski  
Senator Shablow

Senator Nasset 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. 1440, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1440:

Senator Strand  
Senator Sandness  
Senator Redlin

Senator Sands 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. 1509, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1509:

Senator Smykowski  
Senator J. Schultz  
Senator Shablow

Senator Sands 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. 1541, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1541:

Senator Goodman  
Senator Reiten  
Senator Berube

## MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bills Nos. 2014, 2081, 2039, 2090, and the President has appointed as a conference committee to act with a like committee from the House:

Senators on Senate Bill No. 2014:

Senator Longmire  
 Senator Jones  
 Senator Larson

Senators on Senate Bill No. 2081:

Senator Smykowski  
 Senator Reiten  
 Senator Berube

Senators on Senate Bill No. 2039:

Senator Freed  
 Senator H. Christensen  
 Senator Lashkowitz

Senators on Senate Bill No. 2090:

Senator Thane  
 Senator C. Schultz  
 Senator Erdman

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bills Nos. 1413, 1440, 1509, 1541:

Senators on House Bill No. 1413:

Senator J. Schultz  
 Senator Smykowski  
 Senator Shablow

Senators on House Bill No. 1440

Senator Strand  
 Senator Sandness  
 Senator Redlin

Senators on House Bill No. 1509

Senator Smykowski  
 Senator J. Schultz  
 Senator Shablow

Senators on House Bill No. 1541:

Senator Goodman  
 Senator Reiten  
 Senator Berube

LEO LEIDHOLM, Secretary

## MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1468

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1064

House Bill No. 1065

House Bill No. 1113

House Bill No. 1120  
 House Bill No. 1214  
 House Bill No. 1405  
 House Bill No. 1506  
 House Bill No. 1515  
 House Bill No. 1530  
 House Bill No. 1587  
 House Concurrent Resolution No. 3095  
 House Concurrent Resolution No. 3096  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1001  
 House Bill No. 1002  
 House Bill No. 1004  
 House Bill No. 1011  
 House Bill No. 1013  
 House Bill No. 1014  
 House Bill No. 1015  
 House Bill No. 1138  
 House Bill No. 1148  
 House Bill No. 1514  
 House Bill No. 1583  
 House Bill No. 1596  
 House Concurrent Resolution No. 3090  
 Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1323  
 House Bill No. 1519  
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2247, 2248, refused to concur in the House amendment to Senate Bills Nos. 2001, 2004, 2007, 2031, 2313, 2453 and the President has appointed as a conference committee to act with a like committee from the House:

Senators on Senate Bill No. 2001:

Senator Melland  
 Senator Wenstrom  
 Senator Erdman

Senators on Senate Bill No. 2004:

Senator Thane  
 Senator Pyle  
 Senator Larson

Senators on Senate Bill No. 2007:

Senator Longmire  
 Senator Wenstrom  
 Senator Maher

Senators on Senate Bill No. 2031:

Senator J. Schultz  
 Senator Stroup  
 Senator Barth

Senators on Senate Bill No. 2313

Senator Freed  
 Senator Iszler  
 Senator Schuster

Senators on Senate Bill No. 2453:

Senator Kautzmann  
 Senator Jacobson  
 Senator Gronhovd

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2069, 2157, 2368, 2495, Senate Concurrent Resolution No. 4029, refused to concur in the House amendment to Senate Bill No. 2005, Senate Concurrent Resolution No. 4046, 4054, and the President has appointed as a conference committee to act with a like committee from the House:

Senators on Senate Bill No. 2005

Senator Longmire  
 Senator Strinden  
 Senator Maher

Senators on Senate Concurrent Resolution No. 4046:

Senator Smykowski  
 Senator Morgan  
 Senator Rait

Senators on Senate Concurrent Resolution No. 4054:

Senator Jones  
 Senator Morgan  
 Senator Rait

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1003  
 House Bill No. 1007  
 House Bill No. 1010

Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3002  
 House Concurrent Resolution No. 3017  
 House Concurrent Resolution No. 3027  
 House Concurrent Resolution No. 3038  
 House Concurrent Resolution No. 3043  
 House Concurrent Resolution No. 3058  
 House Concurrent Resolution No. 3059  
 House Concurrent Resolution No. 3067  
 House Concurrent Resolution No. 3070  
 House Concurrent Resolution No. 3071  
 House Concurrent Resolution No. 3073  
 House Concurrent Resolution No. 3075  
 House Concurrent Resolution No. 3079  
 House Concurrent Resolution No. 3081



House Concurrent Resolution No. 3086  
 House Concurrent Resolution No. 3088  
 House Concurrent Resolution No. 3091  
 House Concurrent Resolution No. 3093

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass:

Senate Bill No. 2117  
 Senate Bill No. 2222  
 Senate Bill No. 2253  
 Senate Bill No. 2444

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2022:

Rep. Peterson  
 Rep. Freborg  
 Rep. Mertens

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1062.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1596.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has substituted Rep. Timm to replace Rep. A. Hausauer as chairman of the Conference Committee on House Bill No. 1224.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2204  
 Senate Bill No. 2395  
 Senate Bill No. 2452

ROY GILBREATH, Chief Clerk

HOUSE AMENDMENTS TO SENATE BILL No. 2204

On page 4, line 21, delete the triple parentheses around the period and also on line 21 delete all the underlined material

On page 4, delete lines 22 through 24

On page 5, line 2, before the period insert the following new language: "but shall be related to the ability, competence, or qualifications of the teacher as a teacher, or the necessities of the district such as lack of funds calling for a reduction in the teaching staff"

And renumber the lines and pages accordingly.

## HOUSE AMENDMENTS TO SENATE BILL No. 2395

On page 1 of the engrossed bill, line 4, after the numerals "11-33-20" insert the following: ", 40-47-06, 40-48-03,"

On page 1 of the engrossed bill, line 6, after the word "limits" insert the following: ", the membership of a city zoning commission and a city planning commission,"

On page 3 of the engrossed bill, after line 4, insert the following new sections:

"SECTION 3. AMENDMENT.) Section 40-47-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-47-06. ZONING COMMISSION — APPOINTMENT — DUTIES — PRELIMINARY AND FINAL REPORT.) The governing body of a city desiring to avail itself of the powers conferred by this chapter shall appoint a commission, to be known as the zoning commission, to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The zoning commission shall include among its members at least one person residing outside of the corporate limits of a city having a population of less than five thousand, two persons residing outside the corporate limits of a city having a population of five thousand or more, but less than twenty-five thousand, or three persons residing outside the corporate limits of a city having a population of twenty-five thousand or more if zoning authority is exercised pursuant to section 2 of this Act. Such persons shall be appointed by the board or boards of county commissioners of the county or counties within which such zoning authority is to be exercised and shall reside within the territorial limits of the zoning regulation authority exercised by the city, if such persons are available and will serve on the zoning commission. Of the members of the commission appointed by a board or boards of county commissioners pursuant to this section, the first member appointed shall hold office for five years, the second member appointed shall hold office for three years, and the third member appointed shall hold office for one year. Thereafter, the members shall be appointed for terms of five years. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report. The governing body shall not hold its public hearings or take action until it has received the final report of the zoning commission. If a city has a planning commission, it may be appointed as the zoning commission.

SECTION 4. AMENDMENT.) Section 40-48-03 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-48-03. PLANNING COMMISSION — CREATION — MEMBERS — EX OFFICIO MEMBERS.) The governing body of any ((municipality)) city may create, by ordinance, a planning commission to consist of not more than ten members to be appointed by the executive officer of the ((municipality)) city with the approval of its governing body. The planning commission shall include among its members at least one person residing outside of the corporate limits of a city having a population of less than five thousand, two persons residing outside the corporate limits of a city having a population of five thousand or more, but less than twenty-five thousand, or three persons residing outside the corporate limits of a city having a population of twenty-five thousand or more if zoning authority is exercised pursuant to section 2 of this Act. Such persons shall be appointed by the board or boards of county commissioners of the county or counties within which such subdivision authority is to be exercised and shall reside within the territorial limits of

the subdivision regulation authority exercised by the city, if such persons are available and will serve on the planning commission. Of the members of the commission appointed by a board or boards of county commissioners pursuant to this section, the first member appointed shall hold office for five years, the second member appointed shall hold office for three years, and the third member appointed shall hold office for one year. Thereafter, the members shall be appointed for terms of five years. The executive officer, the engineer, and the attorney of the ((municipality)) city shall be ex officio members of the commission." And renumber the lines, pages, and sections accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2452

- On page 1, line 8, of the engrossed bill delete the words "taxes and"
  - On page 1, line 17, delete "upon its own motion" and also on line 17 delete the word "or"
  - On page 1, line 18, delete the words "twenty-five" and insert in lieu thereof "ten percent of the"
  - On page 2, line 16, after the word "district," delete the word "and"
  - On page 2, line 17, after the word "Act" insert the following: ", and a sufficient deposit of money to cover all costs of such election"
  - On page 2, line 23, delete the word "published"
  - On page 2, line 24, delete everything after the word "election" and insert in lieu thereof "by certified mail to all qualified voters as defined in section 3 of this Act."
  - On page 2, delete all of line,25
  - On page 4, line 5, delete the words "TAXES AND"
  - On page 4, line 14, delete the words "such taxes and"
  - On page 4, line 18, delete the words "levy or"
  - On page 4, delete all of lines 26 through 35
  - On page 5, line 1, delete the words "the property within the district."
- And renumber the lines and pages accordingly.

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 20, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President

This is to inform you that on March 19, 1975, I signed the following Senate Bills:

2018	2168	2265
2025	2170	2273
2058	2185	2274
2061	2189	2291
2071	2192	2300
2093	2209	2312
2101	2210	2329
2115	2213	2346
2139	2227	2363
2142	2229	2374
2147	2237	2422



• HOFFNER	• MELLAND	• SCHULTZ, C #14	• WENSTROM
• HOLAND	• MORGAN	• SCHULTZ, J #32	• WRIGHT
• HOMUTH	• MUTCH	• SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

**MOTION**

Senator Nething moved that House Concurrent Resolution No. 3094 and Senate Concurrent Resolution No. 4077 be moved to the foot of the calendar, which motion prevailed.

**SECOND READING OF  
A SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4076. A concurrent resolution directing the Legislative Council to carry out a comprehensive study of the administration, operation, and investment policies of the Bank of North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

Senator Strinden moved that the resolution be adopted, which motion prevailed and Senate Concurrent Resolution No. 4076 was adopted.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2175. A Bill for an Act creating and enacting three new sections to chapter 54-35 of the North Dakota Century Code, relating to the powers and duties of the legislative council.

Which has been read.

**ROLL CALL**

The question being on the passage of Senate Bill No. 2175 over the Governor's veto, the roll was called and there were ayes, 36; nays, 15; absent and not voting, 0.

NORTH DAKOTA SENATE											
ROLL-CALL											
REGULAR SESSION			1975 LEGISLATURE						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	• ISZLER			• NAADEN					• SHABLOW
• BERUBE			• JACOBSON			• NASSET					• SMYKOWSKI
• CHRISTENSEN, H #5			• JONES			• NETHING					• SOLBERG
• CHRISTENSEN, L #3			• KALTZMANN			• PYLE					• STRAND
• CONLIN			• LARSON			• RAIT		•			• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		•			• STROUP
• FRIED			• LEE			• REITEN					• THANE
• FRITZELL			• LIPS			• RINGSACK					• TWETEN
• GOODMAN			• LONGCHAIRE			• SANDS					• VOSPER
• GRONHOVD			• MAHER			• SANDNESS					• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C #14					• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J #32					• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER					MR. PRESIDENT

So the bill passed over the Governor's veto and the title was agreed to.

**EXPLANATION OF VOTES**

Senator Schuster: Mr. President, I rise on a point of personal privilege. I wanted to explain my vote on that and I don't think that I voted against the executive branches. Rather, my feeling that we don't have three branches of government. I somewhat feel that we have four branches of government and the administrative agencies are the fourth branch of government and it is somewhat my feeling that this body does have the authority and should inquire into the rules and regulations they promulgate. I would only point out that I was a co-sponsor earlier on a bill to investigate the rules and regulations promulgated by one of the particular agencies and I think I'm being consistent.

Senator Holand: Mr. President, I rise on a point of personal privilege. Mr. President, members of the Senate, I would like to explain my vote



● HOFFNER	● MELLAND	SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Sandness moved that the vote by which House Bill No. 1478 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Pyle moved that the absent Senator be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-THIRD DAY

Bismarck, March 20, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Rev. Richard Unkenholz, First United Methodist Church, Bismarck.

“Lord, the business of legislating for a diverse and scattered population of North Dakotans is a heavy task. The pressures on time and the ability for consideration have become acute.

We know that You understand the problems because You have taken upon Yourself the ordering and sustaining of the universe.

As You have given to mankind principles of truth and creative relationship for the welfare of all persons, give also wisdom to the members of this Body in the particular decisions which they must make today. Guide each one in choices relating to personal matters, public affairs and eternal truths. In the name of Jesus Christ, I pray. Amen.”

Roll Call: All Senators present.

A quorum was declared by the President.

CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-first day after recess and fifty-second day and recommends that the same be corrected as follows:

On page 1225, line 47, delete North

On page 1225, line 48, delete Dakota State University Class Lab and insert in lieu thereof University of North Dakota Office facilities and class lab.

On page 1226, after line 6, insert the following: “The amendments to House Bill 1468 were adopted.

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

MOTIONS

Senator Stroup moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1075, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1075:

Senator Goodman

Senator Lee

Senator Conlin

Senator Stroup moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1221, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1221:

Senator Stroup  
 Senator J. Schultz  
 Senator Barth

Senator Stroup moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1224, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1224:

Senator Lee  
 Senator Wright  
 Senator Conlin

Senator Stroup moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1591, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1591:

Senator Wright  
 Senator J. Schultz  
 Senator Shablow

Senator Stroup moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1593, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1593:

Senator Lee  
 Senator Wright  
 Senator Shablow

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2224 has had the same under consideration and recommends that the Senate accede to the House amendments and recommends that Senate Bill No. 2224 be further amended as follows:

On page 1 of the engrossed bill, line 1 delete the words "a new section" and insert in lieu thereof the words "two new sections"

On page 1, line 2 after the comma insert the following: "to require a handrail in certain public toilets, and"; and in that same line after the word "certain" insert the word "other"

On page 1, following line 9 insert the following new section:

"SECTION 1.) A new section to chapter 23-13 of the North Dakota Century Code is hereby created and enacted to read as follows:

HANDRAIL IN TOILET STALLS.) To promote the health and safety of all physically handicapped persons and to make all toilet facilities used by the public accessible to, and functional for, the physically handicapped, all public buildings and facilities and all buildings and facilities held open to the public and used for public assemblages of any character in this state, including theaters, public halls, city halls, courthouses, factories, hotels, shopping centers, and all other public buildings wherein numbers of persons are employed or are in the habit of meeting together for any purpose, shall have at least one toilet stall that has a handrail, if the toilet stall is accessible from the main entrance of the building or facility without having to climb or descend stairs."

And renumber the pages, sections, and lines accordingly.

For the Senate

Senator Jones  
 Senator Vosper  
 Senator Rait



For the House  
Rep. Ekblad  
Rep. Watkins  
Rep. Orange

Senator Jones moved that the report be adopted, which motion prevailed.

Senator Jones moved that the rules be suspended, that Senate Bill No. 2224 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2224. A Bill for an Act to create and enact a new section to chapter 23-13 of the North Dakota Century Code, to provide certain facilities for physically handicapped persons in public toilets in buildings or facilities constructed or remodeled after the effective date of the bill.

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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER	●	●	NAADEN	●	●	SHABLOW	
●			●	JACOBSON	●	●	NASSET	●	●	SMYKOWSKI	
●			●	JONES	●	●	NETHING	●	●	SOLBERG	
●			●	CHRISTENSEN, H. #5	●	●	KAUTZMANN	●	●	STRAND	
●			●	CHRISTENSEN, L. #3	●	●	LARSON	●	●	RAIT	●
●			●	CONLIN	●	●	LASHKOWITZ	●	●	REDLIN	●
●			●	ERDMAN	●	●	LEE	●	●	REITEN	●
●			●	FREED	●	●	LIPS	●	●	RINGSACK	●
●			●	FRITZELL	●	●	LONGMIRE	●	●	SANDS	●
●			●	GOODMAN	●	●	MAHER	●	●	SANDNESS	●
●			●	GRONHOVD	●	●	MELLAND	●	●	SCHULTZ, C. #14	●
●			●	HOFFNER	●	●	MORGAN	●	●	SCHULTZ, J. #32	●
●			●	HOLAND	●	●	MUTCH	●	●	WRIGHT	●
●			●	HOMUTH	●	●		●	●	MR. PRESIDENT	

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Longmire moved that the Senate do concur in the House amendments to Senate Bill No. 2006, as printed on page 1232 of the Senate Journal, which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2006 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2006. A Bill for an Act making an appropriation for defraying expenses of the various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 7; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER	●	●	NAADEN	●	●	SHABLOW	
●			●	JACOBSON	●	●	NASSET	●	●	SMYKOWSKI	
●			●	JONES	●	●	NETHING	●	●	SOLBERG	
●			●	CHRISTENSEN, H. #5	●	●	KAUTZMANN	●	●	STRAND	
●			●	CHRISTENSEN, L. #3	●	●		●	●		

● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J #37	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Melland moved that the Senate do concur in the House amendments to Senate Bill No. 2010, as printed on page 1234 of the Senate Journal, which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2010 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Thane moved that the Senate do concur in the House amendments to Senate Bill No. 2011, as printed on page 1234 of the Senate Journal, which motion prevailed.

Senator Thane moved that the rules be suspended, that Senate Bill No. 2011 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2011. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Bill No. 2150, as printed on page 1235 of the Senate Journal, which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Bill No. 2150 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2150. A Bill for an Act to amend and reenact sections 15-05-01 and 15-05-04 of the North Dakota Century Code, relating to leasing coal lands or coal in tracts under the control of the board of university and school lands for coal mining purposes and pasturage and meadow purposes; and to repeal sections 15-05-02 and 15-05-03, relating to rental for coal lands and regulations governing and the provision that the lease for coal mining purposes is not to interfere with the right to lease for pasture.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2412, as printed on pages 1198 & 1199 of the Senate Journal, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2412 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 2412.** A Bill for an Act to provide for standards for the regulation of model rockets and model rocket launch sites, and to provide for the reporting of model rocket accidents to the fire marshal, and to provide a penalty.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES  
FROM THE HOUSE

Senator Solberg moved that the Senate do concur in the House amendments to Senate Concurrent Resolution No. 4039, as printed on page 1237 of the Senate Journal, which motion prevailed.

Senator Solberg moved that the rules be suspended, that Senate Concurrent Resolution No. 4039 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF  
A SENATE CONCURRENT RESOLUTION

**Senate Concurrent Resolution No. 4039.** A concurrent resolution urging Congress to refuse to concur in the President's request for permission to withhold highway funds from the State of North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

Senator Solberg moved that the resolution be adopted which motion prevailed, and Senate Concurrent Resolution No. 4039 was adopted.

MESSAGE FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2050

Senate Bill No. 2271

Senate Bill No. 2413

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2050

On page 15, of the re-engrossed bill, line 32, delete the numerals "313,500" and insert in lieu thereof the numerals "223,500"

On page 15, line 33, delete the numerals "995,000" and insert in lieu thereof the numerals "905,000"

On page 16, line 4, delete the numerals "190,000" and insert in lieu thereof the numerals "100,000"

And renumber the lines accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2271

On page 1, line 16, place beginning triple parentheses before the second word "three" and ending triple parentheses after the word "hundred"

On page 1, line 18, place triple parentheses around the word "nine" and insert in lieu thereof "six"

On page 1, line 20, place triple parentheses around the word "eight" and insert in lieu thereof "five"

On page 2, line 5, following the period insert the following: "In no event shall the expense reimbursement authorized herein exceed the following maximum limits: In counties having a population of eight thousand or less, six hundred dollars; in counties having a population of over eight thousand and less than fifteen thousand, eight hundred dollars; and in counties having a population of over fifteen thousand dollars, one thousand dollars."

And renumber the lines and pages accordingly.

#### HOUSE AMENDMENTS TO SENATE BILL No. 2413

On page 1, of the re-engrossed bill, line 7, delete the word "license" and insert in lieu thereof the following: "licenses, to provide an effective date, and to provide an appropriation"

On page 1, line 19, after the semicolon, insert the word "or"

On page 2, line 31, insert beginning triple parentheses before the word "last"

On page 2, line 32, insert ending triple parentheses after the word "month" and insert in lieu thereof the following: "anniversary of the birthday"

On page 2, line 35, insert beginning triple parentheses before the word "last"

On page 3, line 1, insert ending triple parentheses after the word "month" and insert in lieu thereof the following: "anniversary of the birthday"

On page 3, line 2, after the period, insert the following: "Notwithstanding the foregoing provisions, during the period between July 1, 1976, and June 30, 1978, every person whose year of birth occurred in a year ending in an even numeral shall be issued a two-year license if that person's day of birth is an odd numeral, or a four-year license if that person's day of birth is an even numeral. Also, between July 1, 1976, and June 30, 1978, every person whose year of birth occurred in a year ending in an odd numeral shall be issued a two-year license if that person's day of birth is an odd numeral, or a four-year license if that person's date of birth is an even numeral. The fee established pursuant to this section and pursuant to section 39-06-14 shall be prorated accordingly."

On page 3, line 31, delete the following: "or after"

On page 3, after line 31, insert the following new section:

“(SECTION 5. APPROPRIATION.) There is hereby appropriated to the highway commissioner out of any unappropriated funds in the state highway fund in the state treasury, the sum of \$574,731, or so much thereof as may be necessary, for carrying out the provisions of this Act for the biennium beginning July 1, 1975, and ending June 30, 1977.”

And renumber the lines, pages and sections accordingly.

And when so amended recommends the same do pass.

Statement of the Purpose of the Amendment:

Funding is being provided to the highway department to implement the program.

#### House Chamber

Mr. President: I have the honor to inform you that Rep. Kretschmar has been substituted for Rep. A. Hausauer on the Conference Committee on House Bill No. 1541.

ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1148, 1583.

ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1298, 1574 & House Concurrent Resolution No. 3090.

ROY GILBREATH, Chief Clerk

#### House Chamber

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 2060.

ROY GILBREATH, Chief Clerk

#### MOTIONS

Senator Morgan moved that the Senate reconsider the action by which Senate Bill No. 2060 was passed, which motion prevailed.

Senator Morgan moved that the Senate accede to the House request for the return of Senate Bill No. 2060, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

House Bill No. 1614. A Bill for an Act relating to the establishment of a

mutual liability insurance company to provide payments to injured parties for medical malpractice claims resulting from the rendering of or failure to render professional services by physicians, surgeons or authorized persons; if needed, authorizing a tax on physicians to create the mutual liability insurance company and a means to collect the tax; granting certain tax deductions and exemptions; and providing for duties and powers of directors in relation thereto.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 9; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		
● CHRISTENSEN, H. #5	●		● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN		●	● STROJUP		●
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS		●	● WALSH		●
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH	●		● MUTCH			● SCHUSTER		●	MR. PRESIDENT		

So the bill passed and the title was agreed to.

**MOTION**

Senator Freed moved that the Senate reconsider the action by which the Senate concurred with the House amendments to Senate Bill No. 2047, which motion prevailed.

Senator Freed moved that a Conference Committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President Pro-Tempore appointed as a conference committee on Senate Bill No. 2047:

- Senator Iszler
- Senator H. Christensen
- Senator Schuster

**MESSAGE TO THE HOUSE**

Mr. Speaker: I have the honor to inform you the Senate reconsidered its action in concurring on Senate Bill No. 2047. Subsequently, the President has appointed a conference committee to act with a like committee from the House.

Senators for Senate Bill No. 2047:

- Senator Iszler
- Senator H. Christensen
- Senator Schuster

LEO LEIDHOLM, Secretary

**SECOND READING OF HOUSE BILLS**

House Bill No. 1615. A Bill for an Act to establish the state office of energy management and to provide for an administrator, for control of the distribution and sale of energy and fuels, and for energy conservation measures, and to provide a penalty; to amend and reenact section 37-17.1-

02, subsection 1 of section 37-17.1-04, and subsection 6 of section 37-17.1-05 of the North Dakota Century Code, relating to emergency powers of the governor in the event of a severe state or national energy shortage; to provide an expiration date for certain portions of the Act; and to provide an appropriation.

Which has been read.

Senator Nething moved the previous question, which motion prevailed.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 21; nays, 30; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			ISZLER			NAADEN			•		SHABLOW
•			JACOBSON			NASSET			•		SMYKOWSKI
•		•	JONES			NETHING			•		SOLBERG
•		#3	KAUTZMANN			PYLE			•		STRAND
•			LARSON			RAIT			•		STRINDEN
•			LASHKOWITZ			REDLIN			•		STROUP
•			LEE			REITEN			•		THANE
•			LIPS			RINGSAK			•		TWETEN
•		•	LONGMIRE			SANDS			•		VOSPER
•			MAHER			SANDNESS			•		WALSH
•			MELLAND			SCHULTZ, C. #14			•		WENSTROM
•		•	MORGAN			SCHULTZ, J. #32			•		WRIGHT
•			MUTCH			SCHUSTER			•		MR. PRESIDENT

So the bill lost.

**MESSAGE TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to return Senate Bill No. 2060 which the House requested.

LEO LEIDHOLM, Secretary

**REPORT OF STANDING COMMITTEE**

Mr. President: Your Committee on State & Federal Government to whom was referred Senate Concurrent Resolution No. 4078 has had the same under consideration and recommends that the same do pass.

SENATOR JONES, Chairman

Senate Concurrent Resolution No. 4078 was placed on the 11th order of business on the calendar for the succeeding legislative day.

**MOTION**

Senator Jones moved that the rules be suspended, that Senate Concurrent Resolution No. 4078 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF**

**A SENATE CONCURRENT RESOLUTION**

Senate Concurrent Resolution No. 4078. A concurrent resolution requesting and urging the elected state officials, or their designees, acting as a commission, to review the structure and operations of the executive branch, and to report their findings to the Forty-fifth Legislative Assembly.

Which has been read.

The question being on the final adoption of the resolution.

Senator Rait moved that the resolution be adopted, which motion prevailed and Senate Concurrent Resolution No. 4078 was adopted.

Senator Nething moved that the vote by which Senate Concurrent Resolution No. 4078 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.



Mr. President: Your Committee on Agriculture to whom was referred Senate Concurrent Resolution No. 4079 has had the same under consideration and recommends that the same do pass.

SENATOR MORGAN, Chairman

Senate Concurrent Resolution No. 4079 was placed on the 11th order of business on the calendar for the succeeding legislative day.

#### MOTION

Senator Morgan moved that the rules be suspended, that Senate Concurrent Resolution No. 4079 be placed at the head of the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4079. A concurrent resolution urging the President of the United States to exercise his authority pursuant to 7 U.S.C. 1854 to limit the import into the United States of fresh, chilled, or frozen cattle meat.

Which has been read.

The question being on the final adoption of the resolution.

Senator Morgan moved that the resolution be adopted, which motion prevailed and Senate Concurrent Resolution No. 4079 was adopted.

Senator Nothing moved that the vote by which Senate Concurrent Resolution No. 4079 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Legislative Council Resolutions Committee has had the following under consideration:

House Concurrent Resolution No. 3002  
House Concurrent Resolution No. 3017  
House Concurrent Resolution No. 3027  
House Concurrent Resolution No. 3038  
House Concurrent Resolution No. 3043  
House Concurrent Resolution No. 3058  
House Concurrent Resolution No. 3059  
House Concurrent Resolution No. 3067  
House Concurrent Resolution No. 3070  
House Concurrent Resolution No. 3071  
House Concurrent Resolution No. 3073  
House Concurrent Resolution No. 3075  
House Concurrent Resolution No. 3079  
House Concurrent Resolution No. 3081  
House Concurrent Resolution No. 3086  
House Concurrent Resolution No. 3088  
House Concurrent Resolution No. 3091  
House Concurrent Resolution No. 3093

And recommends that the same do pass, and be placed on the consent calendar.

SENATOR GOODMAN, Chairman

Senator Goodman moved that the report be adopted, which motion prevailed.

FIRST READING OF  
HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3057.** A concurrent resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools, and of the effectiveness of such financing in reaching the goal of providing the best possible education for North Dakota's students, and of teacher compensation and negotiation practices throughout the state.

Which was read the first time and referred to the Legislative Council Resolutions Committee.

**House Concurrent Resolution No. 3078.** A concurrent resolution directing the legislative council to study the methods of valuation and level of assessments of all classes of property assessed by the state board of equalization and by the local assessors.

Which was read the first time and referred to the Legislative Council Resolutions Committee.

MOTION

Senator Nething moved that the Senate recess for the purpose of holding Conference Committees until 5:30 P.M., which motion prevailed. The Senate reconvened, the President Pro Tempore presiding.

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2022 has had the same under consideration and recommends:

That the House recede from the House amendments.

For the Senate:

Senator Solberg  
Senator Strand  
Senator Berube

For the House

Rep. Mertens  
Rep. Peterson  
Rep. Freborg

Senator Solberg moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2041 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill No. 2041 be amended as follows:

On page 3 of the engrossed bill, line 18, delete the underscored words

On page 3 of the engrossed bill, delete all of line 19

On page 3 of the engrossed bill, line 22, insert the following before the period: " ; or, in the alternative, has successfully completed a course at an approved commercial driver training school"

On page 14 of the engrossed bill, line 33, delete the numeral "4", and insert the numeral "2" in lieu thereof

On page 15 of the engrossed bill, line 5, delete the numeral "4", and insert the numeral "2" in lieu thereof

On page 15 of the engrossed bill, line 10, delete the numeral "3", and insert the numeral "2" in lieu thereof

On page 15 of the engrossed bill, line 34, delete the following: "or 39-10-46."

On page 15 of the engrossed bill, after line 35, insert the following new paragraph: "(24) Overtaking and passing a school bus in violation of section 39-10-46, or equivalent ordinance

6 points"



On page 1 of the engrossed bill, delete all of lines 4 and 5  
And renumber the lines and pages accordingly.

For the Senate:

Senator Freed  
Senator Ringsak  
Senator Schuster

For the House:

Rep. Winkjer  
Rep. Wentz  
Rep. Benedict

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No. 2064 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS .

**Senate Bill No. 2064.** A Bill for an Act to amend and reenact subsection 1 of section 39-08-01 of the North Dakota Century Code, relating to operating a motor vehicle under the influence of alcohol or drugs.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION						ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZEL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### MESSAGES FROM THE HOUSE

#### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2095

Senate Bill No. 2379

ROY GILBREATH, Chief Clerk

### HOUSE AMENDMENTS TO SENATE BILL No. 2095

On page 5, line 6 of the engrossed bill delete the comma after the word "mapping"

On page 5, line 7 delete the words "by those persons specified in section 38-14-02.1."

On page 5, line 17 after the period, delete the word "The" and insert in lieu thereof the words "If not otherwise available, the"

And renumber the lines and pages accordingly.

### HOUSE AMENDMENTS TO SENATE BILL No. 2379

On page 1, line 17 delete the words "a specified" and insert in lieu thereof the words "any consecutive"

On page 1, line 19 delete the words "the various ten day periods"  
 On page 1, line 20 delete the words "and the"  
 On page 1, line 22 delete the last word "in"  
 On page 1, line 23 delete the words "each ten day period,"  
 On page 2, line 11 delete the word "fifteen" and insert in lieu thereof the word "five"  
 And renumber the lines and pages accordingly.

## MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2109

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2320

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed:

Senate Bill No. 2088

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1001, 1002, 1003, 1004, 1007, 1010, 1013, 1014, 1015, 1514, and the Speaker has appointed as a conference committee to act with a like committee from the Senate: Representatives on House Bill No. 1001:

Rep. Olin  
 Rep. Marsden  
 Rep. Fleming

Representatives on House Bill No. 1002:

Rep. Marsden  
 Rep. Christensen  
 Rep. Opedahl

Representatives on House Bill No. 1003:

Rep. Freborg  
 Rep. Christensen  
 Rep. Mushik

Representatives on House Bill No. 1004:

Rep. Wagner  
 Rep. Olin  
 Rep. H. Johnson

Representatives on House Bill No. 1007:

Rep. Olin  
 Rep. Laske  
 Rep. Fagerholt

Representatives on House Bill No. 1010:

Rep. Laske  
 Rep. Tweten  
 Rep. Solberg

Representatives on House Bill No. 1013:

Rep. Freborg

Rep. Tweten  
 Rep. Opedahl  
 Representatives on House Bill No. 1014:  
 Rep. Unhjem  
 Rep. Eagles  
 Rep. Mushik  
 Representatives on House Bill No. 1015:  
 Rep. Peterson  
 Rep. Thorsgard  
 Rep. Mertens  
 Representatives on House Bill No. 1514:  
 Rep. Knudson  
 Rep. Hildebrand  
 Rep. R. Metzger

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2001, 2004, 2005, 2007, 2014, 2031, 2039, 2081, 2090, 2313, 2453, 4046, 4054:

Representatives on Senate Bill No. 2001:  
 Rep. Marsden  
 Rep. Unhjem  
 Rep. Mertens  
 Representatives on Senate Bill No. 2004:  
 Rep. Unhjem  
 Rep. L. Hausauer  
 Rep. Fagerholt  
 Representatives on Senate Bill No. 2005:  
 Rep. Wagner  
 Rep. L. Hausauer  
 Rep. Mertens  
 Representatives on Senate Bill No. 2007:  
 Rep. Freborg  
 Rep. Eagles  
 Rep. Mushik  
 Representatives on Senate Bill No. 2014:  
 Rep. Freborg  
 Rep. Marsden  
 Rep. Mertens  
 Representatives on Senate Bill No. 2031:  
 Rep. Gackle  
 Rep. A. Hausauer  
 Rep. Backes  
 Representatives on Senate Bill No. 2039:  
 Rep. Winkjer  
 Rep. Olson  
 Rep. Lundene  
 Representatives on Senate Bill No. 2081:  
 Rep. Rundle  
 Rep. Lee  
 Rep. Kelly  
 Representatives on Senate Bill No. 2090:  
 Rep. Peterson  
 Rep. Thorsgard  
 Rep. H. Johnson  
 Representatives on Senate Bill No. 2313:  
 Rep. Atkinson

Rep. Winkjer  
Rep. Irving  
Representatives on Senate Bill No. 2453:

Rep. VanderVorst  
Rep. Tennefos  
Rep. Langley

Representatives on Senate Concurrent Resolution No. 4046:

Rep. Scofield  
Rep. Gunderson  
Rep. Schuett

Representatives on Senate Concurrent Resolution No. 4054:

Rep. Rivinius  
Rep. Lee  
Rep. Powers

ROY GILBREATH, Chief Clerk

REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2303 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

Senator Smykowski  
Senator J. Schultz  
Senator Shablow

For the House:

Rep. Royse  
Rep. Wentz  
Rep. Cann

Senator Smykowski moved that the report be adopted, which motion prevailed.

Senator Smykowski moved that the rules be suspended, that Senate Bill No. 2303 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2303. A Bill for an Act to create and enact section 31-01-16.2 of the North Dakota Century Code, relating to compensation of municipal court witnesses; and to amend and reenact sections 31-01-16 and 31-01-16.1 of the North Dakota Century Code, relating to compensation and mileage of witnesses and witness fees and mileage of municipal police officers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE							
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE	
YEAS	N.V.	NAYS	YEAS	N.V.	NAYS	YEAS	N.V.
• BARTH			• ISZLER			• SHABLOW	
• BERUBE			• JACOBSON		• NAADEN	• SMYKOWSKI	
• CHRISTENSEN, H. #5			• JONES		• NASSET	• SOLBERG	
• CHRISTENSEN, L. #3			• KAUTZMANN		• NETHING	• STRAND	
• CONLIN			• LARSON		• PYLE	• STRANDEN	
• ERDMAN			• LASHKOWITZ		• RAIT	• STROUP	•
• FREED			• LEE		• REDLIN	• THANE	
• FRITZELL			• LIPS		• REITEN	• TWETEN	
• GOODMAN			• LONGMIRE		• RINGSAK	• VOSPER	
• GRONHOVD			• MAHER		• SANDS	• WALSH	
• HOFFNER			• MELLAND		• SANDNESS	• WENSTROM	
• HOLAND			• MORGAN		• SCHULTZ, C. #14	• WRIGHT	
• HOMUTH			• MUTCH		• SCHULTZ, J. #37	• WRIGHT	
					• SCHUSTER	MR. PRESIDENT	

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2432 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

Senator Sands  
Senator Iszler  
Senator Lashkowitz

For the House:

Rep. Rued  
Rep. Timm  
Rep. Kristensen

Senator Sands moved that the report be adopted, which motion prevailed.

Senator Sands moved that the rules be suspended, that Senate Bill No. 2432 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 2432.** A Bill for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, to provide immediate notice and written report of an accident, and to increase the minimum amount of damage below which such report is not required.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2167 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

Senator Sands  
Senator Ringsak  
Senator Lashkowitz

For the House:

Rep. Rau  
Rep. Tennefos  
Rep. Halmrast

Senator Sands moved that the report be adopted, which motion prevailed.

Senator Sands moved that the rules be suspended, that Senate Bill No.





● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Kautzmann moved that the Senate do concur in the House amendments to Senate Bill No. 2479, as printed on page 1236 of the Senate Journal, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2479 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2479. A Bill for an Act regulating the offer, sale, and purchase of franchises; providing penalties; and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 5; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAAEDN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SHYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		●
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN		●	● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2231 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

Senator Kautzmann

Senator Jacobson

Senator Gronhovd

Senator Kautzmann

For the House:

Representative Rau

Representative Tennefos

Representative Langley

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2231 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2231. A Bill for an Act to amend and reenact section 52-04-11 of the North Dakota Century Code, relating to interest and penalties for failure to pay contributions and file reports for unemployment compensation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

REGULAR SESSION			NORTH DAKOTA SENATE						1975 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH		●	● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

**CONSIDERATION OF MESSAGES FROM THE HOUSE**

Senator Jacobson moved that the Senate do not concur in the House amendments to Senate Bill No. 2050, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2050:

- Senator Jacobson
- Senator Fritzell
- Senator Schuster

Senator Sands moved that the Senate do not concur in the House amendments to Senate Bill No. 2395, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2395:

- Senator Reiten
- Senator Goodman
- Senator Berube

Senator Kautzmann moved that the Senate do not concur in the House amendments to Senate Bill No. 2443, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2443:

- Senator Kautzmann
- Senator Mutch
- Senator Homuth

Senator Sands moved that the Senate do not concur in the House amendments to Senate Bill No. 2452, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

**APPOINTMENT OF A CONFERENCE COMMITTEE**

The President appointed as a conference committee on Senate Bill No. 2452:

- Senator J. Schultz
- Senator Smykowski
- Senator Shablow

**MESSAGES TO THE HOUSE**

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2006, 2010, 2011, 2150, 2412, Senate Concurrent Resolution No. 4039, refused to concur in the House amendment to Senate Bills Nos. 2050, 2395, 2443, 2452, and the

President has appointed as a conference committee to act with a like committee from the House:

Senate Bill No. 2050:	Senate Bill No. 2443:
Senator Jacobson	Senator Kautzmann
Senator Fritzell	Senator Mutch
Senator Schuster	Senator Homuth
Senate Bill No. 2395:	Senate Bill No. 2452:
Senator Reiten	Senator J. Schultz
Senator Goodman	Senator Smykowski
Senator Berube	Senator Shablow
	LEO LEIDHOLM, Secretary
	Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bills Nos. 1075, 1221, 1224, 1591, 1593:

House Bill No. 1075:	House Bill No. 1591:
Senator Goodman	Senator Wright
Senator Lee	Senator J. Schultz
Senator Conlin	Senator Shablow
House Bill No. 1221:	House Bill No. 1593:
Senator Stroup	Senator Lee
Senator J. Schultz	Senator Wright
Senator Barth	Senator Shablow

House Bill No. 1224:  
 Senator Lee  
 Senator Wright  
 Senator Conlin

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bill No. 2224, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit Senate Bill No. 2175 which the Senate has passed over the Governor's veto.

The vote on Senate Bill No. 2175 is: 36 ayes; 15 nays; 0 absent, not voting.

And your favorable consideration is requested.

LEO LEIDHOLM, Secretary

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3092. A concurrent resolution directing the Director of Institutions to study the feasibility of converting all or part of the State Farm into an area for the propagation and distribution of pheasants.

Which has been read.

The question being on the final adoption of the resolution.

Senator Lee moved that the resolution be adopted which motion prevailed and House Concurrent Resolution 3092 was adopted.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Tweten moved that the Senate do concur in the House amendments to Senate Bill No. 2204, which motion prevailed.

Senator Tweten moved that the rules be suspended, that Senate Bill No. 2204 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2204. A Bill for an Act to amend and reenact Section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

Which has been read. ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 6; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER		●	● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KALTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK	●	● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14	●	● WENSTROM
● HOLAND			● MORGAN	●		● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

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. 2004 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2004 be amended as follows:

On page 1, of the engrossed bill, line 14, delete the numerals "447,915" and insert in lieu thereof the numerals "480,415"

On page 1 line 16, delete the figure "42,000" and insert in lieu thereof the figure "48,000"

On page 1, line 17, delete the numerals "129,436" and insert in lieu thereof the numerals "137,936"

On page 1, line 19, delete the numerals "3,400" and insert in lieu thereof the numerals "4,900"

On page 1, line 20, delete the numerals "40,000" and insert in lieu thereof the numerals "45,000"

On page 1, line 21, delete the numerals "628,751" and insert in lieu thereof the numerals "676,251"

For the Senate:

Senator Thane

Senator Pyle

Senator Larson (refused to sign)

For the House:

Representative Unhjem

Representative L. Hausauer

Representative Fagerholt

Senator Thane moved that the report be adopted, which motion prevailed.

Senator Thane moved that the rules be suspended, that Senate Bill No. 2004 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILLS**

Senate Bill No. 2004. A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 13; absent and not voting, 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI



Representative Peterson  
 Representative Thorsgard  
 Representative H. Johnson

Senator Thane moved that the report be adopted, which motion prevailed.

Senator Thane moved that the rules be suspended, that Senate Bill No. 2090 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2090. A Bill for an Act making an appropriation for defraying expenses of the state park service and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 2; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		●	● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		●
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KALTZMANN			● PYLE			● STRAND		
● CONLIN			● KARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2377 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill 2377 be amended as follows:

On page 1, line 14 of the engrossed bill, delete the underscored word "twenty-five" and insert in lieu thereof the underscored word "fifteen" And renumber the lines accordingly.

For the Senate:

Senator Goodman

Senator Wright

Senator Shablow

For the House:

Representative Goetz

Representative A. Hausauer

Representative Wilkie

Senator Goodman moved that the report be adopted, which motion prevailed.

Senator Goodman moved that the rules be suspended, that Senate Bill No. 2377 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2377. A Bill for an Act to amend and reenact subdivision i of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide limitations on the adjustment to taxable income for individuals for dividends from domestic corporations, and providing an effective date.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were yeas, 28; nays, 22; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON		•	• NASSET		•	• SMYKOWSKI		•
• CHRISTENSEN, H #5		•	• JONES		•	• NETHING		•	• SOLBERG		•
• CHRISTENSEN, L #3			• KAUTZMANN		•	• PYLE		•	• STRAND		•
• CONLIN			• LARSON		•	• RAIT		•	• STRIDEN		•
• ERDMAN			• LASHKOWITZ		•	• REDLIN		•	• STROUP		•
• FREED			• LEE		•	• REITEN		•	• THANE		•
• FRITZELL			• LIPS		•	• RINGSAK		•	• TWETEN		•
• GOODMAN			• LONGMIRE		•	• SANDS		•	• VOSPER		•
• GRONHOVD			• MAHER		•	• SANDNESS		•	• WALSH		•
• HOFFNER			• MELLAND		•	• SCHULTZ, C #14		•	• WENSTROM		•
• HOLAND		•	• MORGAN		•	• SCHULTZ, J #37		•	• WRIGHT		•
• HOMUTH			• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4054 has had the same under consideration and recommends:

That the House recede from its amendments.

For the Senate:

Senator Jones  
 Senator Morgan  
 Senator Rait

For the House:

Rep. Rivinius  
 Rep. Lee  
 Rep. Powers

Senator Jones moved that the report be adopted, which motion prevailed.

### MOTIONS

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1001, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1001:

Senator Longmire  
 Senator Thane  
 Senator Walsh

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1002, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1002:

Senator Pyle  
 Senator Naaden  
 Senator Maher

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1003, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1003:

Senator C. Schultz



Senator Wenstrom

Senator Erdman

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1004, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1004:

Senator Longmire

Senator Wenstrom

Senator Larson

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1007, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1007:

Senator Strinden

Senator C. Schultz

Senator Erdman

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1010, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1010:

Senator Melland

Senator C. Schultz

Senator Larson

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1013, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1013:

Senator Strinden

Senator Pyle

Senator Walsh

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1014, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1014:

Senator Strinden

Senator C. Schultz

Senator Maher

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1015, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1015:

Senator Melland

Senator C. Schultz

Senator Walsh

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1514, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1514:

Senator Naaden

Senator Wenstrom

Senator Maher

Senator Nething moved that the Senate recess until 8:30 a.m., March 21, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-THIRD DAY AFTER RECESS  
AND FIFTY-FOURTH DAY

Bismarck, March 21, 1975

The Senate convened at 8:30 A.M., pursuant to recess taken, the President presiding.

REPORTS OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2129  
Senate Bill No. 2159  
Senate Bill No. 2172  
Senate Bill No. 2238  
Senate Bill No. 2256  
Senate Bill No. 2259  
Senate Bill No. 2260  
Senate Bill No. 2264  
Senate Bill No. 2278  
Senate Bill No. 2324  
Senate Bill No. 2353  
Senate Bill No. 2390  
Senate Bill No. 2435  
Senate Bill No. 2470  
Senate Concurrent Resolution No. 4008  
Senate Concurrent Resolution No. 4019  
Senate Concurrent Resolution No. 4020  
Senate Concurrent Resolution No. 4041  
And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Strand 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. 2012  
Senate Bill No. 2104  
Senate Bill No. 2113  
Senate Bill No. 2160  
Senate Bill No. 2197  
Senate Bill No. 2216  
Senate Bill No. 2236  
Senate Concurrent Resolution No. 4040  
And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Vosper moved that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:  
Senate Concurrent Resolution No. 4076

Senate Concurrent Resolution No. 4078

Senate Concurrent Resolution No. 4079

Which the Senate has passed and your favorable consideration is requested.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1006

House Bill No. 1397

House Bill No. 1614

House Concurrent Resolution No. 3092

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1012

House Bill No. 1478

Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bills Nos. 1001, 1002, 1003, 1004, 1007, 1010, 1013, 1014, 1015, 1514:

Senators on House Bill No. 1001:

Senator Longmire

Senator Thane

Senator Walsh

Senators on House Bill No. 1002:

Senator Pyle

Senator Naaden

Senator Maher

Senators on House Bill No. 1003:

Senator C. Schultz

Senator Wenstrom

Senator Erdman

Senators on House Bill No. 1004:

Senator Longmire

Senator Wenstrom

Senator Larson

Senators on House Bill No. 1007:

Senator Strinden

Senator C. Schultz

Senator Erdman

Senators on House Bill No. 1010:

Senator Melland

Senator C. Schultz

Senator Larson

Senators on House Bill No. 1013:

Senator Strinden

Senator Pyle

Senator Walsh

Senators on House Bill No. 1014:

Senator Strinden

Senator C. Schultz

Senator Maher

Senators on House Bill No. 1015:

Senator Melland  
 Senator C. Schultz  
 Senator Walsh

Senators on House Bill No. 1514:

Senator Naaden  
 Senator Wenstrom  
 Senator Maher

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2204, 2479.

LEO LEIDHOLM, Secretary of Senate

Mr. Speaker: I have the honor to transmit herewith the following Senate Bills Nos. 2004, 2005, 2022, 2039, 2041, 2064, 2090, 2167, 2193, 2231, 2303, 2377, 2432, Senate Concurrent Resolution No. 4054 on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary  
 Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bills Nos. 2379, 2413.

LEO LEIDHOLM, Secretary

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2039 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill No. 2039 be amended as follows:

On page 1 of the engrossed bill, line 6, delete the numerals "4-13-14,"

On page 1 of the engrossed bill, line 11, delete the numerals "6-03-60,"; and in the same line, delete the numerals "6-03-63,"

On page 1 of the engrossed bill, line 21, delete the numerals "12-53-12,"

On page 2 of the engrossed bill, line 18, delete the numerals "21-10-09,"

On page 2 of the engrossed bill, line 26, delete the numerals "23-25-10,"

On page 2 of the engrossed bill, line 27, delete the numerals "24-09-06,"

On page 2 of the engrossed bill, line 32, delete the numerals "26-23-07,"

On page 3 of the engrossed bill, line 6, delete the numerals "29-06-27,"

On page 3 of the engrossed bill, line 15, delete the numerals "35-09-04,"

On page 3 of the engrossed bill, line 20, delete the numerals "36-20-08,"

On page 3 of the engrossed bill, line 21, delete the numerals "36-21.1-11,"

On page 3 of the engrossed bill, line 24, delete the numerals "38-14-12,"

On page 3 of the engrossed bill, line 29, delete the numerals "39-06.1-04,"; and in the same line, delete the numerals "39-07-08,"

On page 3 of the engrossed bill, line 30, delete the numerals "39-08-03,"

On page 4 of the engrossed bill, line 3, delete the numerals "43-05-17,"

On page 4 of the engrossed bill, line 5, delete the numerals "43-10.1-08, 43-11-35,"

On page 4 of the engrossed bill, line 7, delete the numerals "43-18-23,"

On page 4 of the engrossed bill, line 14, delete the numerals "48-05-06,"; and in the same line, delete the numerals "49-04-14,"; and in the same line, delete the numerals "49-08-16,"

On page 4 of the engrossed bill, line 17, delete the numerals "50-12-17,"

On page 4 of the engrossed bill, line 18, delete the numerals "51-05-04, 51-05-08, 51-05-10,"

On page 4 of the engrossed bill, line 19, delete the numerals "51-05-11, 51-05-13,"

On page 4 of the engrossed bill, line 24, delete the numerals "54-05-09,"

On page 4 of the engrossed bill, line 28, delete the numerals "57-02-49,"

On page 5 of the engrossed bill, line 10, delete the numerals "65-04-15," and in that same line delete the following: "65-12-08"

- On page 13 of the engrossed bill, delete all of lines 22 through 32
- On page 27 of the engrossed bill, delete all of lines 33, 34, and 35
- On page 28 of the engrossed bill, delete all of lines 1 through 35
- On page 29 of the engrossed bill, delete all of lines 1 and 2
- On page 29 of the engrossed bill, delete all of lines 16 through 29
- On page 54 of the engrossed bill, delete all of lines 20 through 33
- On page 114 of the engrossed bill, delete all of lines 31 through 35
- On page 115 of the engrossed bill, delete all of lines 1 through 9
- On page 130 of the engrossed bill, delete all of lines 27 through 33
- On page 133 of the engrossed bill, delete all of lines 16 through 29
- On page 144 of the engrossed bill, delete all of lines 11 through 34
- On page 161 of the engrossed bill, delete all of lines 22 through 35
- On page 162 of the engrossed bill, delete all of lines 1 through 17
- On page 178 of the engrossed bill, delete all of lines 6 through 19
- On page 191 of the engrossed bill, delete all of lines 17 through 23
- On page 195 of the engrossed bill, delete all of lines 24 through 32
- On page 204 of the engrossed bill, delete all of lines 26 through 35
- On page 205 of the engrossed bill, delete all of lines 1 through 20
- On page 213 of the engrossed bill, delete all of lines 29 through 35
- On page 214 of the engrossed bill, delete all of lines 1 through 8
- On page 214 of the engrossed bill, delete all of lines 30 through 35
- On page 215 of the engrossed bill, delete all of lines 1 through 16
- On page 217 of the engrossed bill, delete all of lines 1 through 29
- On page 232 of the engrossed bill, delete all of lines 30 through 35
- On page 233 of the engrossed bill, delete all of lines 1 through 3
- On page 235 of the engrossed bill, delete all of lines 10 through 32
- On page 240 of the engrossed bill, delete all of lines 12 through 24
- On page 257 of the engrossed bill, delete all of lines 17 through 32
- On page 258 of the engrossed bill, delete all of lines 7 through 17
- On page 258 of the engrossed bill, delete all of lines 31 through 35
- On page 259 of the engrossed bill, delete all of lines 1 through 17
- On page 264 of the engrossed bill, delete lines 34 and 35
- On page 265 of the engrossed bill, delete all of lines 1 through 7
- On page 267 of the engrossed bill, delete all of lines 30 through 35
- On page 268 of the engrossed bill, delete all of lines 1 through 35
- On page 269 of the engrossed bill, delete all of lines 1 through 35
- On page 270 of the engrossed bill, delete all of lines 1 through 10
- On page 283 of the engrossed bill, delete all of lines 17 through 35
- On page 284 of the engrossed bill, delete all of line 1
- On page 292 of the engrossed bill, delete all of lines 3 through 21
- On page 326 of the engrossed bill, delete all of lines 15 through 35
- On page 327 of the engrossed bill, delete all of lines 1 through 11; and on that same page, delete all of lines 32 through 35

On page 328 of the engrossed bill, delete all of lines 1 through 5

And renumber the lines, sections, and pages accordingly.

For the Senate:

Senator Freed  
 Senator Christensen  
 Senator Lashkowitz

For the House:

Representative Winkjer  
 Representative Olson  
 Representative Lundene

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that Senate Bill No.

2039 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 2039.** A Bill for an Act to create and enact sections 11-19A-07.1, 12-44-25.1, 16-01-17, 25-01-16, 44-06-13.1, 45-11-09, 57-15-58, and 57-36-33; to amend and reenact sections 1-03-03, 2-03-10, 2-03-13, 2-04-12, 2-05-17, 2-05-18, 2-07-13, 4-02-06, 4-02-07, 4-09-24, 4-10-22, 4-10.1-15, subsection 10 of section 4-11-23, sections 4-12-20, 4-13.1-13, 4-14-07, 4-14-10, 4-18.1-14, 4-21.1-16, 4-24-06, 4-25-03, 4-26-12, 4-27-12, 4-28-09, 4-28.1-05, 4-30-53, 4-33-08, 4-34-10, 5-01-04, 5-01-08, 5-01-08.1, 5-01-09, 5-01-10, 5-01-11, 5-02-01, 5-02-05, 5-02-06, 5-03-01, 5-03-06, 6-01-29, 6-03-10, 6-03-20, 6-03-38, 6-03-56, 6-03-61, 6-03-72, 6-05-16, 6-06-05, 6-07-06, 6-07-08, 6-08-09, 6-08-11, 6-08-14, 6-08-15, subsection 1 of section 6-08-16, sections 6-08-16.1, 6-08-28, 6-10-08, 7-02-06, 7-03-07, 7-03-09, 7-05-04, 7-08-01, 7-08-04, 8-10-07.2, 8-10-07.3, 8-10-09, 8-10-10, 10-04-18, subsection 2 of section 10-15-35, section 10-15-53, subsection 2 of section 10-15-58, sections 10-23-03, 10-23-08, 10-28-03, 10-28-04, 11-09-09, 11-09-38, 11-10-22, 11-13-10, 11-14-05, 11-15-28, 11-16-04, 11-16-05, 11-17-05, 11-18-06, 11-19A-07, 11-20-15, 11-21-09, 11-21-09, 11-28-09, 11-28-20, 11-29-33, 11-33-21, 12-44-28, 12-44-33, 12-44-36, 12-44-37, 12-47-23, 12-47-24, 12-53-15, 12-59-06, 12-59-10, 13-01-11, 13-01-12, 13-01-13, 13-05-10, 13-06-02, 14-03-28, 14-07-15, 14-07-16, 14-09-22, 14-10-05, 14-10-06, 14-10-08, 14-10-16, 15-04-18, 15-04-19, 15-04-22, 15-05-08, 15-06-23, 15-34.1-05, 15-35-14, 15-35-16, 15-35-17, 15-43-12, 15-47-15, 15-49-01, 15-49-02, 15-49-03, 15-49-04, 15-49-06, 15-49-08, 15-49-09, 15-49-10.1, 15-49-11, 15-50-07, 16-01-11, 16-12-09, 16-12-14, 16-14-10, 16-14-12, 16-18-09, 16-20-06, 16-20-08, 16-20-09, 16-20-17.1, 16-20-17.2, 16-20-17.3, 16-20-19, 16-20-24, 16-21-05, 18-01-11, 18-01-13, 18-01-15, 18-01-33, 18-08-01, 18-08-07, 18-08-09, 18-08-11, 18-09-13, 19-01-09, 19-02-17, 19-02-20, subsection 1 of section 19-20.1-04, sections 19-03.1-23, 19-03.1-24, 19-03.1-25, 19-03.1-26, 19-03.1-30, 19-04-01, 19-04-03, 19-04-04, 19-05-16, 19-06-08, 19-07-06, 19-08-06, 19-10-18, 19-10-22, 19-10-23, 19-11-06, 19-13.1-12, 19-14-08, 19-16.1-10, 19-16.1-11, 19-17-05, 19-17-06, 19-18-08, 19-20.1-17, 19-21-09, 19-22-05, 19-22.1-03, 20.1-01-01, 20.1-01-08, 20.1-01-09, 20.1-01-23, 20.1-03-01, 20.1-03-16, 20.1-03-21, 20.1-03-27, 20.1-04-01, 20.1-05-01, 20.1-06-01, 20.1-07-01, 20.1-08-01, 20.1-09-01, 20.1-11-01, 20.1-12-01, 20.1-13-01, 21-01-03, 21-02-04, 21-03-26, 21-04-04, 21-04-23, 21-05-08, 23-01-15, subsection 1 of section 23-01-17, sections 23-02-14, 23-02-27, 23-02-33, 23-02-42, 23-02-43, 23-05-11, 23-05-12, 23-06-05, 23-06-06, 23-06-11, 23-06-12, 23-06-17, 23-06-18, 23-06-24, 23-06-26, 23-06-27, 23-06-28, 23-06-29, 23-07-07.4, 23-07-21, 23-09-08, 23-09-20, 23-09-21, 23-10-12, 23-12-03, 23-12-07, 23-13-03, 23-13-05, 23-13-06, 23-15-06, 23-16-11, 23-17-10, 23-19-09, 23-20-06, 23-20.1-10, 23-21.1-09, 23-23-04, 23-26-09, 23-27-05, 23-28-06, 24-03-05, 24-03-11, 24-06-27, 24-10-03, 24-12-05, 24-15-05, 24-16-12, 25-01.1-35, 25-01.1-36, 25-03-22, 25-03-28, 25-13-04, 26-01-15, subsection 4 of section 26-02-36, sections 26-03A-09, 26-04-08, 26-04-09, 26-07-09, 26-07-17, 26-09-02, 26-09-03, 26-09-04, 26-10-14, 26-12-51, 26-12-52, 26-16-14, 26-17-01.14, 26-20-08, 26-21.1-06, 26-25-27, 26-26-20, 26-27-21, 26-27.1-25, 26-27.2-24, 26-28-17, 26-29-16, 26-31-06, 26-33-05, 26-37-18, 27-07-16, 27-08-15, subdivision d of subsection 1 of section 27-09.1-07, subdivision e of subsection 2 of section 27-09.1-08, section 27-09.1-16, subsection 2 of section 27-09.1-17, sections 27-10-06, 27-10-14, 27-10-16, 27-10-17, 27-10-22, 27-11-01, 27-13-05, 27-13-08, 27-13-09, 27-13-11, 27-13-12, 27-18-04, subsection 1 of section 27-20-53, sections 28-03-06, 28-32-11, 29-01-15, 29-01-16, 29-03-09, 29-03-10, 29-04-03, 29-05-12, 29-05-25, 29-06-08, subsection 4 of section 29-09-02, sections 29-12-05, 29-16-05, 29-21-21, 29-21-29, 29-26-21, 29-27-01, 29-27-03, 29-27-04, 29-29-18, subsection 3 of section 29-30-01, sections 29-30-11, 29-30-16, 29-32-05, 31-01-09, 32-13-08, 32-13-11, 32-22-10, 32-22-38, 32-36-28, 32-36-29, 33-01-08, 33-01-25, 33-12-24, 33-12-28, 34-01-04, 34-01-05, 34-01-06, 34-01-15, 34-01-17, 34-05-03, 34-06-19, 34-06.1-09, 34-07-21, 34-13-02, subsection 11 of section 34-13-15, sections 34-13-16, 34-14-07, 35-05-03, 35-27-26, 36-01-18, 36-01-28, 36-01-30, 36-04-09, 36-04-21, 36-05-14, 36-

05-15, 36-06-02, 36-06-03, 36-06-04, 36-07-14, 36-09-15, 36-09-17, 36-09-20, 36-09-22, 36-09-23, 36-11-01, 36-11-06, 36-11-19, 36-12-06, 36-13-08, 36-14-09, 36-14-13, 36-14-16, 36-14-21, 36-15-19, 36-15-21, 36-21-01, 36-21.1-02, 36-21.1-03, 36-21.1-04, 36-21.1-05, 36-21.1-07, 36-21.1-08, 36-21.1-09, 36-23.1-04, 36-23.1-06, 37-01-13, 37-01-16, 37-01-20, 37-01-21, 37-01-25.1, 38-01-08, 38-04-10, 38-06-62.1, 38-06-64, 38-08-16, 38-14-12, 39-01-02, 39-01-07, 39-01-07, subsection 4 of section 39-01-15, sections 39-03-11, 39-03-12, 39-03A-25, subsection 3 of section 39-04-18, sections 39-04-41, 39-04A-08, 39-05-11, 39-05-17, 39-05-28, 39-05-33, subsection 5 of section 39-06-17, sections 39-06-40, 39-06-40.1, 39-06-42, 39-07-06, 39-08-01, 39-08-02, 39-08-04, 39-08-05, 39-08-19, 39-10-65, 39-12-21, 39-16-30, 39-16.1-21, 39-18-07, 39-21-51, 39-22-07, 39-22-13, 39-23-10, subdivision c of subsection 5 of section 39-24-09, sections 39-24-11, 39-25-08, 39-26-03, 40-01-08, subsections 26 and 27 of section 40-05-02, sections 40-11-12, 40-18-12, 40-48-38, subsection 3 of section 40-49-12, sections 40-50-08, 41-02-48, 41-03-80, 42-01-15, 42-02-01, 42-02-02, 42-02-04, 42-02-07, 42-02-10, 43-01-20, 43-02-16, 43-02-17, 43-03-21, subsections 4 and 5 of section 43-04-45, sections 43-06-19, 43-07-18, 43-07-21, 43-09-23, 43-10-20, 43-10-24, 43-12-24, 43-13-27, 43-15-29, 43-15-32, 43-15-42, 43-15-43, 43-15-44, 43-17-33, 43-17-34, 43-17-36, 43-18-24, 43-18.1-09, 43-19.1-31, 43-20-09, 43-21-12, 43-22-09, subdivision f of subsection 1 of section 43-23-11.1, sections 43-23-17, 43-23.1-23, 43-25-19, 43-26-12, 43-26-14, 43-27-10, 43-28-25, 43-29-17, 43-30-10, 43-31-17, 43-32-31, 43-33-18, 43-34-13, 43-35-22, 43-36-25, 44-06-13, 44-08-05, 44-08-05.1, 45-11-08, 46-02-17, 46-02-19, 46-05-05, 47-14-11, 47-19-07, 47-20.1-12, 47-21-11, 47-23-10, 47-27-03, 48-09-05, 49-07-01, 49-11-19, 49-11-22, 49-11-23, 49-11-29, 49-13-20, 49-13-27, 49-17-05, 49-17-06, 49-21-20, 50-01-18, 50-09-13, 50-10-08, 50-11-10, 50-18-08, 50-19-15, 50-20-06, 50-22-05, 50-24-31, 51-04-05, 51-04-10, 51-06-03, 51-07-04, 51-07-04.1, 51-07-12, 51-07-13, 51-08-01, 51-08-03, 51-09-02, 51-10-05, 51-10-14, 51-12-02, 51-12-13, 51-13-07, 51-14-05, 51-16-02, 51-17-17, 51-18-09, 52-01-04, 52-06-40, 52-09-18, 53-01-19, 53-02-08, 53-02-15, 53-03-08, 53-04-08, 53-05-06, 53-06-11, 54-03-18, 54-03.2-15, 54-05-09, 54-05-10, 54-06-08, 54-06-12, 54-10-23, 54-10-25, 54-11-12, 54-16-05, 54-16-10, 54-21.1-11, 54-23-50, 54-23-51, 54-27-13, 54-27-17, 54-41-05, 55-02-03, 55-03-07, subsection 8 of section 55-08-03, subsection 1 of section 57-02-08.1, sections 57-02-48, 57-05-05, 57-05-09, 57-15-35, 57-22-14, 57-33.1-12, 57-35.1-09, 57-35.2-07, 57-36-04, subsection 3 of section 57-36-09, sections 57-36-32, 57-37-30, subsection 2 of section 57-38-45, subsection 4 of section 57-38-59, subsections 2 and 5 of section 57-39.2-18, sections 57-39.2-23, 57-40.2-08, 57-40.2-12, subsection 4 of section 57-40.2-15, sections 57-40.3-11, 57-45-05, 57-51-22, 57-52-19, 57-53-08, 57-54-23, 57-55-07, 57-55-08, 58-07-04, 58-08-08, 60-02-10, 60-02-12, 60-02-21, 60-02-29, 60-02-39, 60-03-05, 60-03-06, 60-03-07, 60-07-10, 60-09-05, 61-01-07, 61-01-09, 61-01-16, 61-01-22, 61-01-25, 61-04-12, 61-14-06, 61-14-07, 61-14-08, 61-14-09, 61-14-10, 61-14-11, 61-14-15, 61-15-08, 61-16-44, 61-20-04, subsection 4 of section 61-21-39, sections 61-21-57, 62-01-11, 62-01-20, 62-03-03, 62-04-01, 62-04-03, 62-04-05, subsection 1 of section 63-01.1-15, sections 64-03-01, 64-03-02, 64-03-03, 64-03-05, 64-03-06, 64-03-07, 64-03-09, 64-04-05, 65-01-05, 65-01-10, 65-03-02, 65-05-24, 65-12-07, 65-12-08; and to repeal chapters 19-19, 24-11, and 36-10; and sections 2-05-09, 4-01-18, 4-02.1-24, 4-24-01, 4-24-02, 4-24-03, 4-24-04, 4-24-05, 5-01-03, 5-01-05.3, 5-01-12, 5-02-07, 5-02-08, 6-08-05, 6-08-12, 6-08-13, 6-08-17, 6-08-18, 6-08-19, 6-09-13, 7-08-06, 8-08-06, 8-08-10, 8-10-06, 8-10-07, 8-10-07.1, 8-10-08, 11-15-15, 11-15-23, 11-18-12, 11-23-11, 11-29-32, 12-44-22, 12-44-25, 12-44-26, 12-44-27, 12-44-39, 12-46-07, 12-46-21, 12-48.1-04, 12-49-04, 12-52-06, 12-60-14, 14-07-18, 15-08-21, 15-35-08, 15-35-13, 15-40.1-20, 15-49-07, 15-62.1-14, 16-01-08, 16-01-12, 16-12-15, 16-13-06, 16-16-25, 16-18-18, 16-18-19, 16-20-11, 16-20-13, 16-20-14, 18-01-12, 18-08-03, 19-01-15, 19-03.1-29, subsections 1, 2, and 3 of section 19-03.1-31, sections 19-04-02, 19-04-07, subsections 1 and 2 of section 19-05-13, sections 19-05-15, 21-03-33, 21-03-48, 21-03-49, 21-05-04, 21-07-04, 23-02-34, 23-02-41, 23-05-10, 23-09-13, 23-09-15, 23-10-08, 23-12-02, 23-12-05, 23-12-06, 24-02-14, 24-09-13, 24-09-14, 24-12-



06, 25-03-18, 25-05-29, 26-06-11, 26-06-12, 26-07-16, 26-12-50, 27-07-17, 27-07-18, 27-10-01, 27-10-02, 28-26-05, 29-06-13.1, 29-08-27, subsection 8 of section 29-17-36, sections 29-27-06, 29-28-34, 29-29-19, 31-01-08, 33-12-29, 33-12-30, 33-12-31, 33-12-32, 34-01-07, 34-01-09, 34-01-10, 34-01-18, subsection 8 of section 34-13-15, sections 35-01-26, 35-22-13, 35-27-08, 36-06-08, 36-09-16, 36-14-17, 36-14-18, 36-21-04, 37-01-17, 37-01-18, 37-01-18, 37-25-09, 38-04-03, 39-02-07, 39-04-42, 39-05-07, 39-05-16, 39-05-25, 39-05-34, subsection 3 of section 39-08-01, sections 39-08-12, 39-21-47, 40-09-15, 40-13-06, 40-13-12, 40-50-10, 43-04-47, 43-28-26, 44-04-02, 44-04-11, 44-04-17, 44-08-15, 46-02-16, 47-16-24, 48-05-05, 49-07-02, 49-07-04, 49-07-05, 49-11-07, 49-12-02, 49-12-02, 49-12-05, 49-12-07, 49-12-08, 49-12-09, 49-12-10, 49-12-12, 49-12-16, 49-12-22, 49-12-24, 49-13-15, 49-13-17, 49-13-19, 49-13-21, 49-13-23, 49-13-26, 49-13-28, 49-15-18, 49-17-02, 49-17-03, 49-17-04, 49-18-44, 49-19-22, 49-19-24, 49-19-25, 49-20-12, 49-20-13, 49-21-21, 50-01-23, 50-01-24, 50-01-25, 50-09-23, 50-24-39, 51-05-06, 51-07-08, 51-08-04, 51-08-05, 51-12-04, 51-12-05, 51-12-06, 51-12-07, 52-06-38, 52-06-39, 52-09-19, 53-05-07, 54-05-01, 54-06-09.1, 54-14-06, 54-16-07, subsection 4 of section 57-02-08.1, section 57-02-13, subsection 3 of section 57-02-21, sections 57-02-45, 57-15-18, 57-15-33, 57-15-40, 57-22-33, 57-24-05, 57-35-15, 57-36-20, 57-36-21, subsection 4 of section 57-36-25, subsection 5 of section 57-36-26, section 57-37-32, subsection 2 of section 57-38-57, subsection 3 of section 57-39.2-18, subsection 2 of section 57-40.2-15, sections 57-45-15, 57-51-13, 58-12-06, 60-02-34, 60-05-05, 60-06-06, 61-01-10, 61-01-11, 61-01-12, 61-01-13, 61-01-18, 61-06-23, 61-08-15, 62-01-02, 62-02-06, 62-04-02, 64-03-04, 64-03-08, 65-01-07, and 65-05-31, all of the North Dakota Century Code, relating to the definitions of crime and criminal procedure.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 7.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			●			2			●		
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRIDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE	●	
● FRITZELL			● LIPS			● RINGSAP			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNBS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Bill No. 2379, as printed on pages 1278 and 1279 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2379 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2379. A Bill for an Act to provide for nonresident waterfowl hunting licenses; to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code, relating to definition of waterfowl; and to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a fee for a nonresident waterfowl hunting license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 39; nays, 11; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES		•	• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE			• STRAND		
• CONLIN			• LARSON		•	• RAIT			• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN		•	• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE		•	• SANDS		•	• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		•
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER		•	• MR. PRESIDENT		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Mutch moved that the Senate do concur in the House amendments to Senate Bill No. 2413, which motion prevailed.

Senator Mutch moved that the rules be suspended, that Senate Bill No. 2413 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2413. A Bill for an Act to create and enact section 39-06-07.1 of the North Dakota Century Code, relating to proof of name and date of birth for motor vehicle operator's license application and to amend and reenact subsection 1 of section 39-06-14 and section 39-06-19 of the North Dakota Century Code, relating to licenses issued to motor vehicle operators and to the expiration and renewal of motor vehicle operator's licenses, to provide an effective date, and to provide an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 13; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE			• STRAND		
• CONLIN			• LARSON		•	• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		
• FREED		•	• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

MOTION

Senator Hoffner moved that House Concurrent Resolution No. 3017 be withdrawn from the consent calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS ON THE CONSENT CALENDAR

House Concurrent Resolution No. 3002. A concurrent resolution directing the Legislative Council to carry out a study of mental health and retardation commitment procedures and the in-hospital procedures relating to the custody and treatment of persons hospitalized because of mental disability.

Which has been read the second time.

**House Concurrent Resolution No. 3027.** A concurrent resolution directing the Legislative Council to conduct a study of the insurance laws of the State of North Dakota.

Which has been read the second time.

**House Concurrent Resolution No. 3038.** A concurrent resolution directing the Legislative Council to study the feasibility, financing, cost, and problems of establishing a statewide educational computer system for use by all North Dakota public high schools.

Which has been read the second time.

**House Concurrent Resolution No. 3043.** A concurrent resolution authorizing and directing the Legislative Council to conduct a study to determine the economic feasibility of a state or privately owned fertilizer manufacturing plant.

Which has been read the second time.

**House Concurrent Resolution No. 3058.** A concurrent resolution directing the Legislative Council to conduct a study of the needs for additional office space of state agencies located in the Bismarck area.

Which has been read the second time.

**House Concurrent Resolution No. 3059.** A concurrent resolution directing the Legislative Council, with the assistance of citizen advisors, to study the Constitution of the State of North Dakota, and to make recommendations regarding desirable revision of that Constitution.

Which has been read the second time.

**House Concurrent Resolution No. 3067.** A concurrent resolution directing a Legislative Council interim study of the Department of Banking and Financial Institutions as well as North Dakota banking laws.

Which has been read the second time.

**House Concurrent Resolution No. 3070.** A concurrent resolution directing the Legislative Council to study and monitor the state central personnel classification system.

Which has been read the second time.

**House Concurrent Resolution No. 3071.** A concurrent resolution directing the Legislative Council to study alternatives to the current method of property taxation as the major source of income for local political subdivisions.

Which has been read the second time.

**House Concurrent Resolution No. 3073.** A concurrent resolution directing the Legislative Council, with the assistance of the North Dakota Board of Higher Education and such experts and resources as it may consult, to study the powers and duties of the board, the development of each institution of higher education in the state, and unnecessary duplication of courses and programs within and between such institutions. The breadth and scope of such study will include consideration of the feasibility and desirability of the merger of junior colleges into the state system and the consolidation of all post-secondary educational institutions into the state's system for post-secondary education. It will include a study to determine the best method of financing additional college buildings and other capital improvements on a priority basis.

Which has been read the second time.

**House Concurrent Resolution No. 3075.** A concurrent resolution directing the legislative council to study the functions, responsibilities and structures of the juvenile justice system, including the incidence and type of delinquent activity, the courts, detention, and correction practices.

Which has been read the second time.

**House Concurrent Resolution No. 3079.** A concurrent resolution



House Concurrent Resolution No. 3075  
 House Concurrent Resolution No. 3079  
 House Concurrent Resolution No. 3081  
 House Concurrent Resolution No. 3086  
 House Concurrent Resolution No. 3088  
 House Concurrent Resolution No. 3091  
 House Concurrent Resolution No. 3093  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

#### MOTION

Senator Nething moved that the Senate recess for Conference Committee meetings until 11:00 A.M., which motion prevailed.

The Senate reconvened, the President presiding.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2143 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

Senator Reiten

Senator Fritzell

Senator Homuth

For the House:

Representative E. Metzger

Representative VanderVorst

Representative Orange

Senator Reiten moved that the report be adopted, which motion prevailed.

Senator Reiten moved that the rules be suspended, that Senate Bill No. 2143 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2143. A Bill for an Act to amend and reenact section 65-01-11 of the North Dakota Century Code, relating to burden of proof in compensation matters, and official death certificates; to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to the rule-making power of the workmen's compensation bureau; to amend and reenact section 65-02-11 of the North Dakota Century Code, relating to rules of evidence, investigations, and examination of witnesses, and the cost of expert witnesses; to amend and reenact section 65-02-12 of the North Dakota Century Code, relating to hearings by one member of the workmen's compensation bureau and approval by majority of the bureau; to amend and reenact section 65-04-22 of the North Dakota Century Code, relating to time when premium is in default; to amend and reenact section 65-04-23 of the North Dakota Century Code, relating to penalties for default in premium; to amend and reenact section 65-04-24 of the North Dakota Century Code, relating to collection of premium; to amend and reenact section 65-04-25 of the North Dakota Century Code, relating to collection of premium from a nonresident employer; to amend and reenact section 65-04-31 of the North Dakota Century Code, relating to the investment of the fund; to amend and reenact section 65-05-12 of the North Dakota Century Code, relating to permanent partial disability; to amend and reenact section 65-05-14 of the North Dakota Century Code, relating to compensation paid for the loss of use of a member; to amend and reenact section 65-09-02 of the North Dakota Century Code, relating to application for compensation, hearing, and time for filing; and to amend

and reenact section 65-09-03 of the North Dakota Century Code, relating to awards, notice to interested parties, and judgment.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 8; absent and not voting, 3.

REGULAR SESSION			NORTH DAKOTA SENATE			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI	•	
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3	•		• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT		•	• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE	•	
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER	•	
• GRONHOVD			• MAHER			• SANDNESS			• WALSH	•	
• HOFFNER			• MELLAND			• SCHULTZ, C. #14	•		• WENSTROM		
• HOLAND			• MORGAN	•		• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		

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. 2173 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill No. 2173 be amended as follows:

On page 1 of the engrossed bill, line 22 delete the words "license numbers" and insert in lieu thereof the word: "names"

On page 1, line 24, after the word "clerk" delete the following:

" , immediately following the name of such auctioneer"

On page 2, line 1, delete the words: "and clerk"

On page 3, line 34, after the word and comma: "time" insert the words and comma: "not exceeding fifteen days,"

On page 4, line 24, after the word "files" add the words "for two years"

And renumber the lines and pages accordingly.

For the Senate:

Senator Reiten

Senator Mutch

Senator Gronhovd

For the House:

Representative E. Metzger

Representative Lang

Representative Miller

Senator Reiten moved that the report be adopted, which motion prevailed.

Senator Reiten moved that the rules be suspended, that Senate Bill No. 2173 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

**Senate Bill No. 2173.** A Bill for an Act to create and enact chapter 51-05.1 of the North Dakota Century Code relating to auctioneers and auction sales and the licensing of auctioneers and clerks, and providing for a penalty; and to repeal chapter 51-05 of the North Dakota Century Code.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● GRDMAN			● LASHKOWITZ			● REDJIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGAORE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

## MOTION

Senator Nothing moved that the Senate recess and attend a special Joint-Session in the House, which motion prevailed.

SPECIAL JOINT SESSION IN HONOR  
OF SENATOR ELTON RINGSAK

Representative Strinden: Mr. Speaker, I move that you appoint a committee of two to escort the Lt. Governor, the Honorable Wayne Stanstead to the rostrum, which motion prevailed. The Speaker appointed as such committee, Representative Winge and Representative Olin.

Representative Strinden: Mr. President, I move you appoint a committee of two to escort Mr. LeRoy Ernst, Mr. Paul Lange, and Mr. Bill Williamson to the rostrum, which motion prevailed. The President appointed as such committee, Senator Strinden, Representative Eagles.

Representative Strinden: Mr. President, I move that you appoint a committee of two to escort the Honorable Arthur A. Link, Governor of the State of North Dakota to the rostrum, which motion prevailed. The President appointed as such committee, Senator Hoffner and Representative Backes.

Representative Strinden: Mr. President, I move that you appoint a committee of two to escort the Honorable Elton Ringsak and Mrs. Ringsak to the rostrum, which motion prevailed. The President appointed as such committee, Senator Nothing and Representative Strinden.

President Stanstead: Ladies and Gentlemen, it is my pleasure to introduce to you today the 27th governor of the State of North Dakota, the Honorable Arthur A. Link.

Governor Link:

Thank you Mr. President, Speaker Reimers, Senator Ringsak, Mrs. Ringsak, members of your family, who we hope are fortunate enough to be here with us this morning, members of the 44th Legislative Assembly, ladies and gentlemen. This is indeed a distinct honor and privilege for me to announce to this group to the State of North Dakota and to the entire nation, that Senator Ringsak has been named the Handicapped American of the year for 1974. I should like to read a portion of a letter from Harold Russell, Chairman of the President's Committee on Employment of the Handicapped. This letter was written to Senator Ringsak. "It is a great pleasure to inform you that the President's Committee on Employment of the Handicapped has chosen you the handicapped American of the year for 1974. Speaking for the entire committee, and personally I congratulate you. Your activities have done much to make legislators, businessmen

and citizens aware of the rights of handicapped people. At the same time you effectively demonstrate that handicapped people have the talent to make contributions to their fellow men. What is equally important, however, is the fact that through your efforts to make North Dakota a better place for those with handicaps. You have challenged other persons with impairments to make every effort to become contributors to their communities. We plan to present the President's trophy which is awarded annually to the handicapped American to you on Thursday morning, May 1, at the opening session of our annual meeting in Washington, D.C."

Senator Ringsak, I want you to know how pleased everyone in North Dakota is over your selection. Our sincere congratulations from all the people of this state, and a sincere "thank-you" for the many contributions you have made in the cause of handicapped people nationwide. This is a great tribute to you personally, to North Dakota and to all handicapped people. It is with pleasure that I present to you a book of letters, testimonials and endorsements from your many supporters and friends that went into the receiving of this award. I know it will bring to you hours of delight in reading it and pleasant memories throughout your entire life. So, to you and your family, from me personally, all of the people of North Dakota, from this assembly, and persons throughout the nation, and I'm sure throughout the world, we extend to you our sincere and personal congratulations.

Governor Link then presented Senator and Mrs. Ringsak with the book.

President Sanstead introduced the Honorable Elton Ringsak:

Senator Ringsak: Governor Link, Lt. Governor Sanstead, Speaker of the House Reimers, he called me the all-American kid Wednesday night and I wondered what he was talking about, and he told me that he was going to give Peterson and I a citation on Friday morning for being the two best arm pushers in the Senate and the House and I thought he was pulling my leg so I liked that. I don't know what to say here except that the good Governor and I have been friends for a long time, I was planning to run for Governor two years from now, but now that everybody knows that I have a handicap, I can't run, and to all the legislators, House members and Senators, I want to especially tell you that I appreciate the fact that you have never looked at me as handicapped, that you just accepted me as one of your fellow men. You have given me hell when I have had it coming, your chairmen have been nice to me, but they have been tough, I have appreciated that, and I think the biggest thing that a handicapped person wants is to be recognized as if he had no handicap at all, and just treated just like anybody else. I know that you people open the door for me downstairs and I know what you are doing it for, but the only time I feel bad is when you run ahead of me and then open the door. If you just walk with me and then open the door, why I feel a lot better, and I think that I am speaking for all the handicapped people, if you just treat them just like an equal, they are all happy, and thanks for everything you have done for me.

#### MOTION

Senator Nething moved that the Joint-Session be dissolved, which motion prevailed.

The Senate reconvened, the President presiding.

#### MESSAGES FROM THE HOUSE

##### House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3032

House Concurrent Resolution No. 3068



House Concurrent Resolution No. 3069

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Concurrent Resolution No. 4021

Senate Concurrent Resolution No. 4051

Senate Concurrent Resolution No. 4055

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2497

Senate Concurrent Resolution No. 4004

Senate Concurrent Resolution No. 4006

Senate Concurrent Resolution No. 4011

Senate Concurrent Resolution No. 4016

Senate Concurrent Resolution No. 4025

Senate Concurrent Resolution No. 4042

Senate Concurrent Resolution No. 4045

Senate Concurrent Resolution No. 4048

Senate Concurrent Resolution No. 4058

Senate Concurrent Resolution No. 4059

Senate Concurrent Resolution No. 4063

Senate Concurrent Resolution No. 4067

Senate Concurrent Resolution No. 4069

Senate Concurrent Resolution No. 4075

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2047:

Representatives on Senate Bill No. 2047:

Rep. Winkjer

Rep. Olson

Rep. Irving

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2050, 2395, 2443, 2452.

Representatives on Senate Bill No. 2050:

Rep. Bunker

Rep. E. Metzger

Rep. Langley

Representatives on Senate Bill No. 2395:

Rep. Kretschmar

Rep. Knudson

Rep. Cann

Representatives on Senate Bill No. 2443:

Rep. Bunker

Rep. Rivinius

Rep. Irving

Representatives on Senate Bill No. 2452:

Rep. Wentz

Rep. Metz

Rep. Rylance

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1101.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1138, 1176, 1359, 1576, House Concurrent Resolution No. 3033.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has reconsidered its action by which it refused to concur in the Senate amendments to House Bills Nos. 1007 and 1440, and discharged the Conference Committees appointed, and now concurs in the Senate amendments to House Bills Nos. 1007 and 1440.

ROY GILBREATH, Chief Clerk

## REPORT OF STANDING COMMITTEE

Mr. President: Your Committee on Finance and Taxation to whom was referred House Bill No. 1609 has had the same under consideration and recommends that the same be amended as follows:

On page 1, line 5, insert before the period the following: “; and to provide that if either the minimum standard deduction or percentage standard deduction, or both, is increased for individuals required to file federal income tax returns for either the year 1975 or 1976, any such increased deduction shall be applicable for state income tax purposes”

On page 1, after line 19, insert the following new section:

“SECTION 2. CERTAIN FEDERAL INCOME TAX DEDUCTIONS FOR INDIVIDUALS TO BE ALLOWED ON STATE RETURNS.) If either the minimum standard deduction or the percentage standard deduction, or both, is increased for individuals required to file federal income tax returns for either the year 1975 or 1976 or both pursuant to any Act of the Congress of the United States hereafter enacted and approved, such increased deductions shall also be applicable for individuals required to file North Dakota income tax returns for the same year.”

And renumber the lines and pages accordingly.

And when so amended recommends the same do pass.

SENATOR STROUP, Chairman

House Bill No. 1609 was placed on the 6th order of business on the calendar for the succeeding legislative day.

## REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Legislative Council Resolutions has had the following under consideration:

House Concurrent Resolution No. 3057

House Concurrent Resolution No. 3078

And recommends that the same do pass.

SENATOR GOODMAN, Chairman

Senator Goodman moved that the report be adopted, which motion prevailed and the report was adopted.

## MOTION

Senator Melland moved that the rules be suspended, that House Con-

current Resolutions 3057 and 3078 be placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

**House Concurrent Resolution No. 3057.** A concurrent resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools, and of the effectiveness of such financing in reaching the goal of providing the best possible education for North Dakota's students, and of teacher compensation and negotiation practices throughout the state.

Which has been read.

The question being on the final adoption of the resolution.

Senator Goodman moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution 3057 was adopted.

**House Concurrent Resolution No. 3078.** A concurrent resolution directing the legislative council to study the methods of valuation and level of assessments of all classes of property assessed by the state board of equalization and by the local assessors.

Which has been read.

The question being on the final adoption of the resolution.

Senator Goodman moved that the resolution be adopted, which motion prevailed, and House Concurrent 3078 was adopted.

#### REPORTS OF PROCEDURAL COMMITTEES

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred House Concurrent Resolution No. 3068 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senator Goodman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred House Concurrent Resolution No. 3069 has had the same under consideration and recommends the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senator Goodman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Procedural Committee on Legislative Council Resolutions to whom was referred House Concurrent Resolution No. 3032 has had the same under consideration and recommends that the same be indefinitely postponed.

SENATOR GOODMAN, Chairman

Senator Goodman moved that the report be adopted, which motion prevailed and the report was adopted.

#### MOTION

Senator Goodman moved that the rules be suspended, that House Concurrent Resolutions 3068, 3069 and 3032 be placed on the 6th Order of Business, which motion prevailed.

#### COMMITTEE REPORTS FOR INDEFINITE POSTPONEMENT

Senator Rait moved that the Committee Report on House Concurrent Resolution No. 3068 be adopted.

#### ROLL CALL

The question being on the adoption of the Committee Report on House Concurrent Resolution No. 3068, the roll was called and there were 40 ayes; 9 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	ISZLER	•		• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES		•	• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE			• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT			• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN			• STROUP		•
• FREED			• LEE		•	• REITEN			• THANE		•
• FRITZELL			• LIPS		•	• RINGSACK			• TWETEN		•
• GOODMAN			• LONGMIRE		•	• SANDS			• VOSPER		•
• GRONHOVD			• MAHER		•	• SANDNESS			• WALSH		•
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND		•	• MORGAN		•	• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH		•	• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

The motion prevailed, and House Concurrent Resolution No. 3068 was indefinitely postponed.

Senator Erdman moved that the Committee Report on House Concurrent Resolution No. 3069 be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Concurrent Resolution No. 3069, the roll was called and there were 41 ayes; 8 nays; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH		•	ISZLER	•		• NAADEN			• SHABLOW		•
• BERUBE		•	• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES		•	• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE			• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT			• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN			• STROUP		•
• FREED			• LEE		•	• REITEN			• THANE		•
• FRITZELL			• LIPS		•	• RINGSACK			• TWETEN		•
• GOODMAN			• LONGMIRE		•	• SANDS			• VOSPER		•
• GRONHOVD			• MAHER		•	• SANDNESS			• WALSH		•
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND		•	• MORGAN		•	• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH		•	• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

The motion prevailed, and House Concurrent Resolution No. 3069 was indefinitely postponed.

Senator Lee moved that the Committee Report on House Concurrent Resolution No. 3032 be adopted.

**ROLL CALL**

The question being on the adoption of the Committee Report on House Concurrent Resolution No. 3032, the roll was called and there were 17 ayes; 34 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			ISZLER		•	• NAADEN		•	• SHABLOW		•
• BERUBE			JACOBSON		•	• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			JONES		•	• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN		•	• PYLE			• STRAND		•
• CONLIN		•	• LARSON		•	• RAIT			• STRINDEN		•
• ERDMAN		•	• LASHKOWITZ		•	• REDLIN			• STROUP		•
• FREED			• LEE		•	• REITEN			• THANE		•
• FRITZELL			• LIPS		•	• RINGSACK			• TWETEN		•
• GOODMAN			• LONGMIRE		•	• SANDS			• VOSPER		•
• GRONHOVD			• MAHER		•	• SANDNESS			• WALSH		•
• HOFFNER		•	• MELLAND		•	• SCHULTZ, C. #14			• WENSTROM		•
• HOLAND		•	• MORGAN		•	• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH		•	• MUTCH		•	• SCHUSTER			MR. PRESIDENT		

The motion failed, and House Concurrent Resolution No. 3032 was placed on the 14th Order of Business for the next succeeding legislative day.

MOTION

Senator Goodman moved that the rules be suspended, that House Concurrent Resolution 3032 be placed on second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3032.** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of tying increases in the level of state spending to increases in personal income of all citizens of North Dakota; and to study the growth of general fund expenditures and personal income during the past two decades.

Which has been read.

The question being on the final adoption of the resolution.

Senator Goodman moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution 3032 was adopted.

MOTION

Senator Lips moved that the Senate reconsider the action by which Senate Bill 2368 passed.

Senator Nething moved that any Senator who has registered as a lobbyist be permitted to vote on this motion, which motion prevailed.

Senator Lashkowitz requested a roll vote on the motion to reconsider Senate Bill 2368, which request was granted.

ROLL CALL

The question being on the motion to reconsider Senate Bill 2368, the roll was called and there were 25 ayes; 26 nays; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	ISZLER		●	NAADEN		●	SHABLOW	
		●		JACOBSON			NASSET	●		SMYKOWSKI	●
●				JONES			NETHING		●	SOLBERG	
		●	●	KAUTZMANN			PYLE	●	●	STRAND	
		●		LARSON			RAIT	●	●	STRINDEN	
		●	●	LASHKOWITZ		●	REDLIN		●	STROUP	
●				LEE	●		REITEN	●		THANE	
		●	●	LIPS		●	RINGSAK		●	TWETEN	
		●	●	LONGMIRE			SANDS	●		VOSPER	●
●				MAHER		●	SANDNESS		●	WALSH	
		●		MELLAND			SCHULTZ, C. #14	●	●	WENSTROM	
		●	●	MORSAN			SCHULTZ, J. #32	●		WRIGHT	
		●	●	MUTCH			SCHUSTER			MR. PRESIDENT	

The motion to reconsider Senate Bill 2368 lost.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-FOURTH DAY

Bismarck, March 21, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Vicar Klemet Preus, Zion Lutheran Church, Bismarck.

Dear Heavenly Father,

We thank and praise You for all the blessings of this life, and we ask You to further bless us. Bless especially the recent decisions this body has made, and grant that they be carried out to Your glory. Grant that all future actions be done according to Your will. Help us to trust in You for guidance. Help us to trust Your Spirit for renewal, and help us trust Your Son Jesus Christ for forgiveness. We thank You for sending Him to suffer and die and rise again that we, through faith, might have eternal life. In His name we pray, Amen.

Roll Call: All Senators 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 fifty-second day after recess and fifty-third day and recommends that the same be corrected as follows:

On page 1264, insert lines 28 and 29 under line 3.

On page 1280 and 1281 change the "Senators" to "Representatives"

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

## CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Sands moved that the Senate do not concur in the House amendments to Senate Bill No. 2271 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

## APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2271:

Senator Reiten

Senator Goodman

Senator Berube

## MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1468 and the Speaker has appointed as a conference committee to act with a like committee from the Senate:

Rep. Wagner

Rep. L. Hausauer

Rep. Solberg

ROY GILBREATH, Chief Clerk

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1468, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1468:

Senator Melland

Senator Strinden

Senator Walsh

## REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2079 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

Senator Vosper

Senator Smykowski (refused to sign)

Senator Rait

For the House:

Representative Knudson

Representative Wentz

Representative Bye

Senator Vosper moved that the report be adopted, which motion prevailed.



No. 2443 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2443. A Bill for an Act to amend and reenact subsection 8 of section 6-03-02 of the North Dakota Century Code, relating to powers of banks.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		• WENSTROM
• HOLAND			• MORGAN			• SCHULTZ, J. #32		• WRIGHT
• HOMUTH			• MUTCH			• SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

MOTION

Senator Nething moved that Senate Bill No. 2109 be placed at the head of the calendar on the 12th order, which motion prevailed.

CONSIDERATION OF A SENATE BILL

Senate Bill No. 2109. A Bill for an Act to create and enact three subsections of section 15-65-03; to amend and reenact 15-65-02 of the North Dakota Century Code relating to appointment of members to the North Dakota educational broadcasting council; to amend and reenact subsection 4 of section 15-65-03 of the North Dakota Century Code relating to powers and duties of the North Dakota educational broadcasting council; to repeal section 15-65-04 of the North Dakota Century Code relating to prohibitions placed on the North Dakota educational broadcasting council; and to provide an appropriation.

Senator Nething moved that the Senate do not concur to the House amendments to Senate Bill 2109, and that a conference committee not be appointed.

ROLL CALL

The question being on the motion not to concur to the House amendments and not appoint a conference committee, the roll was called and there were 26, ayes; 25, nays; absent and not voting, 0.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		• SHABLOW
• BERUBE			• JACOBSON			• NASSET		• SMYKOWSKI
• CHRISTENSEN, H. #5			• JONES			• NETHING		• SOLBERG
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		• STRAND
• CONLIN			• LARSON			• RAIT		• STRINDEN
• ERDMAN			• LASHKOWITZ			• REDLIN		• STROUP
• FREED			• LEE			• REITEN		• THANE
• FRITZELL			• LIPS			• RINGSAK		• TWETEN
• GOODMAN			• LONGMIRE			• SANDS		• VOSPER
• GRONHOVD			• MAHER			• SANDNESS		• WALSH





this is about 60 per cent over the last biennium. I don't see how we can go beyond this. I would rather have seen cuts made in other areas, but this has not been done. Inflationary pressures will be here two years from now and we will be thinking in terms of going up from \$440,000,000. This is a sobering reality that we will have to face too soon. I think we have been good to education. This body has passed a \$33,000,000 increase in the foundation program for this biennium which is an increase of about 30 per cent. We have increased the special education budget and the higher education budget. I favor educational television, but I am concerned about the financial condition the state may find itself in after this biennium. I hope grain prices are high and times are good and the legislature can come here in 1977 with plenty of money, but we can't be sure of that. A 60 per cent increase in a state budget in one biennium is rather substantial and is more than is wise and prudent. As recently as last week, I have told people that I still planned to vote for public TV and I did. I favor it, but there is almost nothing left to cut. I feel as badly today as most of you who voted yes, but I think we have done the responsible thing.

#### PERSONAL PRIVILEGE

Senator Barth: Mr. President, I rise on a point of personal privilege. I perhaps feel as though as I have been very unnecessary around here this session. I certainly don't like to hear the remarks around here on the floor, we've got to go on with business, we're worried about appropriations, the farmers need to go to the field. This I think is a terrible lever to use to convince this body that we've got to get home. I can't believe that this is the lever that we would use so that we get this session over with. We have some of the major pieces of legislation still in conference committee, now we're saying that we've got to move on with business, the pressure is on. This is not a pressure bill. The pressure is on those bills still in conference committee. I would hope that each and every citizen of North Dakota would hope that we would take a second look at what we've really done. I think we should take a look at what we are going to do. We hear all kinds of figures in relation to a \$4,000,000.00 appropriation that we can't afford it. Had we moved educational television, SB 2109 to the bottom of the calendar when all the conference committees had been in, I wonder if the figures that had been thrown around this chamber a few minutes ago, would be real. We don't know what's coming out of this, and I can certainly agree with the Senator from Grand Forks when he said, "Is there really that much difference between 80 million and 70 million. I really wonder. Have we done what the people of North Dakota want?" I submit to you that we've really gone against the wishes of them. I live in a rural area. I live in western North Dakota, an area where educational television would be an asset to our people. I believe that my people are people. They are just as worthy to give them whatever we can. I really believe that we have dealt them a blow that they will never forget. I do hope that we remember this as we go on in this session.

#### PERSONAL PRIVILEGE

Senator Freed: Mr. President, I rise on a point of personal privilege. I also am from Western North Dakota and I want to state that I support educational television. I would like to see educational television. I would hope that someone in the Bismarck-Dickinson area can put up an educational television as they did in Fargo and Grand Forks area. I further hope that it is not a state-owned industry.

SENATE CHAMBER  
Forty-Fourth Legislative Assembly  
STATE OF NORTH DAKOTA  
BISMARCK

The Honorable Wayne Sanstead  
 Lieutenant Governor  
 State of North Dakota  
 State Capitol  
 Bismarck, N.D. 58505

Dear Lieutenant Governor:

I am sure you are aware of a rather unique situation regarding a particular lady volunteer in the Senate during this past session.

Early in January this young lady, Mrs. Coleen Pearson, came to learn more about the legislative process. She did not want to be placed on the payroll because her home responsibilities would not permit her a regular time schedule.

She has continued her volunteer work since the last week in January and I thought it would be interesting for you to recognize this type of person in your official position.

She has performed voluntarily in the offices of the Legislative Council as well as on the floor of the Senate and other areas to give her the widest experience possible in learning what the Senate does and what the law making process is all about.

I thought this so unusual, I wanted to call it to your attention.

Sincerely,  
 I.E. (Esky) Solberg  
 State Senator  
 Chairman, Employment Committee  
 District 32



Senator Nething moved that the President's remarks be printed in the Journal, which motion prevailed.

Senator Nething moved that the Senate recess until 5:30 P.M., which motion prevailed.

The Senate reconvened, the President presiding.

## MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to return Senate Bill No. 2175 which the House has not passed over the Governor's veto.

The vote on Senate Bill No. 2175 is: 59, ayes; 41, nays; 2, absent and not voting.

ROY GILBREATH, Chief Clerk

## MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the Senate vote carried to lay the House Amendments to Senate Bill 2109 on the table.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bills Nos. 2079, 2143, 2173, 2443 on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2271 and the president has appointed as a conference committee to act with a like committee from the House:

Senators on Senate Bill No. 2271:

Senator Reiten  
 Senator Goodman  
 Senator Berube

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1468:

Senator Melland  
 Senator Strinden  
 Senator Walsh

LEO LEIDHOLM,

## SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 2012  
 Senate Bill No. 2104  
 Senate Bill No. 2113  
 Senate Bill No. 2129  
 Senate Bill No. 2159  
 Senate Bill No. 2160  
 Senate Bill No. 2172  
 Senate Bill No. 2197  
 Senate Bill No. 2216  
 Senate Bill No. 2236  
 Senate Bill No. 2238  
 Senate Bill No. 2256  
 Senate Bill No. 2259  
 Senate Bill No. 2260  
 Senate Bill No. 2264  
 Senate Bill No. 2278  
 Senate Bill No. 2324  
 Senate Bill No. 2353  
 Senate Bill No. 2390  
 Senate Bill No. 2435  
 Senate Bill No. 2470

Senate Concurrent Resolution No. 4008  
 Senate Concurrent Resolution No. 4019  
 Senate Concurrent Resolution No. 4020  
 Senate Concurrent Resolution No. 4040  
 Senate Concurrent Resolution No. 4041

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2012  
 Senate Bill No. 2104  
 Senate Bill No. 2113  
 Senate Bill No. 2129  
 Senate Bill No. 2159  
 Senate Bill No. 2160  
 Senate Bill No. 2172  
 Senate Bill No. 2197  
 Senate Bill No. 2216  
 Senate Bill No. 2236  
 Senate Bill No. 2238  
 Senate Bill No. 2256  
 Senate Bill No. 2259  
 Senate Bill No. 2260  
 Senate Bill No. 2264  
 Senate Bill No. 2278  
 Senate Bill No. 2324  
 Senate Bill No. 2353  
 Senate Bill No. 2390  
 Senate Bill No. 2435  
 Senate Bill No. 2470  
 Senate Concurrent Resolution No. 4008  
 Senate Concurrent Resolution No. 4019  
 Senate Concurrent Resolution No. 4020  
 Senate Concurrent Resolution No. 4040  
 Senate Concurrent Resolution No. 4041

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1049  
 House Bill No. 1091  
 House Bill No. 1095  
 House Bill No. 1210  
 House Bill No. 1233  
 House Bill No. 1418  
 House Bill No. 1461  
 House Bill No. 1484  
 House Bill No. 1488

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2009  
 Senate Bill No. 2111

Senate Bill No. 2136

Senate Bill No. 2439

Senate Concurrent Resolution No. 4034

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1012.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1478.

ROY GILBREATH, Chief Clerk

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

House Bill No. 1161

House Bill No. 1224

The Speaker appointed as a new conference committee.

House Bill No. 1161:

Rep. Timm

Rep. Goetz

Rep. Wilkie

ROY GILBREATH, Chief Clerk

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2050 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill 2050 be amended as follows:

On page 13 of the engrossed bill, delete lines 15 through 20 and insert in lieu thereof the following:

"2. A certificate of site compatibility for an energy conversion facility shall not supersede or preempt any county or city land use, zoning, or building rules, regulations, or ordinances and no site shall be designated which violates local land use, zoning, or building rules, regulations, or ordinances. A permit for the construction of a transmission facility within a designated corridor may supersede and preempt any county or city land use, zoning, or building rules, regulations, or ordinances upon a finding by the commission that such rules, regulations, or ordinances, as applied to the proposed route, are unreasonably restrictive in view of existing technology, factors of cost or economics, or needs of consumers whether located in or out of the county or city. Without such a finding by the commission, no route shall be designated which violates local land use, zoning, or building rules, regulations, or ordinances."

And renumber the lines and pages accordingly.

For the Senate:

Senator Jacobson

Senator Fritzell

Senator Schuster

For the House:

Rep. Bunker

Rep. E. Metzger

Rep. Langley

Senator Jacobson moved that the report be adopted, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2050 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2050. A Bill for an Act to provide for energy conversion facility siting authority by the department of health and transmission facility siting authority by the public service commission; providing a penalty; 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, the roll was called and there were ayes, 50; nays, 1; absent and not voting, 0.

NORTH DAKOTA SENATE											
ROLL CALL											
REGULAR SESSION			1975 LEGISLATURE						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

PERSONAL PRIVILEGES

Senator Lips: Mr. President, I rise on a point of personal privilege.

Mr. President and Ladies and Gentlemen of the Senate, I am somewhat disappointed that the State Health Department was not given the authority to site plants. We will soon have two environmental departments; one in the PSC and one in the Health Department. The Health Department has the responsibility now under present law. I voted for the bill, but two years from now every effort should be made to change this law.

Senator Lashkowitz:

In as much as I happen to be the only vote against 2050 the basis of my vote against the bill was that I felt the Health Department should have concurrent jurisdiction if not exclusive jurisdiction in this siting bill. Thank you.

Senator Fritzell:

Mr. President and fellow Senators, in the interim committee last summer I was one of maybe one or two that wanted to put this in the Health Department. At our subsequent meeting I asked for reconsideration to put it in the Health Department. It was decided during that committee to put it in the Public Service Commission. During all this session we have worked with the Public Service Commission people, we worked with the energy committees, and it isn't that the Health Department shouldn't have it, it's the fact that everything should be in one agency. Possibly it should have been the Health Agency but it shouldn't have been split.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2395 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill 2395 be amended as follows:

On page 1 of the engrossed bill, line 4, after the numerals "11-33-20" insert the following: ", 40-47-06, 40-48-03,"

On page 1 of the engrossed bill, line 6, after the word "limits" insert the following: " , the membership of a city zoning commission and a city planning commission."

On page 3 of the engrossed bill, after line 4, insert the following new sections:

"SECTION 3. AMENDMENT.) Section 40-47-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-47-06. ZONING COMMISSION — APPOINTMENT — DUTIES — PRELIMINARY AND FINAL REPORT.) The governing body of a city desiring to avail itself of the powers conferred by this chapter shall appoint a commission, to be known as the zoning commission, to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein.

In addition to the members appointed by the city, the zoning commission shall include at least one person residing outside of the corporate limits of a city having a population of less than five thousand, two persons residing outside the corporate limits of a city having a population of five thousand or more, but less than twenty-five thousand, or three persons residing outside the corporate limits of a city having a population of twenty-five thousand or more if zoning authority is exercised pursuant to section 2 of this Act. Such persons shall be appointed by the board or boards of county commissioners of the county or counties within which such zoning authority is to be exercised and shall reside within the territorial limits of the zoning regulation authority exercised by the city, if such persons are available and will serve on the zoning commission. Of the members of the commission appointed by a board or boards of county commissioners pursuant to this section, the first member appointed shall hold office for five years, the second member appointed shall hold office for three years, and the third member appointed shall hold office for one year. Thereafter, the members shall be appointed for terms of five years. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report. The governing body shall not hold its public hearings or take action until it has received the final report of the zoning commission. If a city has a planning commission, it may be appointed as the zoning commission.

SECTION 4. AMENDMENT.) Section 40-48-03 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-48-03. PLANNING COMMISSION — CREATION — MEMBERS — EX OFFICIO MEMBERS.) The governing body of any ((municipality)) city may create, by ordinance, a planning commission to consist of not more than ten members to be appointed by the executive officer of the ((municipality)) city with the approval of its governing body.

In addition to the members appointed by the city, the planning commission shall include at least one person residing outside of the corporate limits of a city having a population of less than five thousand, two persons residing outside the corporate limits of a city having a population of five thousand or more, but less than twenty-five thousand, or three persons residing outside the corporate limits of a city having a population of twenty-five thousand or more if zoning authority is exercised pursuant to section 2 of this Act. Such persons shall be appointed by the board or boards of county commissioners of the county or counties within which such subdivision authority is to be exercised and shall reside within the territorial limits of the subdivision regulation authority exercised by the city, if such persons are available and will serve on the planning commission. Of the members of the commission appointed by a board or boards of county commissioners pursuant to this section, the first





On page 2, line 1, delete the words: "for purposes of" and insert in lieu thereof the words: "with respect to"

On page 2, line 2, delete the word "any" and insert in lieu thereof the word "a"

On page 3, line 3, insert triple parentheses before the word "reaches"

On page 3, line 4, delete the triple parentheses before the word "eighteen"

On page 3, line 4, before the word "twenty" insert the following: "attains the age of"

On page 3, line 4, insert triple parentheses before the word "of" and insert triple parentheses after the word "age"

On page 3, line 11, after the word "under" insert the words: "the age of"

On page 3, line 11, delete the words "of age"

On page 4, line 14, delete the word "over"

On page 4, line 14; after the word "seventeen" insert the words "or more"

On page 4, line 20, after the word "made" insert the word "is held"

On page 4, line 27, after the semicolon insert the word "and"

On page 4, line 35, place beginning triple parentheses before the word "committable" and place ending triple parentheses after the word "to" and insert in lieu thereof the words "treatable in"

On page 5, line 1, place triple parentheses around the word "institution" and insert in lieu thereof the word "institution"

On page 5, line 7, place triple parentheses around the word "the"

On page 5, line 7, insert the word "a" before the word "request"

On page 5, line 8, after the word "or" insert the word "the"

And renumber the lines and pages accordingly.

For the Senate:

Senator Iszler

Senator Christensen

Senator Schuster

For the House:

Rep. Winkjer

Rep. Olson

Rep. Irving

Senator Iszler moved that the report be adopted, which motion prevailed.

Senator Iszler moved that the rules be suspended, that Senate Bill No. 2047 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

**Senate Bill No. 2047.** A Bill for an Act to create and enact subsection 6 of section 27-20-36, and to amend and reenact subsections 1 and 10 of section 27-20-02, section 27-20-09, subsections 1 and 4 of section 27-20-34, and subsection 5 of section 27-20-36, of the North Dakota Century Code, relating to the definitions of "child" and "minor traffic offense", transfers to the juvenile court from other courts, limitations of time on orders of disposition of the juvenile court, and to waiver of juvenile jurisdiction in certain instances.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 2; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

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. 2452 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

- Senator, J. Schultz
- Senator Smykowski
- Senator Shablow

For the House:

- Rep. Wentz
- Rep. Metz
- Rep. Rylance

Senator Shablow moved that the report be adopted, which motion prevailed.

Senator Smykowski moved that the rules be suspended, that Senate Bill No. 2452 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate No. 2452. A Bill for an Act to provide for the establishment of recreation service districts for the purpose of providing police protection, water and sewer, garbage removal services, public road construction and maintenance, in addition to that provided by the local governing body or other agency, and the improvement and control of the environmental quality of the recreation service district, to provide for elections and for a board of recreation service commissioners, and to provide for the levying of special assessments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ	●		● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSACK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

#### MOTION

Senator Lashkowitz moved that the Senate stand in recess until 9:00 A.M., Monday, March 24, 1975, which motion lost.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1049 has had the same under consideration and recommends:

That the House accede to the Senate amendments.

For the Senate:

Senator Smykowski  
Senator Morgan  
Senator Holand

For the House:

Rep. Kermott  
Rep. Irving  
Rep. Martinson

Senator Smykowski moved that the report be adopted, which motion prevailed.

House Bill No. 1049 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1091 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill No. 1091 be amended as follows:

On page 1, line 5, after the word "citizens;" insert the following words: "a new section authorizing a political subdivision to expend federal revenue sharing monies for any purpose for which general or special fund monies may be expended;"

On page 1, line 23, after the word "from" insert the word "state."

On page 2, line 21, after the word "from" insert the word "state."

On page 4, after line 16, insert the following new section:

**"SECTION 1. EXPENDITURE OF FEDERAL REVENUE SHARING MONIES.)** A political subdivision may expend federal revenue sharing monies for any purpose for which general or special fund monies of the political subdivision may be expended, regardless of whether a tax levy by a vote of the political subdivision electorate has been made or is required for such purpose. For the purposes of this Act, "political subdivision" means any county, city, township, or other unit of local government."

And renumber the lines, pages and sections accordingly.

For the Senate:

Senator H. Christensen  
Senator Sandness  
Senator Conlin

For the House:

Rep. Farrington  
Rep. Raymond  
Rep. Powers

Senator Christensen moved that the report be adopted, which motion prevailed.

House Bill No. 1091 was placed on the 6th order of business on the calendar for the succeeding legislative day.

Senator H. Christensen moved that the rules be suspended, that House

Bill No. 1091 be placed on second reading and final passage, as amended, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1091.** A Bill for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to the authority of counties and cities to establish or maintain programs and activities for senior citizens; to create and enact a new section of the North Dakota Century Code, authorizing a political subdivision to expend federal revenue-sharing moneys for any purpose for which general or special fund moneys may be expended; and to amend and reenact section 57-15-56 of the North Dakota Century Code, relating to the authorization of a mill levy for programs and activities for senior citizens; 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, 51; nays, 0; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• EKDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

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. 1095 has had the same under consideration and recommends:

That the House accede to the Senate amendments.

For the Senate:

- Senator Kautzmann
- Senator Fritzell
- Senator Homuth

For the House:

- Rep. Ed Metzger
- Rep. Orange
- Rep. VanderVorst

Senator Kautzmann moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1210 has had the same under consideration and recommends:

That the Senate recede from its amendments.

For the Senate:

- Senator Reiten
- Senator Smykowski
- Senator Berube

For the House:

- Rep. Kretschmar
- Rep. Roysel

Rep. Kelly

Senator Reiten moved that the report be adopted, which motion prevailed.

Senator Reiten moved that the rules be suspended, that House Bill No. 1210 be placed on second reading and final passage, as amended, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1210.** A Bill for an Act to amend and reenact subsection 2 of section 57-14-08 of the North Dakota Century Code, relating to appointment and compensation of special assessors.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 11; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN		•	• SHABLOW		•
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		•
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		•
• FREED			• LEE			• REITEN			• THANE		•
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		•
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		•
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		•	• WENSTROM		•
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		•
• HOMUTH			• MUTCH			• SCHUSTER			• MR. PRESIDENT		•

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. 1233 has had the same under consideration and recommends:

That the House accede with the Senate amendments.

For the Senate:

Senator Tweten  
Senator Sandness  
Senator Redlin

For the House:

Rep. Hildebrand  
Rep. Erickson  
Rep. McGauvran

Senator Tweten moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1418 has had the same under consideration and recommends:

That the Senate recede from its amendments:

For the Senate:

Senator Ringsak  
Senator Christensen  
Senator Rait

For the House:

Rep. Fleming  
Rep. Watkins  
Rep. Nicholas

Senator Ringsak moved that the report be adopted, which motion prevailed.

Senator Ringsak moved that the rules be suspended, that House Bill No. 1418 be placed on second reading and final passage, as amended, which motion prevailed.

#### MOTIONS

Senator Conlin moved that the Senate reconsider its action by which they adopted the conference committee report on House Bill 1418 which motion prevailed.

Senator Conlin moved that a new conference committee be appointed to meet with a like committee from the House on House Bill 1418, which motion prevailed.

The President appointed as a new conference committee on House Bill 1418:

Senator Sandness  
 Senator H. Christensen  
 Senator Rait

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1461 has had the same under consideration and recommends:

That the House accede with the Senate amendments.

For the Senate:

Senator Ringsak  
 Senator Iszler  
 Senator Lashkowitz

For the House:

Rep. Winkjer  
 Rep. Olson  
 Rep. Meiers

Senator Ringsak moved that the report be adopted, which motion prevailed.

#### REPORT 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 Senate recede from its amendments and that House Bill No. 1484 be amended as follows:

On page 1, line 19, of the engrossed bill delete the words "This section shall not be"

On page 1, delete all of lines 20, 21 and 22.

On page 1, line 19, after the word "assistants." insert the following words:

"Physicians' trained assistants shall not be authorized to perform any services which must be performed by persons licensed pursuant to chapter 43-12, 43-13, 43-15 and 43-28 or services otherwise regulated by licensing laws, notwithstanding the fact that medical doctors need not be licensed specifically to perform the services contemplated under such chapters or licensing laws."

And renumber the lines and pages accordingly.

For the Senate:

Senator Sandness  
 Senator Ringsak  
 Senator Holand

For the House:

Rep. Atkinson  
 Rep. Ekblad  
 Rep. Orange





MESSAGE FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2012  
Senate Bill No. 2104  
Senate Bill No. 2113  
Senate Bill No. 2129  
Senate Bill No. 2159  
Senate Bill No. 2160  
Senate Bill No. 2172  
Senate Bill No. 2197  
Senate Bill No. 2216  
Senate Bill No. 2236  
Senate Bill No. 2238  
Senate Bill No. 2256  
Senate Bill No. 2259  
Senate Bill No. 2260  
Senate Bill No. 2264  
Senate Bill No. 2278  
Senate Bill No. 2324  
Senate Bill No. 2353  
Senate Bill No. 2390  
Senate Bill No. 2435  
Senate Bill No. 2470  
Senate Concurrent Resolution No. 4008  
Senate Concurrent Resolution No. 4019  
Senate Concurrent Resolution No. 4020  
Senate Concurrent Resolution No. 4040  
Senate Concurrent Resolution No. 4041

Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1074  
House Bill No. 1082  
House Bill No. 1099  
House Bill No. 1142  
House Bill No. 1171  
House Bill No. 1209  
House Bill No. 1250  
House Bill No. 1430  
House Bill No. 1469  
House Bill No. 1552  
House Bill No. 1570  
House Bill No. 1577  
House Concurrent Resolution No. 3014  
House Concurrent Resolution No. 3016  
House Concurrent Resolution No. 3022  
House Concurrent Resolution No. 3029  
House Concurrent Resolution No. 3039  
House Concurrent Resolution No. 3041  
House Concurrent Resolution No. 3056

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the Speaker has

appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2271:

Rep. Kretchmar

Rep. Rundle

Rep. Anderson

ROY GILBREATH, Chief Clerk

Senator Nething moved that the Senate recess until 9:00 A.M., Saturday, March 22, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary

## FIFTY-FOURTH DAY AFTER RECESS

Bismarck, March 22, 1975

The Senate convened at 9:00 A.M., pursuant to recess taken, the President presiding.

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended:

Senate Bill No. 2060

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS TO SENATE BILL No. 2060

On page 1, line 1 of the engrossed bill, following the word "Act", insert the following words: "creating a pesticide control board, and"

On page 1, following line 12 of the engrossed bill, insert the following new section:

"SECTION 2. CREATION OF PESTICIDE CONTROL BOARD.) There is hereby created the pesticide control board, hereinafter also called the "board", consisting of the commissioner of agriculture, the director of the cooperative extension division of the North Dakota state university of agriculture and applied science, and the director of the agricultural experiment station at North Dakota state university of agriculture and applied science. The commissioner of agriculture shall be chairman of the board and shall be responsible for the enforcement of this Act. The board shall meet at the call of the chair. The members of the board shall be compensated for their expenses in performing their duties under this Act at the same rate as other state officials and the board's expenses shall be paid from funds provided for the administration of this Act to the commissioner of agriculture. The board may act through the office of the commissioner of agriculture, and one person on the commissioner's staff may be specifically responsible to, or act as the state-level agent of, the board."

On page 1, line 13 of the engrossed bill, delete the word "OFFICIAL" and insert in lieu thereof the word "AGENCY"

On page 1, line 14 of the engrossed bill, delete the words "agriculture commissioner of the state of" and insert in lieu thereof the words "pesticide control board"

On page 1, line 15 of the engrossed bill, delete the words "North Dakota"; and in that same line delete the word "commissioner" and insert in lieu thereof the word and period "board."

On page 1 of the engrossed bill, delete line 16

On page 2, line 19 of the engrossed bill, delete the third comma, and insert a period in lieu thereof

On page 2 of the engrossed bill, delete line 20

On page 3 of the engrossed bill, delete lines 7 through 17

On page 5, line 2 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the word "board"

On page 6, line 28 of the engrossed bill, delete the words "commissioner of agriculture" and insert in lieu thereof the word "board"

On page 7, line 9 of the engrossed bill, delete the words "AGRICULTURE COMMISSIONER" and insert in lieu thereof the words "PESTICIDE CONTROL BOARD"; and in the same line, delete the word "AND"

On page 7, line 10 of the engrossed bill, delete the word "ENFORCE"

On page 7, line 11 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the words "pesticide control board"; and in the same line, delete the word "and"

On page 7, line 12 of the engrossed bill, delete the word "enforce"

On page 7, line 17 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 7, line 25 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 7, line 34 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8, line 4 of the engrossed bill, delete the word "agriculture"

On page 8, line 5 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8, line 8 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the word "board"

On page 8, line 11 of the engrossed bill, delete the words "agriculture commissioner" and insert in lieu thereof the word "board"

On page 8, line 17 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8, line 27 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 8 of the engrossed bill, delete lines 31 through 35

On page 9 of the engrossed bill, delete lines 1 through 24

On page 9, line 25 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 9 of the engrossed bill, delete lines 34 and 35

On page 10 of the engrossed bill, delete lines 1 through 8

On page 10, line 9 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"; and in the same line following the word "may", insert the following words: "by regulation"

On page 10, line 10 of the engrossed bill, delete the words "subsection 18 of section 4" and insert in lieu thereof the words "the definition of the term "pest" contained within this Act"; and in the same line delete the word "he" and insert in lieu thereof the word "it"

On page 10, line 17 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 10, line 19 of the engrossed bill, delete the word "he" and insert in lieu thereof the word "it"

On page 10, line 26 of the engrossed bill, delete the word "his" and insert in lieu thereof the word "its"

On page 10, line 29 of the engrossed bill, delete the word "he" and insert in lieu thereof the word "it"

On page 10, line 33 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 10 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 15 of the engrossed bill, delete the words "the commissioner" and insert in lieu thereof the words "a county treasurer"

On page 11, line 18 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 19 of the engrossed bill, delete the words "pursuant to

section 5 of this Act"; and in that same line delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 22 of the engrossed bill, following the word "examination", insert the words " , both of which are to be paid to the county treasurer, who shall deposit the fees in the county general fund"

On page 11, line 23 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county extension agent"

On page 11, line 25 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 11, line 27 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer of the appropriate county"

On page 11, line 29 of the engrossed bill, following the word "not" insert the words "to be"

On page 11, line 30 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county extension agent"

On page 11, line 34 of the engrossed bill, delete the words "If an application for renewal of"

On page 11 of the engrossed bill, delete all of line 35

On page 12 of the engrossed bill, delete all of lines 1 and 2

On page 12, line 3 of the engrossed bill, delete the words "before the renewal license will be issued."

On page 12, line 5 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 12, line 7 of the engrossed bill, following the word "necessary", insert the words "or that a new evaluation is necessary to assure a continuing level of competence and ability to use pesticides safely and properly"

On page 12, line 30 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer in each county in which the applicant operates his business"

On page 13, line 3 of the engrossed bill, following the word "license" insert the words "from any county treasurer"

On page 13, line 7 of the engrossed bill, delete the word "commissioner" where it first appears and insert in lieu thereof the word "board"; and in that same line, delete the second word "commissioner" and insert in lieu thereof the word "board"

On page 13, line 18 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 13 of the engrossed bill, delete lines 23 through 29

On page 13, line 30 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 13, line 31 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county extension agent"

On page 13, line 35 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer"

On page 14, line 21 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the words "county treasurer"

On page 14, line 23 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 14, line 30 of the engrossed bill, after the word "supervise", insert the words "the use of"

On page 14, line 33 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 6 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 7 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 10 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 15, line 13 of the engrossed bill, delete the words "and shall issue each private applicator who" and insert in lieu thereof the following: "or as necessary to assure a continuing level of competence and ability to use pesticides safely and properly. The county extension agent in the county of the residence of the applicant shall issue a certificate, without fee, to any private applicator who has qualified as prescribed by the board."

On page 15 of the engrossed bill, delete lines 14 and 15

On page 15, line 18 of the engrossed bill, delete the words "suspend, pending inquiry, for not longer than"

On page 15, line 19 of the engrossed bill, delete the words "ten days, and"; and in the same line, delete the word "may"

On page 15, line 30 of the engrossed bill, following the word "labeling", insert the words "or other restrictions prescribed by the board"

On page 16 of the engrossed bill, delete lines 8 through 12

On page 17, line 4 of the engrossed bill, following the word "certification", insert the word "requirements"; and in the same line, following the word "Act", insert the words ", unless otherwise exempted therefrom"

On page 17 of the engrossed bill, delete lines 5 through 8

On page 17, line 10 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 17, line 13 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 17 of the engrossed bill, delete lines 19 through 24

On page 17, line 25 of the engrossed bill, delete the partial word "commis-"

On page 17, line 26 of the engrossed bill, delete the following: "ioner shall" and insert in lieu thereof the words "board may"

On page 17, line 29 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 17, line 31 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 17, line 34 of the engrossed bill, delete the words "The commissioner" and insert in lieu thereof the words "Any county extension agent"

On page 18, line 15 of the engrossed bill, before the period, insert the following: ", unless the pesticide labeling requires that a certified applicator personally applies the particular pesticide. A pesticide shall be considered to be applied under the direct supervision of a certified applicator if it is applied by a competent person acting under the instructions and control of a certified applicator who is available if and when needed, even though such certified applicator is not physically present at the time and place that the pesticide is applied"

On page 18, line 27 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 18, line 32 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 18, line 33 of the engrossed bill, delete the words "his office" and insert in lieu thereof the words "the commissioner of agriculture"

On page 19, line 15 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 20 of the engrossed bill, following line 18, insert the following:

4. For the purpose of carrying out the provisions of this Act, the commissioner may enter upon any public or private premises at reasonable times, in order to:

a. Have access for the purpose of inspecting any equipment subject to

this Act and the premises on which such equipment is stored or used;

b. Inspect or sample lands actually or reported to be exposed to pesticides;

c. Inspect storage or disposal areas;

d. Inspect or investigate complaints of injury to humans or land;

e. Sample pesticides and tank mixes being applied or to be applied;

f. Observe the use and application of a pesticide; or

g. Have access for the purpose of inspecting any premises or other place where pesticides or devices are held for distribution, sale, or for use or for the purpose of inspecting and obtaining samples of any pesticides packaged, labeled, and released for shipment and samples of any containers or labeling for such pesticides.

"5. The commissioner shall, at any reasonable time, have access to the records pertaining to pesticide application and sales of any person. He may copy or make copies of such records for the purpose of carrying out the provisions of the Act. Unless required for the enforcement of the Act, such information shall be confidential."

6. Should the commissioner be denied access to any land or records pertaining to pesticide application and sales where such access was sought for the purposes set forth in this Act, he may apply to any court of competent jurisdiction for a search warrant authorizing access to such land or records for said purposes. The court may, upon such application and upon compliance with the provisions of chapter 29-29.1, issue the search warrant for the purposes requested.

On page 20, line 19 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 20, line 28 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

On page 21, line 16 of the engrossed bill, delete the word "commissioner" and insert in lieu thereof the word "board"

And renumber the lines, sections, subsections, and pages accordingly.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1074

House Bill No. 1082

House Bill No. 1099

House Bill No. 1142

House Bill No. 1171

House Bill No. 1209

House Bill No. 1250

House Bill No. 1430

House Bill No. 1469

House Bill No. 1552

House Bill No. 1570

House Bill No. 1577

House Concurrent Resolutions No. 3014

House Concurrent Resolution No. 3016

House Concurrent Resolution No. 3022

House Concurrent Resolution No. 3029

House Concurrent Resolution No. 3039

House Concurrent Resolution No. 3041

House Concurrent Resolution No. 3056

And the President signed the same in the presence of the Senate.

#### CONSIDERATION OF AMENDMENTS

Senator Stroup moved that the amendments to House Bill No. 1609 as recommended by the Committee on Finance and Taxation as printed on page 1308 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that the rules be suspended, that House Bill No. 1609 be placed on second reading and final passage, as amended, which motion prevailed.

### SECOND READING OF A HOUSE BILL

**House Bill No. 1609.** A Bill for an Act to provide that individuals, estates, and trusts shall not be required to restore to income for state income tax purposes any refund of their 1974 federal income tax liability that the Congress of the United States may authorize for stimulating the economy of the nation.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 4; absent and not voting 4.

REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN		● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSAW		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSEPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C #14		● WENSTROM
● HOLAND			● MORGAN			● SCHULTZ, J #32		● WRIGHT
● HOMUTH			● MUTCH	●		● SCHUSTER		● MR. PRESIDENT

So the bill passed and the title was agreed to.

### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3017.** A concurrent resolution directing the Legislative Council to conduct a study of the election laws and procedures of the State of North Dakota.

Senator Hoffner moved that House Concurrent Resolution 3017 be amended as follows:

On page 2, line 6, after the period insert the following: "The Council shall also review each measure, dealing with election laws, which was introduced during the Forty-fourth Legislative Assembly."

And renumber the lines accordingly.

Senator Wenstrom moved that the amendments be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended, that House Concurrent Resolution 3017 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

**House Concurrent Resolution No. 3017.** A concurrent resolution directing the Legislative Council to conduct a study of the election laws and procedures of the State of North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

Senator Wenstrom moved that the resolution be adopted, which motion prevailed and House Concurrent Resolution 3017 was adopted.

### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2453 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate



Senator Kautzmann (refused to sign)  
 Senator Jacobson  
 Senator Gronhovd

For the House  
 Representative VanderVorst  
 Representative Tennefos  
 Representative Langley  
 Senator Kautzmann moved that the report be adopted, which motion prevailed.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2453 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

**SECOND READING OF SENATE BILL**

Senate Bill No. 2453. A Bill for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09-15, 6-09.1-02 and 6-09.1-03 of the North Dakota Century Code, to create an operations board of the Bank of North Dakota and encourage deposits by banks in state.

Which has been read.

Senator Kautzmann moved that the question be divided on the final passage of Senate Bill 2453, which motion prevailed.

**ROLL CALL**

The question being on dividing the question to Senate Bill 2453, Section 6-09-15, (the underlined language), the roll was called and there were 24 ayes; 26 nays, absent and not voting 1.

REGULAR SESSION			NORTH DAKOTA SENATE						1975 LEGISLATURE		
ROLL-CALL			ROLL-CALL						ROLL-CALL		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER		•	• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SHAYKOWSKI		•
• CHRISTENSEN, H. #1	•		• JONES		•	• NOTHING			• SOLBERG		•
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE		•	• STRAND		•
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ		•	• REDLIN			• STROUP		•
• FREED	•		• LEE		•	• REITEN			• THANE		•
• FRITZELL		•	• LIPS		•	• RINGSAM			• TWETEN		•
• GOODMAN		•	• LONGMIRE		•	• SANDS			• VOSPER		•
• GRONHOVD			• MAHER			• SANDNESS		•	• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		•	• WENSTROM		•
• HOLAND			• MORGAN			• SCHULTZ, J. #37		•	• WRIGHT		
• HOMUTH			• MUTCH		•	• SCHUSTER			• MR. PRESIDENT		

So Section 6-09-15 (the underlined language) to Senate Bill 2453 have been deleted.

Senator Kautzmann moved that the rules be suspended, that Senate Bill No. 2453 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

Senate Bill No. 2453. A Bill for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09-15, 6-09.1-02 and 6-09.1-03 of the North Dakota Century Code, to create an operations board of the Bank of North Dakota and encourage deposits by banks in state.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, (except the underlined language, Section 6-09-15) the roll was called and there were ayes, 43; nays, 6; absent and not voting 2.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
		●	●	ISZLER		●	NAADEN				●	SHABLOW
		●		●	JACOBSON		●	NASSET			●	SMYKOWSKI
				●	JONES		●	NETHING			●	SOLBERG
		●		●	KAUTZMANN		●	PYLE			●	STRAND
		●		●	LARSON	●	●	RAIT			●	STRINDEN
		●		●	LASHKOWITZ		●	REDLIN			●	STROUP
		●		●	LEE		●	REITEN			●	THANE
		●		●	LIPS		●	RINGSAN	●		●	TWETEN
		●		●	LONGMIRE		●	SANDS			●	VOSPER
		●		●	MAHER	●	●	SANDNESS			●	WALSH
		●		●	MELLAND		●	SCHULTZ, C. #14			●	WENSTROM
		●		●	MORGAN		●	SCHULTZ, J. #32			●	WRIGHT
		●		●	MUTCH		●	SCHUSTER			●	MR. PRESIDENT

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. 2081 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate

Senator Smykowski

Senator Reiten

Senator Berube

For the House

Representative Rundle

Representative Lee

Representative Kelly

Senator Reiten moved that the report be adopted, which motion prevailed.

Senator Smykowski moved that the rules be suspended, that Senate Bill No. 2081 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

Senate Bill No. 2081. A Bill for an Act to create and enact section 11-10-24 of the North Dakota Century Code, providing authorization for the establishment of an association of county governments; and to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the powers of boards of county commissioners.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 0; absent and not voting 6.

NORTH DAKOTA SENATE												
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	
●			●	ISZLER		●	NAADEN		●		●	SHABLOW
●				●	JACOBSON		●	NASSET			●	SMYKOWSKI
●				●	JONES		●	NETHING			●	SOLBERG
●				●	KAUTZMANN		●	PYLE			●	STRAND
●				●	LARSON		●	RAIT			●	STRINDEN
●				●	LASHKOWITZ		●	REDLIN			●	STROUP
●				●	LEE		●	REITEN			●	THANE
●				●	LIPS		●	RINGSAN	●		●	TWETEN
●				●	LONGMIRE		●	SANDS			●	VOSPER
●				●	MAHER		●	SANDNESS			●	WALSH
●				●	MELLAND		●	SCHULTZ, C. #14			●	WENSTROM
●				●	MORGAN		●	SCHULTZ, J. #32			●	WRIGHT
●				●	MUTCH		●	SCHUSTER			●	MR. PRESIDENT

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred Senate Concurrent Resolution No. 4046 has had the same under considerations and recommends:

That the Senate accede to the House amendments and recommends that Senate Concurrent Resolution 4046 be further amended as follows:

On page 2, line 4 delete the word "senators," and insert in lieu thereof the words "senatorial districts." and delete the rest of the one

On page 2, delete lines 5-7

On page 2, line 8 insert beginning triple parentheses before the word "Each", delete the triple parentheses around the word "senatorial" and delete the triple parentheses around the words "represented by"

On page 2, line 9 delete the following: "entitled to" and also on line 9 delete the following: ", and shall be composed of" and insert in lieu thereof ending triple parentheses

On page 2, line 10 delete the following: "compact and contiguous territory."

On page 2, line 11 after the word "determined" insert the words "after the 1980 federal decennial census"

And renumber the lines and pages accordingly.

For the Senate  
 Senator Smykowski  
 Senator Morgan  
 Senator Rait

For the House  
 Representative Scofield  
 Representative Gunderson  
 Representative Schuett  
 Senator Smykowski moved that the report be adopted, which motion prevailed.

Senator Smykowski moved that the rules be suspended, that Senate Concurrent Resolution 4046 be deemed properly engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A  
 SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4046. A concurrent resolution for the amendment of sections 26, 29, 32, and 35 of the Constitution of the State of North Dakota, relating to the composition of the legislative assembly, and to repeal section 45 of the Constitution of the State of North Dakota, relating to compensation of members of the legislative assembly.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution the roll was called and there were ayes, 38; nays, 10; absent and not voting 3.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●	●	ISZLER		NAADEN		●	●	SHABLOW	
●	BERUBE		●	JACOBSON		NASSET	●		●	SMYKOWSKI	
●	CHRISTENSEN, H #5		●	JONES		●	NETHING		●	SOLBERG	
●	CHRISTENSEN, L #3		●	KAUTZMANN		●	PYLE		●	STRAND	
●	CONLIN		●	LARSON		●	RAIT		●	STRINDEN	●
●	ERDMAN		●	LASHKOWITZ		●	REDLIN		●	STROUP	
●	FREED		●	LEE		●	REITEN		●	THANE	●
●	FRITZELL		●	LIPS		●	RINGSACK		●	TWETEN	●
●	GOODMAN		●	LONGMIRE		●	SANDS		●	VOSPER	
●	GRONHOVD	●	●	MAHER		●	SANDNESS		●	WALSH	
●	HOFFNER		●	MELLAN		●	SCHULTZ, C #14	●	●	WENSTROM	
●	HOLAND		●	MORGAN	●	●	SCHULTZ, J #32	●	●	WRIGHT	
●	HOMUTH		●	MUTCH	●	●	SCHUSTER			MR. PRESIDENT	

So the resolution was adopted.

MOTION

Senator Strinden moved that the Conference Committee on House Bill 1007 be dissolved; which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1074

House Bill No. 1082

House Bill No. 1099

House Bill No. 1142

House Bill No. 1171

House Bill No. 1209

House Bill No. 1250

House Bill No. 1430

House Bill No. 1469

House Bill No. 1552

House Bill No. 1570

House Bill No. 1577

House Concurrent Resolution No. 3014

House Concurrent Resolution No. 3016

House Concurrent Resolution No. 3022

House Concurrent Resolution No. 3029

House Concurrent Resolution No. 3039

House Concurrent Resolution No. 3041

House Concurrent Resolution No. 3056

Which the President has signed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bill No. 2453, on which the Senate has adopted the conference committee report, but the question was divided in final passage. The underlined language in Section 6-09-15 failed to pass. The balance of the report was adopted.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bill No. 2081, Senate Concurrent Resolution No. 4046, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bills Nos. 2047, 2050, 2395, 2452, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1049, 1091, 1095, 1210, 1233, 1461, 1484, 1488, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bill No. 1418, on which the Senate has not adopted the conference committee report.

And the President has appointed as a new conference committee:

Senator Sandness

Senator H. Christensen

Senator Rait

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return:  
 House Concurrent Resolution No. 3032  
 House Concurrent Resolution No. 3057  
 House Concurrent Resolution No. 3078  
 Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return:  
 House Bill No. 1615  
 House Concurrent Resolution No. 3068  
 House Concurrent Resolution No. 3069  
 Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

## REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Bill No. 2012  
 Senate Bill No. 2104  
 Senate Bill No. 2113  
 Senate Bill No. 2129  
 Senate Bill No. 2159  
 Senate Bill No. 2160  
 Senate Bill No. 2172  
 Senate Bill No. 2197  
 Senate Bill No. 2216  
 Senate Bill No. 2236  
 Senate Bill No. 2238  
 Senate Bill No. 2256  
 Senate Bill No. 2259  
 Senate Bill No. 2260  
 Senate Bill No. 2264  
 Senate Bill No. 2278  
 Senate Bill No. 2324  
 Senate Bill No. 2353  
 Senate Bill No. 2390  
 Senate Bill No. 2435  
 Senate Bill No. 2470

Were delivered to the Governor for his approval on March 22, 1975.

SENATOR STRAND, Chairman

## MESSAGES FROM THE HOUSE

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Concurrent Resolution No. 4079

ROY GILBREATH, Chief Clerk

## HOUSE AMENDMENTS

## TO SENATE CONCURRENT RESOLUTION No. 4079

On page 1, line 4, after the word "frozen" delete the words "cattle meat" and insert in lieu thereof the word "beef"

On page 2, line 6, following the word "foreign" delete the words "cattle meat" and insert in lieu thereof the word "beef"

On page 2, line 8, after the word "domestic" delete the words "cattle meat" and insert in lieu thereof the word "beef"

## House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2162  
House Bill No. 1516

Very respectfully,  
ROY GILBREATH, Chief Clerk  
House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on.

House Concurrent Resolution No. 3097

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged.

Senate Concurrent Resolution No. 4076

Senate Concurrent Resolution No. 4078

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed.

Senate Bill No. 2154

Senate Bill No. 2352

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass.

Senate Concurrent Resolution No. 4050

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House had adopted the conference committee report on:

Senate Bill No. 2177

Senate Bill No. 2195

Senate Bill No. 2224

Senate Bill No. 2245

Senate Bill No. 2287

ROY GILBREATH, Chief Clerk

Senator Nothing moved that the Senate recess until 1:30 P.M. which motion prevailed.

The Senate reconvened, the President presiding.

#### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3097. A concurrent resolution honoring and commending Senator Elton W. Ringsak on his selection as Handicapped American of the Year for 1974.

Which was read the first time.

#### MOTION

Senator Nothing moved that the rules be suspended, that House Concurrent Resolution 3097 not be printed as a resolution, but printed in the Journal, read in its entirety and placed on second reading for final passage, which motion prevailed.

#### HOUSE CONCURRENT RESOLUTION No. 3097

A concurrent resolution honoring and commending Senator Elton W. Ringsak on his selection as Handicapped American of the Year for 1974.

WHEREAS, our colleague, Senator Elton W. Ringsak, has always been a great credit to the Legislative Assembly and a source of inspiration to his fellow Senators and to members of the House of Representatives; and

WHEREAS, Elton Ringsak also serves as an exemplar of courage and perseverance to handicapped and non-handicapped citizens throughout the State and throughout the Nation; and

WHEREAS, Senator Ringsak has previously been selected as North Dakota's Outstanding Handicapped Citizen for 1974; and

WHEREAS, the President's Committee on Employment of the Handicapped has selected Elton Ringsak as the Handicapped American of the Year for 1974, and President Ford will present the President's Trophy to him on May 1, 1975, in Washington, D.C.; and

WHEREAS, Senator Ringsak's selection recognizes that he is truly a champion of the handicapped, and represents a signal honor for the State of North Dakota and for the Legislative Assembly in which he so ably serves;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-fourth Legislative Assembly takes greatest pleasure in congratulating and honoring our colleague, Senator Elton W. Ringsak, on his selection as Handicapped American of the Year for 1974 by the President's Committee on Employment of the Handicapped; and that the Assembly is proud and pleased by the selection, believing it well deserved; and

BE IT FURTHER RESOLVED, that the Secretary of State deliver an enrolled copy of this resolution to Senator Elton W. Ringsak.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3097. A concurrent resolution honoring and commending Senator Elton W. Ringsak on his selection as Handicapped American of the Year for 1974.

Was read the second time.

The question being on the final adoption of the resolution.

Senator Nething: It has been a great experience to have known Senator Ringsak through the years, and particularly I hope that you new senators that have served this session with him will understand the affection and esteem within we all hold our colleague from District 16. Mr. President, I move the adoption of the resolution, which motion prevailed.

Senator Hoffner: I have had many battles with the handicapped Elton Ringsak and I'll clue you he has no handicaps as far as we are concerned, I'm sure. I want to add that very deserving Senator Ringsak and you can be sure that we'll remember this day as long as you will.

House Concurrent Resolution 3097 was adopted.

#### PERSONAL PRIVILEGE

Senator Solberg:

I consider it a personal privilege since I've known him many, many years. I would like to recite for you Browning's "Ode to Man" and may we dedicate it to our fellow senator. Browning put it this way:

"A man is a success who lives well, laughs often, and loves much.

Who gains the respect of intelligent men and the love of little children.

Who fills his niche and accomplishes his task and he leaves the world better than he found it.

Whether by an improved poppy, a perfect poem or a rescued soul.

Who never lacks appreciation for the earth's beauty and who never fails to express it.

Who always sees the best there is in others and gives the best he has. This man is an inspiration and his memory shall become a benediction."

Senator Wenstrom moved that the remarks of Senator Solberg be printed in the Journal, which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2271 has had the same under consideration and recommends:

That the House recede from its amendments.

For the Senate:

Senator Reiten  
Senator Goodman  
Senator Berube

For the House:

Representative Kretschmar  
Representative Rundle  
Representative Anderson

Senator Reiten moved that the report be adopted, which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2313 has had the same under consideration and recommends:

That the Senate accede to the House amendments.

For the Senate:

Senator Freed  
Senator Iszler  
Senator Schuster

For the House:

Representative Atkinson  
Representative Winkjer  
Representative Irving

Senator Freed moved that the report be adopted, which motion prevailed.

#### MOTIONS

Senator Freed moved that the rules be suspended, that Senate Bill No. 2313 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

Senator Freed moved that the Senate reconsider its action whereby the conference committee report to Senate Bill 2313 was adopted, which motion prevailed. Senator Freed moved that the Senate do not concur in the House amendments to Senate Bill 2313, that the conference committee be dissolved, and that the President appoint a committee of 3 for a new conference committee on Senate Bill 2313, which motion prevailed.

The President appointed as a new conference committee on Senate Bill 2313:

Senator Freed  
Senator Ringsak  
Senator Schuster

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1516 has had the same under consideration and recommends:





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, 6.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET	●		● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN	●	
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		●
● FRITZELL			● LIPS			● RINGSAK			● TWETEN	●	
● GOODMAN			● LONGHAIRE			● SANDS	●		● VOSPER		
● GROHVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14	●		● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

PERSONAL PRIVILEGE

Senator Schuster:

Mr. President, Ladies and Gentlemen of the Senate, having a little time in the last day, I have been pursuing the Declaration of Independence and I ran across something that may be of some interest to you. It relates somewhat to our presence here today, not totally but a little bit. It's one of the grievances against the King of England. He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their public records for the sole purpose of fatiguing them into compliance with his measures.

Senator Pyle:

I wish our leader was here at this moment, I'm sure he would have an answer to that.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Bill No. 2095, as printed on page 1278 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2095 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

Senate Bill No. 2095. A Bill for an Act to create and enact section 38-14-02.1 of the North Dakota Century Code, relating to soil surveys, and to amend and reenact sections 38-14-01, 38-14-02, 38-14-03, 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-07, and 38-14-12 of the North Dakota Century Code, relating to policy, definitions, licensing of mining operations, notice of intention to mine, duties of the operator, limitations in granting permits, bond of the operator, and providing a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET	●		● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NOTHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		

● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDJIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

### PERSONAL PRIVILEGE

Senator Stroup: Mr. President, I rise on a point of personal privilege and request that my remarks be printed in the Journal.

This is on the basis of Senate Bill 2095 and the section of the Senate Bill 2095 that has caused so much of a problem is subsection 2 of section 7 and that is that the operator shall in such a manner as be required by the commission, save, segregate, and respread suitable plant growth material within the permit area up to a maximum of five feet; provided, however, that if up to five feet of such material is not available within the permit area, all suitable plant growth material that is available shall be spread over the regraded area as prescribed by the commission. In the interest of achieving the maximum reclamation provided for in this chapter, the operator may, or at the direction of the commission shall, utilize such soil amendments as described in subsection 17 of section 38-14-02.

This is where the problem and the question that just arose a few moments ago is over the definition of the amount of soil that is to be saved, segregated, and respread. There seems to be much apprehension as to what is suitable plant growth material. It was defined in the chapter and is to be accompanied by the soils maps prepared by a professional soils classifier and the analysis also prepared by a professional soil classifier and the soil conservation service. These are submitted to the Public Service Commission reclamation director. After consultation with these agencies that demonstrate their expertise themselves, then they determine the depth of the soil and the types of the soil that should be saved, segregated and respread. In most of the plans and premise this will be undoubtedly less than the 5 foot of desirable, suitable plant growth material available in the area. Therefore, they would only be requiring that depth that is determined by the Public Service Commission. Thus, it is not our intent to require the operators to secure any more suitable plant growth material than existed within the permltal area. Further, it is our intent that the Public Service Commission in their rules and regulations would clarify another problem that has developed and that is the movement of suitable soil and material from one surface owner's leasee's property to another owner's leased land during the process of mining and reclaiming the land. As many of you know, a many affect is developed over who owns the fence and whose going to maintain it. You can well imagine the problems that may exist when you are going to try to move one pound of one man's dirt over on to the other one's and this is one of the problems that the rules and regulations I believe should specify along with that of the amount of soil that is suppose to be moved.

### 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 1, line 19 of the engrossed bill, delete the numerals "355,435", and insert in lieu thereof the numerals "341,263"

On page 2, line 1 of the engrossed bill, delete the numerals "446, 213" and insert in lieu thereof the numerals "432,041"

On page 2, line 4 of the engrossed bill, delete the numerals "13,952" and insert in lieu thereof the numerals "21,628"

On page 2, line 8 of the engrossed bill, delete the numerals "21,402" and insert in lieu thereof the numerals "29,078"

On page 2, line 12 of the engrossed bill, delete the numerals "35,800" and insert in lieu thereof the numerals "40,800"

On page 2, line 14 of the engrossed bill, delete the numerals "9,600" and insert in lieu thereof the numerals "11,600"

On page 2, line 17 of the engrossed bill, delete the numerals "405,049" and insert in lieu thereof the numerals "412,049"

On page 2, line 21 of the engrossed bill, delete the numerals "300,000" and insert in lieu thereof the numerals "200,000"

On page 2, line 22 of the engrossed bill, delete the numerals "305,000" and insert in lieu thereof the numerals "205,000"

On page 3, line 7 of the engrossed bill, delete the numerals "211,031" and insert in lieu thereof the numerals "222,749"

On page 3, line 13 of the engrossed bill, delete the numerals "353,445" and insert in lieu thereof the numerals "365,163"

On page 3, line 26 of the engrossed bill, delete the numerals "2,948,144" and insert in lieu thereof the numerals "2,884,944"

On page 3, line 27 of the engrossed bill, delete the numerals "488,850" and insert in lieu thereof the numerals "470,250"

On page 3, line 32 of the engrossed bill, delete the numerals "12,000" and insert in lieu thereof the numerals "20,400"

On page 3, line 34 of the engrossed bill, delete the numerals "4,268,123" and insert in lieu thereof the numerals "4,194,723"

On page 4, line 21 of the engrossed bill, delete the numerals "450,022" and insert in lieu thereof the numerals "469,714"

On page 4, line 26 of the engrossed bill, delete the numerals "535,414" and insert in lieu thereof the numerals "555,106"

On page 5, line 3 of the engrossed bill, delete the numerals "1,228,790" and insert in lieu thereof the numerals "1,273,979"

On page 5, line 9 of the engrossed bill, delete the numerals "1,631,511" and insert in lieu thereof the numerals "1,676,700"

On page 5 of the engrossed bill, delete lines 24 through 29

On page 6, line 9 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 10 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "19,000"

On page 6, line 11 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "19,000"

On page 6, line 13 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "19,000"

On page 6, line 14 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 15 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 16 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 17 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 18 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 19 of the engrossed bill, delete the numerals "17,000" and insert in lieu thereof the numerals "15,000"

On page 6, line 21 of the engrossed bill, delete the numerals "501,000" and insert in lieu thereof the numerals "453,000"



So the bill passed and the title was agreed to.  
 MESSAGES FROM THE HOUSE  
 House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a new conference committee to act with a like committee from the Senate, on House Bill No. 1418.

Rep. Watkins  
 Rep. Nicholas  
 Rep. Fleming

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1014  
 House Bill No. 1046  
 House Bill No. 1224  
 House Bill No. 1509  
 House Bill No. 1514

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1418  
 House Bill No. 1541  
 House Bill No. 1591  
 House Bill No. 1593

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2004  
 Senate Bill No. 2005  
 Senate Bill No. 2022  
 Senate Bill No. 2039  
 Senate Bill No. 2041  
 Senate Bill No. 2047  
 Senate Bill No. 2050  
 Senate Bill No. 2064  
 Senate Bill No. 2079  
 Senate Bill No. 2081  
 Senate Bill No. 2090  
 Senate Bill No. 2143  
 Senate Bill No. 2167  
 Senate Bill No. 2193  
 Senate Bill No. 2231  
 Senate Bill No. 2303  
 Senate Bill No. 2377  
 Senate Bill No. 2395  
 Senate Bill No. 2432  
 Senate Bill No. 2443  
 Senate Bill No. 2452  
 Senate Concurrent Resolution No. 4046  
 Senate Concurrent Resolution No. 4054

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred

House Bill No. 1014 has had the same under consideration and recommends:

That the House accede to the Senate Amendments.

For the Senate  
 Senator Strinden  
 Senator C. Schultz  
 Senator Maher

For the House  
 Representative Unhjem  
 Representative Eagles  
 Representative Mushik

Senator Strinden moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1046 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1046 be amended as follows:

On page 1, line 14, of the engrossed bill, delete the following:

“; and to amend and” and insert a period in lieu thereof

On page 1, delete lines 15 through 23

On page 11, delete lines 17 through 35

Delete pages 12 through 16 of the engrossed bill.

And renumber the lines, pages and sections accordingly.

For the Senate  
 Senator Freed  
 Senator Sands  
 Senator Lashkowitz

For the House  
 Representative Kretschmar  
 Representative Winkjer  
 Representative Irving

Senator Freed moved that the report be adopted, which motion prevailed.

Senator Freed moved that the rules be suspended, that House Bill No. 1046 be placed on second reading and final passage, as amended, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 1046.** A Bill for an Act to create and enact subsection 6 of section 30.1-05-05, and to amend and reenact section 30.1-02-05, subsection 1 of section 30.1-04-03, subsection 2 of section 30.1-12-02, subsection 1 of section 30.1-14-07, subsection 1 of section 30.1-15-03, subsection 2 of section 30.1-15-14, section 30.1-17-03, subsection 2 of section 30.1-18-06, subsection 1 of section 30.1-21-01, section 30.1-26-02, the initial paragraph of section 30.1-29-01, subsection 2 of section 30.1-29-07, sections 30.1-29-11, 30.1-29-14, 30.1-32-01, and 30.1-34-04 as contained in section 1 of chapter 257 of the 1973 Session Laws of North Dakota, relating to decedents' estates, conservatorships, and trusts; to amend and reenact section 38-13-01 of the North Dakota Century Code, relating to trustees for execution of mineral leases.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 2; absent and not voting 8.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ	•		• REDLIN		•	• STROUP	•	
• FREED			• LEE			• REITEN			• THANE		
• FRITZEL			• LIPS			• RINGSAK			• TWETEN	•	
• GOODMAN	•		• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD			• MAHER	•		• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		•	• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH	•		• SCHUSTER			MR. PRESIDENT		

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. 1224 has had the same under consideration and recommends:

That the Senate recede from its amendments.

For the Senate  
 Senator Lee  
 Senator Wright  
 Senator Conlin

For the House  
 Representative Timm  
 Representative Roysse  
 Representative Bye

Senator Lee moved that the report be adopted, which motion prevailed.

Senator Lee moved that the rules be suspended, that House Bill No. 1224 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1224. A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code, relating to the limitations on county tax levies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 37; nays, 9; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ	•		• REDLIN			• STROUP	•	
• FREED			• LEE			• REITEN			• THANE		
• FRITZEL			• LIPS			• RINGSAK			• TWETEN	•	
• GOODMAN	•		• LONGMIRE			• SANDS	•		• VOSPER		
• GRONHOVD			• MAHER	•		• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14		•	• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH	•		• SCHUSTER			MR. PRESIDENT		

So the bill passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred





Senator Smykowski moved that the report be adopted, which motion prevailed.

Mr. President: Your Conference Committee to whom was referred House Bill No. 1514 has had the same under consideration and recommends:

That the House accede to the Senate amendments.

For the Senate  
 Senator Naaden  
 Senator Wenstrom  
 Senator Maher

For the House  
 Representative Knudson  
 Representative Hildebrand  
 Representative Metzger

Senator Naaden moved that the report be adopted, which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1541 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill No. 1541 be amended as follows:

On page 1, line 1 of the engrossed bill, following the words "A BILL" delete the remainder of the line and the remainder of the bill, and insert in lieu thereof the following words: "for an Act to provide for the liability of political subdivisions, to set limitations upon such liability, to establish a political subdivisions liability fund and to limit the liability of the fund, to provide for notice and a statute of limitations, to provide a procedure for making payments from the fund for claims and judgments against political subdivisions, to allow the attorney general to administer and defend the fund, to authorize the state and political subdivisions to purchase insurance coverage, to declare legislative intent, to provide an appropriation, to declare an emergency and to provide an expiration date.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DEFINITIONS. ) As used in this Act, unless the context or subject matter otherwise requires:

1. "Claim" means any claim brought against a political subdivision, as permitted by this Act, for an injury caused by an act or omission of a political subdivision or an employee of the political subdivision acting within the scope of his employment or scope of his office.

2. "Employee" means any officer, employee, or servant of a political subdivision, whether elected or appointed and whether or not compensated, but shall not include an independent contractor, or any person performing tasks, the details of which the political subdivision has no right to control.

3. "Fund" means the political subdivisions liability fund, as provided by this Act.

4. "Injury" means death, injury to a person, damage to or loss of property, or any other injury that a person may suffer to his person or estate that would be actionable if inflicted by a private person or his agent.

5. "Political subdivision":

a. Shall include all counties, townships, park districts, school districts, cities, and any other units of local government which are created either by statute or by the Constitution of this state for local government or

other public purposes, including, but not limited to, county fair associations, county hospital associations, county park districts and joint county park districts, county special service districts, Garrison diversion conservancy district, health districts, irrigation districts, reclamation districts, rural fire protection districts, soil conservation districts, and water management districts, except that no new units of government or political subdivisions are created or authorized by this Act.

b. Shall not include, nor shall be construed to mean, either the state of North Dakota or any of the several agencies, bureaus, boards, commissions, institutions, councils, courts, departments, or offices of government which collectively constitute the government of the state of North Dakota.

#### SECTION 2. LIABILITY OF POLITICAL SUBDIVISIONS — LIMITATIONS.)

1. Each political subdivision shall be liable for money damages for injuries when such injuries are proximately caused by the negligence or wrongful act or omission of any employee acting within the scope of his employment or office under circumstances where such employee would be personally liable to a claimant in accordance with the laws of this state, or injury caused from some condition or use of tangible property, real or personal, under circumstances where such political subdivision, if a private person, would be liable to the claimant.

2. Such liability is subject to the provisions of this Act, and liability shall not extend to punitive or exemplary damages. The liability of political subdivisions under the provisions of this Act shall be limited to twenty thousand dollars per person and one hundred thousand dollars for any single occurrence for injury.

A political subdivision shall not be liable for any claim based upon an act or omission of an employee of a political subdivision, exercising due care, in the execution of a statute or regulation, whether or not such statute or regulation be valid, or based upon the exercise or performance, exercising due care, or the failure to exercise or perform a discretionary function or duty on the part of a political subdivision or its employees, whether or not the discretion involved be abused. The sovereign immunity of the state is not waived in any manner by this Act, and the provisions of this Act shall not be construed to abrogate the immunity of the state. Nothing contained in this Act shall be construed to obligate the fund or political subdivisions for an amount which is more than the limitations upon liability imposed by this Act. Any payments to persons under the provisions of this Act shall constitute payment in full of any compromised claim or judgment or any final judgment under the provisions of this Act.

SECTION 3. POLITICAL SUBDIVISIONS LIABILITY FUND — FUND NOT LIABLE FOR MOTOR VEHICLES.) There is hereby created in the office of the state treasurer a political subdivisions liability fund which shall be used to pay compromised claims and judgments and final judgments against any political subdivision of this state as provided by this Act, and which shall be administered by the attorney general. No payment from the fund for a compromised claim or judgment or a final judgment against a political subdivision shall exceed the liability limitations imposed by this Act. The fund shall not be liable for any claims for injuries arising out of, or by reason of, the use or operation of motor vehicles or aircraft by a political subdivision. Political subdivisions using or operating motor vehicles or aircraft may purchase insurance coverage for their own protection and for the protection of their employees in the manner provided by section 39-01-08, except that political subdivisions shall be liable for such injuries to the extent of the liability limitations imposed by this Act, irregardless of whether such

political subdivision has purchased such insurance coverage. In any action arising out of, or by reason of, the use or operation of motor vehicles or aircraft by a political subdivision, the provisions of sections 5 through 10, inclusive, shall not apply.

SECTION 4. NOTICE — STATUTE OF LIMITATIONS.)

1. Except as otherwise provided, any claim against a political subdivision for injuries alleged to have arisen under the provisions of this Act shall be filed, within ninety days after the alleged occurrence of such injury, in the office of the county auditor. Such claim shall be signed and verified by the claimant and shall describe the time, place, cause, and extent of the damage or injury, shall contain an abstract of the facts upon which the claim is based, and shall specify the amount of damages claimed therefor. If it shall appear by the affidavit of a reputable physician that the injured person was rendered, by the injury complained of, mentally incapable of making the claim within the time specified in this section, the claim may be filed, if the claimant survives, within ninety days after the claimant becomes competent to make the same. The affidavit of the physician shall be prima facie evidence of mental incapacity, and may be controverted on the trial of an action for such damages. If the injured person shall die within ninety days after the happening of the injury, or before he shall become mentally competent to make the claim, the claim may be made within ninety days after the death of the injured person by any person having knowledge of the facts, and the person making such claim shall set forth therein specifically the facts relating to the injury of which he has personal knowledge and shall verify such facts positively. The facts of which the person making the claim has no personal knowledge shall be verified to the best of his knowledge, information, and belief. Notice of such claim shall also be given by the claimant to the political subdivision concerned and to the attorney general within ten days of filing such claim with the county auditor.

2. An action brought under this Act must be commenced within three years after the cause of action has accrued.

SECTION 5. POLITICAL SUBDIVISION TO DEFEND SUIT — APPROVAL OF ATTORNEY GENERAL.) Upon receipt of notice of a claim for injuries alleged to have arisen under the provisions of this Act, a political subdivision shall retain an attorney to represent and defend the political subdivision in any proceedings concerning such a claim. The attorney for the political subdivision may propose a compromise of such a claim and may defend the political subdivision in any action brought upon the claim. The attorney general shall review any such proposed compromise, and if the attorney general, in his discretion, determines that the alleged facts concerning the claim warrant such a compromise agreement, he shall authorize a compromise agreement in the manner prescribed by section 9.

SECTION 6. CLAIMS AGAINST FUND.) When any person shall obtain a final judgment in any court of competent jurisdiction against any political subdivision pursuant to this Act, such person shall, upon notice to the attorney general, file an application in the court in which the judgment was entered for an order to direct payment of such a judgment from the fund. The court shall conduct a hearing upon the filing of the application, which may be continued within the discretion of the court for such period as the court may deem appropriate. The applicant shall show that he has obtained a final judgment against a political subdivision pursuant to this Act and shall state the amount thereof. After a hearing upon the filing of an application, the court may order payment of a final judgment from the fund only upon a determination that the person has a valid cause of action against a political subdivision pursuant to this Act

and has otherwise complied with the provisions of this Act. The judgment shall be only prima facie evidence of such a cause of action and for the purposes of this Act shall not be conclusive. The attorney general may appear and be heard on any application from the fund and may show cause, if any there be, why an order should not be made, pursuant to this section and sections 7 and 8.

**SECTION 7. ORDER FOR PAYMENT.)** If, after a hearing, the court finds that said claim should be levied against the fund, the court shall enter an order directing the state treasurer to pay from said fund the amount of the judgment against a political subdivision, within the limits provided by this Act.

**SECTION 8. APPEAL FROM JUDGMENT OR ORDER.)** A judgment or order made pursuant to this Act shall be subject to appeal to the supreme court by the political subdivision or the attorney general in the manner provided by law.

**SECTION 9. COMPROMISE OF CLAIM OR JUDGMENT.)** At any time prior to payment of a final judgment from the fund, the attorney general, in his discretion, may enter into an agreement with a person making a claim against a political subdivision or a holder of a final judgment against a political subdivision for a compromise of such a claim or judgment for a sum which is less than the amount of the claim or judgment. The attorney general shall reduce such an agreement to writing and shall certify the agreement to the state treasurer, who shall pay the amount specified in the agreement, not to exceed the limitations imposed by this Act.

**SECTION 10. CLAIMS SATISFIED IN ORDER OF FILING.)** In the event that there is insufficient moneys in the fund to satisfy the order or compromise agreement at the time such order or judgment is filed, the order shall be registered by the state treasurer and shall be paid when the moneys are available in said fund. Subsequent orders or agreements shall be paid therefrom in the order of registration.

**SECTION 11. STATE AND POLITICAL SUBDIVISIONS AUTHORIZED TO PURCHASE INSURANCE.)** The state of North Dakota or any department, agency, or bureau, and any political subdivision of the state, is hereby authorized to insure against claims of loss, damage, or injury for its own protection and for the protection of any employee. Except as provided by section 3, the limitations on claims against political subdivisions payable by the fund, as provided by this Act, shall be deductible from any insurance coverage purchased by a political subdivision in the manner provided by this section, and no political subdivision shall be required to purchase insurance coverage for amounts for which the fund may be held liable. If a premium savings will result therefrom, such policies of insurance may be taken out for more than one year, but in no event beyond a period of five years.

1. If the state or any department, agency, or bureau thereof shall purchase insurance pursuant to this section, then the purchaser shall waive its immunity to suit only to the types of insurance coverage purchased and only to the extent of the policy limits of such coverage.

2. If a political subdivision shall purchase insurance pursuant to this section which shall exceed the limitations upon liability imposed by this Act, the political subdivision shall waive the limitations of the liability imposed by this Act only to the extent that such coverage exceeds such limitations. Where a political subdivision has purchased insurance coverage pursuant to this section, the fund shall be liable for a claim or judgment in the manner and subject to the limitations provided by this Act, and the political subdivision which has purchased insurance coverage shall be liable for any amount contained in a final judgment which shall exceed the limitations imposed by this Act, but only as to the types of coverage purchased.

If any dispute exists concerning the amount or nature of the insurance coverage, the dispute shall be tried separately. This Act confers no right on a claimant to sue an insurer directly. The insurance coverage authorized by this Act may be in addition to insurance coverage which may be purchased by the state or any department, agency, or bureau thereof, or a political subdivision under any other provision of law.

SECTION 12. APPROPRIATION.) There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$500,000.00, or so much thereof as may be necessary, to the political subdivisions liability fund for the purpose of paying compromised claims and judgments and final judgments according to the provisions of this Act for the period beginning on the effective date of this Act, and ending June 30, 1977.

SECTION 13. LEGISLATIVE INTENT.) It is the intent of the legislature that this Act is to provide the political subdivisions of this state with temporary protection only until July 1, 1977. This Act is deemed to be in the best interest of the people of this state and is an exercise of the police powers. This Act is a temporary response to the recent judicial decision which held that the doctrine of governmental immunity from tort liability as it applies to political subdivisions should not be sustained in this state. It is the policy of the legislature to encourage political subdivisions to continue to maintain present liability insurance coverage pending a legislative council study of governmental immunity and to encourage political subdivisions to maintain insurance coverage for motor vehicles and aircraft.

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.

SECTION 15. EXPIRATION DATE.) The provisions of this Act shall remain in effect through June 30, 1977, and shall thereafter be of no force and effect."

And renumber the lines, pages, and sections accordingly.

And when so amended recommends the same do pass and be re-referred to the Committee on Appropriations.

For the Senate  
 Senator Goodman  
 Senator Reiten  
 Senator Berube

For the House  
 Rep. Royse  
 Rep. Kretschmar  
 Rep. Anderson

#### MOTION

Senator Goodman moved that House Bill 1541 be re-referred to the Committee on Appropriations, which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1591 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1591 be amended as follows:

"On page 1, line 5, delete the words "paraplegic" and insert in lieu thereof the word "disabled"

"On page 1, line 13, delete the words "upon lots in"

"On page 1, delete all of lines 14 through 24 and insert in lieu thereof the following:

"up to the amount of valuation specified, when owned and occupied as a homestead, as hereinafter defined, by any of the following persons:

a. A paraplegic disabled veteran of the United States armed forces, or his unremarried widow if such veteran is deceased, provided that this exemption shall not exceed ten thousand dollars of net assessed valuation.

b. A disabled veteran of the United States armed forces who was discharged under honorable conditions or who has been retired from the armed forces of the United States with an armed forces service connected disability of fifty percent or greater, or his unremarried widow if such veteran is deceased, if the income of such veteran and his wife, or if such veteran is deceased the income of his unremarried widow, in the calendar year prior to the year for which the exemption is claimed did not exceed five thousand dollars from all sources exclusive of any compensation or pension for service connected disability from the United States government, provided that this exemption shall not exceed four thousand dollars of assessed valuation.

Any person claiming an exemption under this subsection for the first time shall file with the county auditor an affidavit showing the facts herein required and a description of the property and, in addition, a disabled veteran claiming exemption under subdivision b shall also file with his affidavit a certificate from the United States veterans administration, or its successors, certifying to the amount of his disability; such affidavit and certificate shall be open for public inspection. Any such person shall thereafter furnish to the assessor or other assessment officials when requested to do so any information which he believes will support his claim for exemption for any subsequent year.

For purposes of this subsection "homestead" shall have the meaning provided in section 47-18-01 except that it shall also apply to any person who otherwise qualifies under the provisions of this subsection whether or not such person is the head of a family."

"On page 2, delete lines 1 through 14

"On page 2, line 15, delete the letters "spection"

"On page 2, line 22, delete the words "upon lots in"

"On page 2, line 23, delete the words "any city"

"On page 2, line 24, delete the word "for" and insert in lieu thereof the words "when owned and occupied as a homestead, as hereinafter defined, by a"

On page 2, line 24, delete the word "persons" and insert in lieu thereof the following:

"person, or if such person is deceased the unremarried spouse, if the income of such person and spouse, or if such person is deceased the income of the unremarried surviving spouse, in the calendar year prior to the year for which the exemption is claimed did not exceed five thousand dollars from all sources"

"On page 2, line 25, insert before the comma the words "for the first time"

"On page 2, line 31, after the period insert the following:

"Any person claiming the exemption for any year after the first year shall furnish to the assessor or other assessment officials when requested to do so any information which he believes will support his claim for the exemption for any subsequent year. For purposes of this subsection "homestead" shall have the meaning provided in section 47-18-01 except that it shall also apply to any person who otherwise qualifies under the provisions of this subsection whether or not such person is the head of a family."





Senate Chamber

Mr. Speaker: I have the honor to transmit herewith the following Senate Bills Nos. 2001, 2271, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1014, 1046, 1224, 1418, 1509, 1514, 1516, 1591, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:  
House Concurrent Resolution 3097  
Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

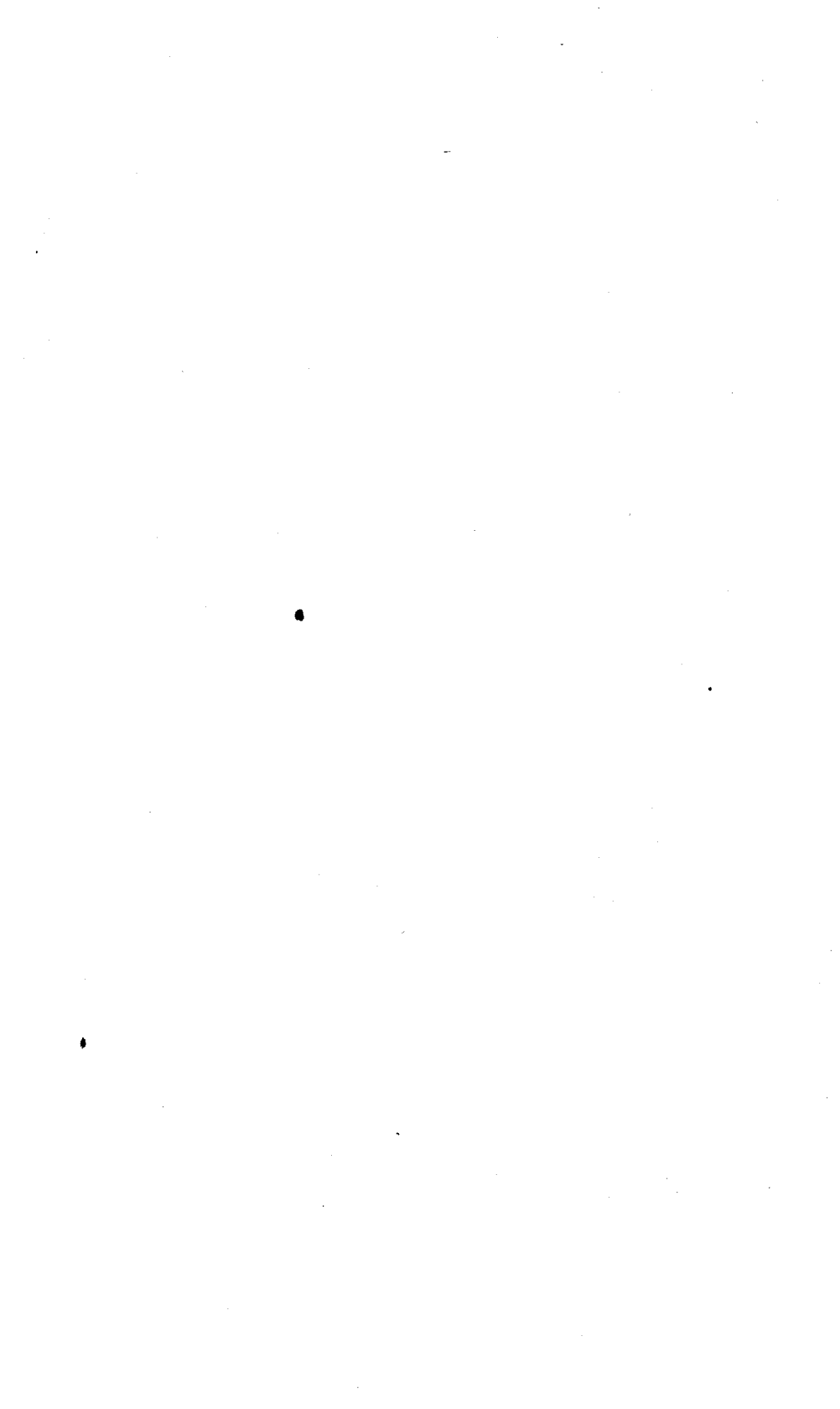
Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1609  
House Concurrent Resolution 3017  
Which the Senate has amended.

LEO LEIDHOLM, Secretary

Senator Nething moved that the Senate recess until 9:00 A.M., Monday, March 24, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTY-FOURTH DAY AFTER RECESS  
AND FIFTY-FIFTH DAY

Bismarck, March 24, 1975

The Senate convened at 9:00 A.M., pursuant to recess taken, the President presiding.

REPORT OF PROCEDURAL COMMITTEE

The committee on Enrollment and Engrossment respectfully reports that:

- Senate Concurrent Resolution No. 4008
- Senate Concurrent Resolution No. 4019
- Senate Concurrent Resolution No. 4020
- Senate Concurrent Resolution No. 4040
- Senate Concurrent Resolution No. 4041

Were delivered to the Secretary of State on March 24, 1975.

SENATOR STRAND, Chairman

Mr. President: Your committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 2024
- Senate Bill No. 2036
- Senate Bill No. 2065
- Senate Bill No. 2070
- Senate Bill No. 2223
- Senate Bill No. 2234
- Senate Bill No. 2240
- Senate Bill No. 2301

And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Strand 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. 2424

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Vosper 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. 2024
- Senate Bill No. 2036
- Senate Bill No. 2065
- Senate Bill No. 2070
- Senate Bill No. 2223
- Senate Bill No. 2234
- Senate Bill No. 2240
- Senate Bill No. 2301
- Senate Bill No. 2424

And the President signed the same in the presence of the Senate.

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2024

Senate Bill No. 2036

Senate Bill No. 2065

Senate Bill No. 2070

Senate Bill No. 2223

Senate Bill No. 2234

Senate Bill No. 2240

Senate Bill No. 2301

Senate Bill No. 2424

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 2467.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

House Bill No. 1161

And the Speaker appointed as a new conference committee.

Rep. Timm

Rep. Goetz

Rep. Wilkie

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following Senate Bill No. 2453, on which the House has not adopted the conference committee report.

And the Speaker has appointed as a new conference committee:

Rep. Vander Vorst

Rep. Tennefos

Rep. Langley

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Concurrent Resolution No. 3017.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1413

ROY GILBREATH, Chief Clerk

#### MOTIONS

Senator Nothing moved that the Senate accede to the request of the House and return Senate Bill 2467, which motion prevailed.

Senator Nothing moved that Senate Bill 2467 be messaged to the House immediately, which motion prevailed.

Senator Nothing moved that the Senate stand at ease subject to the call of the chair, which motion prevailed.

The Senate reconvened, the President presiding.

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return: Senate Bill No. 2467 which the House requested.

LEO LEIDHOLM, Secretary

## REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that Senate Bill No. 2175 which has failed to pass the House of Representatives over the Governor's veto, also a copy of the Governor's objections as well as the certificate of the presiding officers of the Senate and House as to the final action of that body with reference to the passage of this bill, was delivered to the Secretary of State.

SENATOR STRAND, Chairman

## SPECIAL ORDER OF BUSINESS

Senator Nething moved that the name of Senator H. Kent Jones be placed in nomination as a member of the North Dakota Heritage Commission, which motion prevailed.

Senator Barth moved that the name of Senator Walter Erdman be placed in nomination as a member of the North Dakota Heritage Commission, which motion prevailed.

Senator Lips moved that the nominations cease, which motion prevailed.

## ROLL CALL

The question being on nominating a member to the North Dakota Heritage Commission, the roll was called and there were 33 votes for Jones, 16 votes for Erdman, absent and not voting 2.

Those voting for Senator Jones were:

Christensen H.	Longmire	Reiten	Strand
Erdman	Melland	Ringsak	Strinden
Freed	Morgan	Sands	Stroup
Fritzell	Mutch	Sandness	Thane
Goodman	Naaden	Schultz C.	Tweten
Jacobson	Nasset	Schultz J.	Vosper
Kautzmann	Nething	Smykowski	Wenstrom
Lee	Pyle	Solberg	Wright
Lips			

Those voting for Senator Erdman were:

Barth	Hoffner	Larson	Redlin
Berube	Holand	Lashkowitz	Schuster
Christensen L.	Homuth	Maher	Shablow
Gronhoyd	Jones	Rait	Walsh

Absent and not voting:

Conlin Iszler

Senator H. Kent Jones was elected as a member of the North Dakota Heritage Commission.

Senator Erdman: Mr. President, members of the Senate, I would urge that the Secretary cast a unanimous ballot for H. Kent Jones and I wish him the best of luck.

Senator Nething moved that the name of Senator Russell Thane be placed in nomination as a member of the Education Commission of the States, which motion prevailed.

Senator L. Christensen moved that the name of Senator Rolland Redlin be placed in nomination as a member of the Education Commission of the States, which motion prevailed.

Senator Lips moved that the nominations cease, which motion prevailed.

## ROLL CALL

The question being on nominating a member to the Education Commission of the States, the roll was called and there were 32 votes for Senator Thane, 16 votes for Senator Redlin, absent and not voting 3.

Those voting for Senator Thane were:

Christensen H.	Lips	Pyle	Solberg
Freed	Longmire	Redlin	Strand
Fritzell	Melland	Reiten	Strinden
Goodman	Morgan	Ringsak	Stroup
Jacobson	Mutch	Sands	Tweten
Jones	Naaden	Sandness	Vosper
Kautzmann	Nasset	Schultz J.	Wenstrom
Lee	Nothing	Smykowski	Wright

Those voting for Senator Redlin were:

Barth	Gronhovd	Larson	Schuster
Berube	Hoffner	Lashkowitz	Shablow
Christensen L.	Holand	Maher	Thane
Erdman	Homuth	Rait	Walsh

Absent and not voting:

Conlin	Iszler	Schultz C.
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So Senator Thane was elected as a member of the Education Commission of the States.

Senator Redlin: Mr. President, members of the Senate, I move that we cast a unanimous ballot for Senator Thane and I wish him well in his duties and I know he can continue to perform as he has before in fine shape.

Senator Nothing moved that a president Pro Tempore be elected for the Interim, which motion prevailed.

Senator Ringsak moved that the name of Senator Emil Kautzmann be placed in nomination for President Pro Tempore during the Interim, which motion prevailed.

Senator Hoffner moved that the name of Senator L. Christensen be placed in nomination for President Pro Tempore during the Interim, which motion prevailed.

Senator Melland moved that the nominations cease, which motion prevailed.

## ROLL CALL

The question being on the nomination of President Pro Tempore during the Interim, the roll was called and there were 33 votes for Senator Kautzmann, 16 votes for L. Christensen, absent and not voting 2.

Those voting for Senator Kautzman were:

Christensen H.	Longmire	Reiten	Strand
Christensen L.	Melland	Ringsak	Strinden
Freed	Morgan	Sands	Stroup
Goodman	Mutch	Sandness	Thane
Iszler	Naaden	Schultz C.	Tweten
Jacobson	Nasset	Schultz J.	Vosper
Jones	Nothing	Smykowski	Wenstrom
Lee	Pyle	Solberg	Wright
Lips			

Those voting for Senator L. Christensen were:

Barth	Hoffner	Larson	Redlin
Berube	Holand	Lashkowitz	Schuster
Erdman	Homuth	Maher	Shablow
Gronhovd	Kautzmann	Rait	Walsh

Absent and not voting:

Conlin	Fritzell
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So Senator Kautzmann was elected President Pro Tempore during the Interim.

Senator L. Christensen: There isn't a lot of suspense in this type of an election, but I move at this time that a unanimous ballot be cast for Senator Kautzmann and I thank the members of the Minority party for voting for me.

Senator Kautzmann: Mr. President, members of the Senate, my sincere thanks for electing me to this position, I feel that it is a great honor, it has been just a delightful, most rewarding experience to have served with all of you in this 44th Legislative Assembly. I don't have to remind you that its an honor that doesn't come to everyone in North Dakota and I want you to know that I sincerely appreciate the honor of electing me President Pro Tempore during the Interim. Thank you so very much.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Morgan moved that the Senate do concur in the House amendments to Senate Concurrent Resolution 4079, as printed on page 1343 of the Senate Journal, which motion prevailed.

Senator Morgan moved that the rules be suspended, that Senate Concurrent Resolution 4079 be deemed properly engrossed and placed on second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

Senate Concurrent Resolution No. 4079. A concurrent resolution urging the President of the United States to exercise his authority pursuant to 7 U.S.C. 1854 to limit the import into the United States of fresh, chilled, or frozen cattle meat.

Which has been read.

The question being on the final adoption of the resolution, as amended.

Senator Morgan moved that the resolution be adopted, which motion prevailed, and Senate Concurrent Resolution 4079 was adopted.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2313 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill No. 2313 be amended as follows:

On page 1, line 16, of the engrossed bill, after the ending triple parentheses delete the word "thirty" and insert in lieu thereof the word "thirty-two"

On page 1, line 18, after the word "additional" insert the following: "one thousand"

On page 2, line 1, after the ending triple parentheses delete the word "twenty-eight" and insert in lieu thereof the word "thirty"

On page 2, line 11, delete the numeral "\$29,100.00" and insert in lieu thereof the numeral "\$26,308.00"

And renumber the lines and pages accordingly.

For the Senate

Senator Freed  
Senator Ringsak  
Senator Schuster

For the House

Representative Atkinson  
Representative Winkjer  
Representative Irving





North Dakota Century Code, relating to the salaries of county officers, the clerk of district court, and county sheriffs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 1, 2, and 4 of section 11-10-10 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

11-10-10. SALARIES OF COUNTY OFFICERS.) 1. The salary of the county auditor, county treasurer, county superintendent of schools, register of deeds, county judge, ((and)) state's attorney, clerk of district court, and sheriff shall be regulated by the population in the respective counties according to the last preceding official federal census from and after the date when the official report of such census shall have been published by the director of the census or such other official as may be charged with the duty of making such official publication;

2. The county treasurer, register of deeds, county judge, county auditor, clerk of district court, sheriff, and state's attorney each shall receive the following annual salary, payable monthly, for official services rendered:

a. In counties having a population not exceeding four thousand, the sum of seven thousand six hundred dollars.

b. ((Seven)) Eight thousand ((four)) six hundred dollars in counties having a population exceeding four thousand but with less than eight thousand.

c. ((Seven)) Eight thousand ((seven)) nine hundred dollars in counties having a population exceeding eight thousand ((but with less than thirty thousand population,)) plus additional compensation of one hundred dollars per year for each one thousand additional population or major fraction thereof ((, but not to exceed the total sum of nine)) over eight thousand ((eight hundred dollars)). However, in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subdivision.

d. ((In counties having a population in excess of thirty thousand, the sum of ten thousand four hundred dollars. However,)) State's attorneys in counties having a population exceeding thirty-five thousand shall receive a salary of from ((fourteen)) sixteen thousand one hundred to twenty-four thousand dollars, to be determined by resolution of the board of county commissioners.

4. The county superintendent of schools shall receive the following annual salary, payable monthly, for official services rendered:

a. In counties having a population not exceeding four thousand, the sum of ((six)) seven thousand ((six)) two hundred dollars.

b. ((six)) seven thousand ((seven)) three hundred dollars in counties having a population exceeding four thousand but with less than eight thousand.

c. Seven thousand six hundred dollars in counties having a population exceeding eight thousand ((but with less than thirty thousand population,)) plus additional compensation of one hundred dollars per year for each one thousand additional population or major fraction thereof over eight thousand ((, but not to exceed the total sum of nine thousand one hundred dollars)). However, in counties where the population consists of more than twenty-five percent Indians who have not severed tribal relations, the county commissioners may adjust the salaries provided for herein within the limitations contained in this subdivision.

d. In counties having a population in excess of thirty thousand, the sum of ((nine)) ten thousand ((eight)) four hundred dollars.

In counties having a county court of increased jurisdiction, the salaries of the judges of county courts of increased jurisdiction shall be as set out in section 27-08-08. The county superintendent of schools shall receive for any trips necessarily made within his county in the performance of school district reorganization duties the same mileage as he receives under the provisions of section 11-10-15. The board of county commissioners of any county may, by resolution, increase the salary of any full-time county official by an amount not to exceed (((ten))) twenty percent above the salary provided in this section or section 27-08-08, if, in the judgment of such board, by reason of duties performed, the official merits the increase. Any county official performing duties on less than a full-time basis may be paid a reduced salary set by the board of county commissioners ((in any amount up to ten percent less than the salary provided for that official in this section. However, no salary shall be less than it was on July 1, 1970))). In the event the county has a group insurance program for its employees for hospital benefits, medical benefits, or life insurance financed in part or entirely by the county, such benefits may be in addition to the salaries payable to county officials ((under sections 11-10-10.2, 11-15-03.1, and this section))).

((Salaries paid to the county officials may be adjusted by the respective boards of county commissioners according to the national consumer price index for urban wage earners and clerical workers which is published by the United States department of labor. The adjustment of salaries, whether raised or lowered, shall be computed by using the percentage yearly change on all items from May of the preceding year to May of the present year, but in no event shall salaries be increased more than six percent in any given year. No adjustment in salaries shall be made prior to July 1, 1974.))

**SECTION 2. REPEAL.** Subsection 3 of section 11-10-10 and sections 11-10-10.2 and 11-15-03.1 of the 1973 Supplement to the North Dakota Century Code are hereby repealed."

And renumber the lines, pages, sections, and subsections accordingly.

For the Senate

Senator Schultz

Senator Symkowski

Senator Shablow

For the House

Rep. Hilleboe

Rep. Nicholas

Rep. Clancy

Senator J. Schultz moved that the report be adopted, which motion prevailed.

Senator J. Schultz moved that the rules be suspended, that House Bill No. 1413 be placed on second reading and final passage, as amended, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

**House Bill No. 1413.** A Bill for an Act to amend and reenact subsections 1, 2, and 4 of section 11-10-10 of the North Dakota Century Code, and to repeal subsection 3 of section 11-10-10 and sections 11-10-10.2 and 11-15-03.1 of the North Dakota Century Code, relating to the salaries of county officers, the clerk of district court, and county sheriffs.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 8; absent and not voting 5.



For the Senate  
 Senator Lee  
 Senator Wright  
 Senator Shablow

For the House  
 Rep. Gackle  
 Rep. Murphy  
 Rep. Laughlin

Senator Lee moved that the report be adopted, which motion prevailed.  
 Senator Lee moved that the rules be suspended, that House Bill No. 1593 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

**House Bill No. 1593.** A Bill for an Act to amend and reenact section 57-02-26 of the North Dakota Century Code, relating to taxation of certain property to lessee or equitable owner.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 43; nays, 3; absent and not voting 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI	●	
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE	●	
● FRITZELL		●	● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH	●	
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER	●		● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the Senate recess for the purpose of holding conference committee meetings, which motion prevailed.

The Senate reconvened, the President presiding.

MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on House Bill No. 1001:

Senator Longmire  
 Senator Thane  
 Senator Walsh

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President appointed as a new conference committee on Senate Bill No. 2453:

Senator Kautzmann  
 Senator Mutch  
 Senator Gronhovd

Very respectfully,  
 LEO LEIDHOLM, Secretary

## Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1413, 1593, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1010, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1010:

Senator Melland      Senator C. Schultz      Senator Larson

## MESSAGE TO THE HOUSE

## Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a new conference committee to act with a like committee from the House, on House Bill No. 1010:

Senator Melland  
Senator C. Schultz  
Senator Larson

LEO LEIDHOLM, Secretary

## REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2026 has had the same under consideration and recommends:

That the Senate accede to the House amendments which were adopted, as shown on pages 1157 through 1160 of the House Journal; that the House recede from its amendments which were adopted, being the Majority Report of the Committee on Appropriations, as shown on page 1246 of the House Journal; and that Senate Bill No. 2026 be further amended as follows:

On page 2 of the re-engrossed bill, delete all of lines 23 through 35

On page 3, delete all of lines 1 through 5

On page 3, line 30, delete the words "seven hundred five" and insert in lieu thereof the words "six hundred ninety"

On page 4, delete all of lines 19 through 22

On page 4, line 32, delete the ending triple parentheses after the word "schools,"

On page 4, line 33, delete the beginning triple parentheses before the word "that"

On page 7, line 6, insert beginning and ending triple parentheses around the comma and insert thereafter the word "and"

On page 7, line 8, insert beginning triple parentheses before the word "to"

On page 7, line 9, insert ending triple parentheses after the second comma

On page 11, line 23, delete the word "fourteen" and insert in lieu thereof the word "twelve"

On page 11, line 25, delete the word "twenty-eight" and insert in lieu thereof the word "twenty-six"

On page 11, line 32, after the word "city" insert the following new language: "with a population in excess of 250 and an area in excess of two square miles"

On page 16 after line 5, insert the following new section:

"SECTION 13. LEGISLATIVE INTENT.) It is the intent of the Forty-Fourth Legislative Assembly that in the 1975-1977 biennium, school districts give first consideration in the use of state school foundation program funds to increasing teacher salaries."

And renumber the lines, pages and sections accordingly.

For the Senate:

Senator Nasset  
Senator Tweten  
Senator Christensen

For the House:

Representative Knudson  
Representative Hildebrand  
Representative Jacobson

Senator Nasset moved that the report be adopted, which motion prevailed.

Senator Nasset moved that the rules be suspended, that Senate Bill No. 2026 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF SENATE BILLS

Senate Bill No. 2026. A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program and to provide future restrictions on foundation program payments; to create and enact section 15-40.1-16.1 of the North Dakota Century Code, relating to transportation aid for cooperative vocational education programs; to amend and reenact sections 15-40.1-06, 15-04.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-16, 15-40.2-03, and 57-15-14 of the North Dakota Century Code, relating to foundation program payments, tax levy limitations in school districts, aid for transportation, and tuition payments for school districts; to repeal section 57-58-02 of the North Dakota Century Code, relating to computation of grants-in-aid to county equalization funds; and declaring legislative intent.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL				1975 LEGISLATURE				
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●	ISZLER		●	NAADEN		●	SHABLOW	
●			●	JACOBSON		●	NASSET		●	SKYKOWSKI	
●			●	JONES		●	NOTHING		●	SOLBERG	
●			●	KAUTZMANN		●	PYLE		●	STRAND	
●			●	LARSON		●	RAIT		●	STRIDEN	
●			●	LASHKOWITZ		●	REDLIN		●	STROUP	
●			●	LEE		●	REITEN		●	THANE	
●			●	LIPS		●	RINGSAK		●	TWETEN	
●			●	LONGMIRE		●	SANDS		●	VOSPER	
●			●	MAHER		●	SANDNESS		●	WALSH	
●			●	MELLAND		●	SCHULTZ, C. #14		●	WENSTROM	
●			●	MORGAN		●	SCHULTZ, J. #32		●	WRIGHT	
●			●	MUTCH		●	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which Senate Bill No. 2026 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to transmit herewith the following Senate Bill No. 2026, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

### SECOND READING OF HOUSE BILLS

House Bill No. 1022. A Bill for an Act to create and enact section 15-40.1-16.1 of the North Dakota Century Code, relating to transportation aid for

cooperative vocational education programs; and to amend and reenact sections 15-40.1-16 and 15-40.1-17 of the North Dakota Century Code, to provide transportation aid to school districts for transporting pupils.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, (SJ 843 and 844), the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			MR PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1022 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1005. A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments, and various divisions thereof, of the state of North Dakota.

Which has been read.

Senator Melland moved that House Bill No. 1005 be amended as follows:

On page 1, line 20 of the engrossed bill, delete the numerals "151,250,000" and insert in lieu thereof the numerals "153,378,805"

On page 1, after line 20 of the engrossed bill, insert the following line:  
"School lunch program matching 750,000"

On page 1, line 23 of the engrossed bill, delete the numerals "158,532,096" and insert in lieu thereof the numerals "161,410,901"

On page 2, line 1 of the engrossed bill, delete the numerals "146,532,096" and insert in lieu thereof the numerals "149,410,901"

On page 2, line 7 of the engrossed bill, delete the numerals "128,302" and insert in lieu thereof the numerals and line "160,302"

On page 2 of the engrossed bill, delete line 8

On page 2, line 9 of the engrossed bill, delete the numerals "1,158,811" and insert in lieu thereof the numerals "1,142,811"

On page 2, line 11 of the engrossed bill, delete the numerals "614,941" and insert in lieu thereof the numerals "598,941"

On page 2, line 24 of the engrossed bill, delete the numerals "154,950,520" and insert in lieu thereof the numerals "157,813,325"

On page 2, line 26 of the engrossed bill, delete numerals "175,298,722" and insert in lieu thereof the numerals "178,161,527"

And renumber the lines and pages accordingly.

STATEMENT OF PURPOSE OF AMENDMENTS:

The Foundation Program line item was increased to reflect the per-pupil payments called for in Senate Bill No. 2026. The line item of \$750,000 entitled "school lunch program matching" was added to provide funds to school districts to match available federal funds for the school lunch programs.

Thirty-two thousand dollars was added to the equipment line item for the Division of Independent Study for the purchase of films. The line item for land structures and improvements was deleted since the improvements called for in this line are now included in the capital construction bill.

Senator Melland moved that the amendments be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1005 be placed on the calendar as amended for second reading and final passage, which motion prevailed.

### SECOND READING OF HOUSE BILLS

**House Bill No. 1005.** A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments, and various divisions thereof, of the state of North Dakota.

Was read the second time.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 0; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #37			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1005 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Concurrent Resolution No. 3098

ROY GILBREATH, Chief Clerk

### FIRST READING OF A HOUSE CONCURRENT RESOLUTION

**House Concurrent Resolution No. 3098.** A concurrent resolution congratulating the Parshall Braves on winning their first Class B state basketball championship and the Parshall cheerleaders on winning the state tournament spirit award.

Which was read the first time.

### MOTION

Senator Nething moved that the rules be suspended, that House Concurrent Resolution 3098 not be printed as a resolution, but printed in the Journal, read in its entirety and placed on second reading and final passage, which motion prevailed.



## HOUSE CONCURRENT RESOLUTION No. 3098

A concurrent resolution congratulating the Parshall Braves on winning their first Class B state basketball championship and the Parshall cheerleaders on winning the state tournament spirit award.

WHEREAS, the Parshall Braves are the 1975 Class B state basketball champions as a result of their victory Saturday, March 22, over the Larimore Polar Bears; and

WHEREAS, their 54-48 victory over Larimore provided the Braves with their first state basketball championship in Class B competition; and

WHEREAS, the Parshall Braves fought to the top of a 233-team Class B field with an outstanding 26-3 won-lost record, the three losses being by a total of six points; and

WHEREAS, this year marked Parshall's fifth trip to the state tournament in the past ten years and their third appearance under the guidance of Coach L.E. (Whitey) Buchholz; and

WHEREAS, the Parshall cheerleaders and fans also did their part in the Braves' victory by winning the state tournament spirit award;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Forty-fourth Legislative Assembly extends its congratulations to Coach L.E. (Whitey) Buchholz, Braves' team members John Hauge, Terry Kraft, Bob Frantsen, Dave Stewart, Robin Hoff, Terry Martens, Melvin Lockwood, Ronald Hovda, Craig Cochrane, Todd Sherven, Jim Wahner, and Scott Dalby, and student managers Kirk Rosin and Mike Hovey on winning their first Class B state basketball championship; and

BE IT FURTHER RESOLVED, that the Legislative Assembly also extends its congratulations to the Parshall cheerleaders on winning the state tournament spirit award; and

BE IT FURTHER RESOLVED, that duly enrolled copies of this resolution be forwarded by the Secretary of State to Coach L.E. (Whitey) Buchholz, the Parshall team members, student managers, and cheerleaders.

SECOND READING OF A  
HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3098. A concurrent resolution congratulating the Parshall Braves on winning their first Class B state basketball championship and the Parshall cheerleaders on winning the state tournament spirit award.

Was read the second time.

The question being on the final passage of the resolution.

Senator Wright moved that the resolution be adopted, which motion prevailed, and House Concurrent Resolution No. 3098 was adopted.

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3098

Which the Senate has passed unchanged.

LEO LEIDHOLM, Secretary

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

## FIFTY-FIFTH DAY

Bismarck, March 24, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer by Senator Shirley Lee.

"Let us pray. Dear Heavenly Father, we thank you for this opportunity to come before you with our petitions. We pray that You will be with us especially during the closing hours of the 44th Legislative Session. We pray that You will give us wisdom, courage and strength and a sense of humor, that we may conduct the business to the best interests of all the people of this great state. Be with us now and strengthen us and encourage us in Jesus' name. Amen".

Roll Call: All Senators present except Conlin.

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-third day after recess and fifty-fourth day, and fifty-fourth day after recess and recommends that the same be corrected as follows:

On page 1323, line 20 after the word Senator, insert the name Reiten.

On page 1339, line 24, delete the words House amendments and insert in lieu thereof the word question.

On page 1339 line 43 delete the words the bill passed and the House amendments.

On page 1355, line 52, correct the spelling of Schultz.

On page 1360, delete lines 47, 48 and 49 and insert such lines after line 12 on page 1362.

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Lips moved that the Senate do not concur in the House amendments to Senate Bill No. 2003, and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

The President appointed as a conference committee on Senate Bill No. 2003:

Senator Lips

Senator Longmire

Senator Erdman

Senator Lips moved that the new conference committee appointed to Senate Bill 2003 be messaged to the House immediately, which motion prevailed.

#### MESSAGES TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 2003 and the President has appointed as a conference committee to act with a like committee from the House:

Senator Lips

Senator Longmire

Senator Erdman

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return:  
House Bill No. 1005

House Bill No. 1022  
Which the Senate has amended.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following:  
Senate Bill No. 2024  
Senate Bill No. 2036  
Senate Bill No. 2065  
Senate Bill No. 2070  
Senate Bill No. 2223  
Senate Bill No. 2234  
Senate Bill No. 2240  
Senate Bill No. 2301  
Senate Bill No. 2424  
Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following:  
House Bill No. 1025  
House Bill No. 1059  
House Bill No. 1063  
House Bill No. 1081  
House Bill No. 1121  
House Bill No. 1170  
House Bill No. 1177  
House Bill No. 1190  
House Bill No. 1237  
House Bill No. 1239  
House Bill No. 1274  
House Bill No. 1277  
House Bill No. 1278  
House Bill No. 1279  
House Bill No. 1288  
House Bill No. 1292  
House Bill No. 1302  
House Bill No. 1388  
House Bill No. 1404  
House Bill No. 1409  
House Bill No. 1434  
House Bill No. 1458  
House Bill No. 1463  
House Bill No. 1471  
House Bill No. 1477  
House Bill No. 1482  
House Bill No. 1517  
House Bill No. 1532  
House Bill No. 1537  
House Bill No. 1553  
House Bill No. 1554  
House Bill No. 1555  
House Bill No. 1561  
House Bill No. 1592  
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. 1025  
House Bill No. 1059  
House Bill No. 1063  
House Bill No. 1081  
House Bill No. 1121  
House Bill No. 1170  
House Bill No. 1177  
House Bill No. 1190  
House Bill No. 1237  
House Bill No. 1239  
House Bill No. 1274  
House Bill No. 1277  
House Bill No. 1278  
House Bill No. 1279  
House Bill No. 1288  
House Bill No. 1292  
House Bill No. 1302  
House Bill No. 1388  
House Bill No. 1404  
House Bill No. 1409  
House Bill No. 1434  
House Bill No. 1458  
House Bill No. 1463  
House Bill No. 1471  
House Bill No. 1477  
House Bill No. 1482  
House Bill No. 1517  
House Bill No. 1532  
House Bill No. 1537  
House Bill No. 1553  
House Bill No. 1554  
House Bill No. 1555  
House Bill No. 1561  
House Bill No. 1592

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1025  
House Bill No. 1059  
House Bill No. 1063  
House Bill No. 1081  
House Bill No. 1121  
House Bill No. 1170  
House Bill No. 1177  
House Bill No. 1190  
House Bill No. 1237  
House Bill No. 1239  
House Bill No. 1274  
House Bill No. 1277  
House Bill No. 1278  
House Bill No. 1279  
House Bill No. 1288  
House Bill No. 1292  
House Bill No. 1302

House Bill No. 1388  
 House Bill No. 1404  
 House Bill No. 1409  
 House Bill No. 1434  
 House Bill No. 1458  
 House Bill No. 1463  
 House Bill No. 1471  
 House Bill No. 1477  
 House Bill No. 1482  
 House Bill No. 1517  
 House Bill No. 1532  
 House Bill No. 1537  
 House Bill No. 1553  
 House Bill No. 1554  
 House Bill No. 1555  
 House Bill No. 1561  
 House Bill No. 1592

Which the President has signed.

LEO LEIDHOLM, Secretary

#### MOTION

Senator Nething moved that the Senate stand at ease for fifteen minutes, which motion prevailed.

The Senate reconvened, the President presiding.

#### MESSAGES FROM THE HOUSE

##### House Chamber

Mr. President: I have the honor to return herewith the following, which the House has amended.

Senate Bill No. 2467

ROY GILBREATH, Chief Clerk

House amendments to Senate Bill 2467:

On page 1, line 2 of the engrossed bill delete the words "and providing an appropriation"

On page 2, line 11 after the word "geologist," insert the words "the director of the state planning division,"

On page 2 delete all of lines 14 through 23

On page 2, line 24 delete the words "an executive director" and insert in lieu thereof the words "a chairman"

On page 2, line 26 after the word "appropriations" insert the words "made to the office of the governor" and also in line 26 delete the words "executive director" and insert in lieu thereof the word "chairman"

On page 2, line 28 after the word "appropriations" insert the words "made to the office of the governor"

On page 3, line 1 delete the words "Council members who"

On page 3 delete all of lines 2, 3, and 4

On page 3, line 5 delete the word "other" and also in line 5 after the word "reimbursed" insert the following: ", in the manner provided for state officers."

On page 4 delete all of lines 33 through 35

On page 5 delete all of lines 1 through 4

And renumber the lines and pages accordingly.

##### House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1161

House Bill No. 1332

ROY GILBREATH, Chief Clerk

## REPORT OF CONFERENCE COMMITTEES

Mr. President: The majority on your Conference Committee to whom was referred Senate Bill No. 2031 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill 2031 be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected and to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the creation of a coal development impact office in the office of the governor; to provide for a legislative council coal development review committee to approve or disapprove impact grants; to provide that certain sections of this Act shall be temporary; to provide a penalty; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. SEVERANCE TAX UPON COAL — IMPOSITION — COMPUTATION OF INCREASES — IN LIEU OF SALES AND USE TAXES — PAYMENT TO THE TAX COMMISSIONER.) There is hereby imposed upon all coal severed for sale or for industrial purposes by coal mines within the state a tax in an amount to be determined as follows:

1. Fifty cents per ton of two thousand pounds; and

2. For every three points increase in the index of wholesale prices for all commodities prepared by the United States department of labor, bureau of labor statistics, the amount of the severance tax provided in subsection 1 shall be increased one cent per ton of two thousand pounds. For the purposes of this computation, a fractional point increase shall be disregarded if less than one-half point and treated as one full point if one-half point or more. The state tax commissioner shall determine such increases based upon increases in the wholesale price index from the level of such index as of January 1975 to the level of such index as of the last month of the quarter immediately preceding the quarter for which any taxes are due. At no time shall the amount of the severance tax be reduced. If the wholesale price index declines, the severance tax shall remain at the highest level determined prior to such decline, and shall remain at such level until further increases are warranted because of further increases in the wholesale price index beyond the point at which the last increase was determined.

Such severance tax shall be in lieu of any sales or use taxes imposed by law. Each coal mine owner or operator shall remit such tax for each calendar quarter, within thirty days after the end of each quarter, to the state tax commissioner upon such reports and forms as the tax commissioner shall deem necessary. If the method of determining increases in the amount of the severance tax provided in subsection 2 is for any reason held to be invalid, such decision shall not affect the validity of the amount of the tax provided in subsection 1.

SECTION 2. WHEN TAX DUE — WHEN DELINQUENT.) The severance tax as provided in this Act shall be due within thirty days after the end of each quarter, and if not received by the thirtieth day, shall become delinquent and shall be collected as herein provided. The tax commissioner, upon request and a proper showing of the necessity therefor, may grant an extension of time, not to exceed fifteen days, for paying the tax, and when such a request is granted, the tax shall not be delinquent until the extended period has expired. The tax commissioner

shall require a report to be filed quarterly by each owner or operator of a coal mine, in such form as the tax commissioner may specify, to list a full description of the mine, the number of tons of coal severed, the amount of tax due and remitted, and any other information deemed necessary by the tax commissioner for the proper administration of this Act.

**SECTION 3. POWERS OF STATE TAX COMMISSIONER.)** The state tax commissioner shall have the power to require any person engaged in such production, and the agent or employee of such person, or purchaser of such coal, or the owner of any royalty interest therein, to furnish any additional information by him deemed to be necessary for the purpose of correctly computing the amount of said tax, and to examine the books, records, and files of such person, and shall have power to conduct hearings and compel the attendance of witnesses, the production of books, records, and papers of any person, and full authority to make any investigation or hold any inquest deemed necessary to a full and complete disclosure of the true facts as to the amount of production from any coal mine or of any company or other producer thereof, and as to the rendition thereof for taxing purposes.

**SECTION 4. TAX COMMISSIONER TO COMPUTE TAX ON INCORRECT RETURNS.)** The state tax commissioner shall have the power and authority to ascertain and determine whether or not any report or remittances filed with him are correct, and if the owner or operator has made an untrue or incorrect report or remittance, the commissioner shall ascertain the correct amount of taxes due, and give immediate notice to the owner or operator filing the incorrect return or remittance. Any coal mine operator or owner receiving notice from the tax commissioner that he has filed an incorrect return or remittance shall remit the tax assessed by the commissioner within fifteen days of such notice. Any owner or operator aggrieved by a decision of the tax commissioner may make application in writing within fifteen days of notification for a hearing which shall be granted not later than fifteen days after receipt of the application. The tax commissioner may grant or reject, in whole or in part, the contentions of the owner or operator and upon conclusion of the hearing shall proceed to make a final determination of taxes due. Such taxes assessed by the commissioner shall become delinquent five days after the conclusion of the hearing, except in such cases where an owner or operator shall appeal such assessment to the district court of Burleigh County, in which case they shall become delinquent five days following final judicial determination.

**SECTION 5. PENALTY ON DELINQUENCY — FAILURE TO FILE REPORTS.)** Where the severance tax provided for in this Act shall become delinquent, it shall, as a penalty for such delinquency, bear interest at the rate of eight percent per annum. If the quarterly report is not filed within thirty days after the end of any quarter and taxes due paid, the tax commissioner shall notify the delinquent owner or operator of such delinquency, and if such report and remittance are not filed within an additional fifteen days, the tax commissioner shall notify the public service commission, which shall forthwith suspend such owner's or operator's license or permit until such time as payment is received, or the issues settled to the satisfaction of the tax commissioner.

**SECTION 6. LIEN FOR TAX.)** The severance tax herein referred to shall, at all times, be and constitute a first and paramount lien against the producer's property as the case may be, both real and personal. In all cases where such tax is not paid, it may be recovered at the suit of the state, upon relation to the state tax commissioner, in any court of competent jurisdiction of the county where any such property, assets, and effects are located.

**SECTION 7. APPEAL FROM DECISION OF TAX COMMISSIONER.)**

Any person aggrieved because of any action or decision of the tax commissioner under the provisions of sections 1 through 8 of this Act may appeal therefrom to the district court of Burleigh County.

**SECTION 8. RULES AND REGULATIONS — BOND.)** The tax commissioner is hereby authorized and empowered to prescribe and promulgate all necessary rules and regulations for the purpose of making and filing of all reports required hereunder and otherwise necessary to the enforcement of sections 1 through 8 of this Act, and may, at his option and discretion, require a sufficient bond from any coal mine operator or owner charged with the making and filing of reports and the payment of the taxes herein imposed, and said bond shall run to the state of North Dakota and shall be conditioned upon the making and filing of reports as required by law or regulation, and for the prompt payment, by the principal therein, of all taxes justly due the state by virtue of the provisions of sections 1 through 8 of this Act.

**SECTION 9. PENALTY.)** Any person intentionally violating any of the provisions of sections 1 through 8 of this Act is guilty of a class A misdemeanor.

**SECTION 10. COAL DEVELOPMENT FUND ESTABLISHED.)** Moneys collected by the state tax commissioner pursuant to the provisions of sections 1 through 9 of this Act shall be paid to the state treasurer and shall be credited to a special fund in the state treasury, to be known as the coal development fund. The moneys accumulated in such fund shall be allocated as provided by law and as appropriated by the legislative assembly.

**SECTION 11. DEFINITIONS.)** As used in sections 11 through 15 of this Act, unless the context or subject matter otherwise requires:

1. "Coal development" shall mean the mining of coal and industries directly related to the processing of coal, including, but not limited to: the generation of electricity from coal or coal products, coal gasification, coal liquefaction, and the manufacture of fertilizer from coal.

2. "Impacted city" shall mean a city which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.

3. "Impacted county" shall mean a county which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.

4. "Impacted school district" shall mean a public school district which demonstrates actual or anticipated extra-ordinary expenditures caused by coal development and the growth incidental thereto.

5. "Impacted taxing district" shall mean a taxing district as defined in subsection 6 of this section which demonstrates actual or anticipated extraordinary expenditures caused by coal development and the growth incidental thereto.

6. "Taxing district" shall mean any political subdivision, other than those included in subsections 2 through 4 of this section, empowered by law to levy taxes.

**SECTION 12. ALLOCATION OF MONEYS IN COAL DEVELOPMENT FUND.)** Moneys deposited in the coal development fund shall be apportioned quarterly by the state treasurer as follows:

1. Thirty-five percent shall be credited to a special fund in the state treasury for distribution through grants by the coal development impact office to impacted cities, counties, school districts, and other taxing districts, subject to appropriation by the legislative assembly.

2. Thirty percent shall be credited to a special fund in the state treasury to be held in trust to be administered by the board of university and school lands, which shall have full authority to invest such funds and may consult with the state investment board as provided by law. The income



from such trust shall be deposited in the state's general fund. Such trust fund shall be perpetual and held in trust as a replacement for depleted natural resources.

3. Five percent shall be allocated to the coal-producing counties and shall be distributed among such counties in such proportion as the number of tons of coal severed in each county bears to the total number of tons of coal severed in the state during such quarterly period. Such allocations shall be credited to the county general fund.

4. The balance shall be deposited in the state's general fund.

**SECTION 13. COAL DEVELOPMENT IMPACT OFFICE — APPOINTMENT OF DIRECTOR.)** There is hereby created in the office of the governor a coal development impact office. The director shall be appointed by and shall serve at the pleasure of the governor. The salary of the director shall be set by the governor within the limits of legislative appropriations. The director may employ such other persons as may be necessary and may fix their compensation within the appropriation made for such purpose.

**SECTION 14. POWERS AND DUTIES OF COAL DEVELOPMENT IMPACT OFFICE.)** The coal development impact office shall:

1. Develop a plan for the assistance, through financial grants for services and facilities, of counties, cities, school districts, and other political subdivisions in a coal development impact area.

2. Advise, study, recommend, and report to the governor and the legislative assembly on the impact to the state and the political subdivisions of the state resulting from coal development.

3. Establish procedures and provide proper forms to political subdivisions for use in making application for funds for impact assistance as provided in this Act.

4. Make grants to counties, cities, school districts, and other taxing districts, subject to the approval of the legislative council coal development review committee, as provided in this Act and within the appropriations made for such purposes. In determining the amount of impact grants for which political subdivisions are eligible, the amount of revenue to which such political subdivisions will be entitled from taxes upon the real property of coal development plants and from other tax or fund distribution formulas provided by law shall be considered.

**SECTION 15. LEGISLATIVE COUNCIL COAL DEVELOPMENT REVIEW COMMITTEE.)** The legislative council coal development review committee shall consist of seven members of the legislative assembly to be selected by the legislative council. It shall be the duty and responsibility of the committee to review and approve or disapprove, in whole or in part, the decisions on grants made by the coal development impact office. The chairman of the legislative council shall select a chairman of the coal development review committee, and the committee shall be subject to the same rules and provisions for hearings and other procedures as are other legislative council committees.

**SECTION 16. APPROPRIATION.)** There is hereby appropriated out of any moneys in the special fund created by subsection 1 of section 12 of this Act, not otherwise appropriated, the sum of \$5,000,000.00 or so much thereof as may be necessary, to the coal development impact office for impact grants to impacted cities, counties, school districts, and other taxing districts, for the biennium beginning July 1, 1975, and ending June 30, 1977.

**SECTION 17. APPROPRIATION.)** There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$100,000.00, or so much thereof as may be necessary, to the coal development impact office for purposes of administering the impact program provided for in this Act, for the biennium beginning July 1, 1975, and ending June 30, 1977.

SECTION 18. PROVISIONS OF ACT TEMPORARY.) Sections 1 through 15 of this Act shall be effective for the period beginning July 1, 1975, and ending June 30, 1977, and thereafter shall be of no force and effect unless reenacted by the legislative assembly."

And renumber the lines, sections, and pages accordingly.

For the Senate:

Senator J. Schultz

Senator Stroup

For the House:

Representative Gackle

Representative A. Hausauer

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: The Minority on your Conference Committee to whom was referred Senate Bill No. 2031 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill 2031 be amended as follows:

On page 1, line 4, delete the words "a special coal development fund in"

On page 1, line 5, delete the semicolon and the words "to provide" and insert in lieu thereof the word "and" and delete the words "of moneys" and insert in lieu thereof the words "thereof to"

On page 1, line 6, delete the words "deposited in the coal development fund to impacted"

On page 1, line 7, before the word "and" insert "a state trust fund," and after the word "and" insert the word "the" and delete the word "agencies" and insert in lieu thereof the words "general fund"

On page 1, line 11, delete everything after the semicolon

On page 1, line 12, delete the word "temporary" and delete the semicolon following it

On page 1, line 19, delete everything after the single parenthesis and delete lines 20 through 24 and insert in lieu thereof the following:

"There is hereby imposed for the privilege of severing coal from the earth for sale or for industrial purposes, but not including coal for heating residential buildings in this state, a tax in the amount hereinafter provided. Such tax shall be in lieu of any tax imposed by law upon the sale or use of any coal and electricity in this state. Each coal mine owner or operator shall remit such tax for each calendar quarter, within thirty days after the end of each quarter, to the state tax commissioner upon such reports and forms as the tax commissioner shall deem necessary.

The amount of tax imposed shall be a flat rate per ton determined annually as follows: Between December first and December fifteenth of each year a coal pricing committee comprised of the president of the public service commission, the state tax commissioner, and the state mine inspector shall meet and establish the statewide average contract price of a ton of coal of two thousand pounds then prevailing in this state. The statewide average contract price per ton shall then be reduced by ten percent of such price as a credit for costs of reclamation and the amount of tax imposed for each ton of coal severed in the following calendar year shall then be thirty percent of such statewide average contract price per ton as reduced by the reclamation credit and the committee shall certify that tax rate to the state tax commissioner. The tax rate per ton as certified by the committee shall be rounded to the nearest tenth of a cent.

For purposes of determining the statewide average contract price per ton of coal, the coal pricing committee shall adjust the price of coal that is provided for in each contract as follows:

1. Reduce such price by:

(a) All costs of transporting such coal beyond any point more than fifty

miles distant from the mine, if such costs are included in the contract price; and

(b) the amount of tax imposed on such coal by this Act if included in the contract price.

2. Increase such price by any of the following amounts that are not included in the contract price:

(a) any mining costs, including payments required for labor union funds;

(b) reclamation costs for restoring the mined areas;

(c) royalties on coal mined;

(d) costs of ordinary treatment processes applicable to the mining of coal, including cleaning, breaking, sizing, dust allaying, treating to prevent freezing, and loading for shipment;

(e) costs of transporting such coal to any point within fifty miles of the mine.

After adjusting the average price of coal that is provided for in each contract, the committee shall determine the average price per ton of all such adjusted average contract prices by the weighted average method.

In determining the average statewide contract price of coal the committee shall always have as its objective the determination of an average price that most nearly represents the fair market value of coal as established from contracts entered into as arms length transactions; and any contract for the sale of coal which the committee determines does not represent an arms length transaction shall not be used in computing the average statewide contract price.

The coal pricing committee shall have power to require any person engaged in the production of coal, and the agent or employee of such person, or the purchaser of such coal, or the owner of any royalty interest therein, to furnish any information deemed by such committee to be necessary for it to carry out its duties under this section.

The tax rate provided for in this section shall be applicable for all coal mined on or after January 1, 1976. The tax for coal mined during the period beginning on July 1, 1975, and ending on December 31, 1975, inclusive, shall be imposed at the rate of sixty-five cents per ton of two thousand pounds."

On page 2, delete lines 1 through 6.

On page 4, delete lines 33, 34 and 35.

On page 5, delete lines 1, 2, 3 and 4.

On page 5, line 5, delete the numeral "11" in both places and insert in lieu thereof the numeral "10".

On page 5, line 6, delete the numeral, "15" and insert in lieu thereof the numeral "14"

On page 5, delete lines 26 through 35 and insert in lieu thereof the following:

**"SECTION 11. REVENUES DEPOSITED IN STATE TREASURY — ALLOCATION.)** Moneys collected by the state tax commissioner pursuant to sections 1 through 9 of this Act shall be paid to the state treasurer and shall be credited and allocated as follows:

1. Fifteen percent of such revenues collected with respect to coal mined in any county shall be allocated and paid quarterly by the state treasurer to that county and the county treasurer shall apportion and distribute such proceeds as follows:

a. Forty percent shall be credited to the county road and bridge fund; provided, however, that the board of county commissioners may by resolution transfer, use or irrevocably pledge so much thereof and for such period as it may deem necessary and in the best public interest for the purpose of conducting, undertaking and participating in underground or surface water surveys and investigations, development, construction, reconstruction and maintenance of works, dams and projects for the



CHRISTENSEN, H. #5	JONES	NETHING	SOLBERG
CHRISTENSEN, L. #3	KAUTZMANN	PYLE	STRAND
CONLIN	LARSON	RAIT	STRINDEN
ERDMAN	LASHKOWITZ	REDLIN	STROUP
FREED	LEE	REITEN	THANE
FRITZELL	LIPS	RINGSAK	TWETEN
GOODMAN	LONGMIRE	SANDS	VOSPER
GROHMOVD	MAHER	SANDNESS	WALSH
HOFFNER	MELLAND	SCHULTZ, C. #14	WENSTROM
HOLAND	MORGAN	SCHULTZ, J. #32	WRIGHT
HOMUTH	MUTCH	SCHUSTER	MR. PRESIDENT

The Minority report to Senate Bill 2031 was not adopted.

**PERSONAL PRIVILEGE**

Senator Hoffner: Mr. President, I rise on a point of personal privilege. We have again seen a display of power-clubbing by the majority party, although they have two-thirds of the vote. Time and time again they have seen fit to either lay issues on the table to shut off debate, or ask for the previous question, and I for the life of me, cannot understand why the Minority party shouldn't be given some time to discuss a matter as urgent as the one on coal severance and the other day we had a matter on construction of our buildings, we saw the Majority overrule the president, again, to shut off debate, to brake a rule, and if this type of thing is going to continue, this type of display, no wonder the people of North Dakota are very discouraged with what is happening in this legislative assembly.

**PERSONAL PRIVILEGE**

Senator Nething: Mr. President, I rise on a point of personal privilege. It is the responsibility of the Majority at all times to get the work done that's before them. Now, I think that when this bill was before us, 2031, some time ago, the minority came in with amendments that had not been heard in committee, but had been explained but by two people at a joint meeting, had no public input, we let them have their say I think we have over-extended our courtesies to them, particularly within a very short while afterwards we were criticized for not getting our work done. I don't think there is a great deal more to learn about this issue before this legislature insofar as severance is concerned. We've seen at least four plans now that I can think of that the Minority has presented on one side or the other, it's difficult from day to day to keep up with what they want to do, and I disagree with them when he says the general public is discouraged by what's being done.

I think all you have to do is look at your mail recently from a plea that the Governor made to the public, and I think if they would have been discouraged, the mail bags would have been full. Frankly, unless my mail is different from yours, I think it is an indication that the people have trust in the majority and what we are going to be doing. And it is for that reason, and the reason that we do have many other issues that need to be resolved, particularly in the area of fiscal responsibility, which is the number one concern of the people of North Dakota and the number eight concern of the minority party, that it's about time that we get this coal matter resolved here and get it over to the House so it can be again worked on over there.

**PERSONAL PRIVILEGE**

Senator Barth: Mr. President, I rise on a point of personal privilege. I've been around this chamber as long as anybody in the majority has. I've attended every Finance and Tax Committee hearing that has had anything to do with coal production, power production or what have you. I can recall, and my figures might be wrong, give or take one or the other, eight proposals brought in by the majority party and I can recall majority reports coming in when everything was removed but "A BILL". We have had this happen and double the amounts. We've had it from the minority

party but I think as a member of the minority party I have a right to defend my position. I think I have a right, the majority party has a right to explain to this body what their proposals really are.

If there is a change of mind then they should be expressed, and I might mention to you, Mr. President, Ladies and Gentlemen of the Senate, I have never dreamed when I decided to become politically involved, and after I was elected to this august body, I never dreamed that 51 people could be so rude as I have been treated and as the minority party has been treated this session. We have been kicked around, we've been told that we don't have time to discuss issues, we've got to get home. Just two days ago our able Majority Leader said that it's time to go farming, we've got to get out of here. But I submit to you that it's different today, very different. I wasn't concerned then. My concern was to do what's right and good for the people of the state of North Dakota, and I'm still here for that purpose. I want you to know I have a responsibility back home that's very great. My cattle haven't seen hay for three days but I'm here, Ladies and Gentlemen, I didn't move home to worry about my business whether it's a law firm or whatever. I'm here to legislate and that's why I'm here.

Last Saturday we had a Saturday session which was uncalled for, but we were here. We were told then that we had five minutes to come up with a report. That the Finance and Tax Committee to come out with a report which would place a severance tax on coal, a vast industry such as this in the state of North Dakota. We had five minutes. I want you to know I walked out of that conference committee because I thought it was the most irrational thing I had ever seen. I have never been so hurt in my life as I have been in this session. Been treated very, very poorly by the majority, and today I proposed a minority report, not one person was allowed, whether he was from the majority or minority, to ask a question on the proposal I have made. We couldn't debate the issue and this is it. If this is the way we are going to keep on legislating then perhaps we should go home and tend to our business because we aren't doing it here.

Senator J. Schultz moved that the report of the Majority be adopted, which motion prevailed.

#### PERSONAL PRIVILEGE

Senator Melland: Mr. President, I rise on a point of personal privilege.

Several days ago when we reviewed the bill on which I had a conflict of interest, I asked to have some remarks recorded in the journal wherein I indicated that I didn't propose to bother the Senate by constantly rising and indicating that I am indeed a director of a utilities company who will be required to pass along what I believed to be a rather onerous tax to consumers in the way of higher rates on electricity. I am not about to indicate that I didn't have a conflict of interest on this bill, because I am going to vote for it. I think that if I do have a conflict of interest, I'm voting contrary to my conflict which certainly would negate that conflict in my judgment.

Senator Stroup moved that the rules be suspended, that Senate Bill No. 2031 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

Senate Bill No. 2031. A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the deposit of the proceeds of such tax in a special coal development fund in the state treasury; to provide for the allocation of moneys deposited in the coal development fund to impacted school districts, counties, cities, and state agencies; to provide for the creation of a coal development impact office in the office







Senate Bill No. 2424

Were delivered to the Governor for his approval on March 24, 1975.  
SENATOR STRAND, Chairman

#### MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1609.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bills Nos. 1005, 1022.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to return herewith the following, which the House has passed unchanged:

Senate Bill No. 2451

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2026

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1001

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2271

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to transmit herewith the following Senate Bills Nos. 2003, 2031, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

#### REPORT OF CONFERENCE COMMITTEES

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 to the engrossed bill, and that the engrossed bill be amended as follows:

On page 2, line 3 of the engrossed bill, delete the numerals "8,085,330" and insert in lieu thereof the numerals "7,077,992"

On page 2, line 4 of the engrossed bill, delete the numerals "26,110,686" and insert in lieu thereof the numerals "27,118,024"

On page 2, line 5 of the engrossed bill, delete the numerals "2,113,000" and insert in lieu thereof the numerals "2,213,000"

On page 2, line 6 of the engrossed bill, delete the numerals "28,223,686" and insert in lieu thereof the numerals "29,331,024"

On page 2 of the engrossed bill, after line 11, insert the following line:  
"Contingency — Accreditation 500,000"

On page 2, line 13 of the engrossed bill, delete the numerals "8,692,317" and insert in lieu thereof the numerals "9,192,317"

On page 2, line 14 of the engrossed bill, delete the numerals "2,862,307" and insert in lieu thereof the numerals "3,422,307"

On page 2, line 15 of the engrossed bill, delete the numerals "5,830,010" and insert in lieu thereof the numerals "5,770,010"

On page 2, line 23 of the engrossed bill, delete the numerals "7,230,315" and insert in lieu thereof the numerals "6,437,795"

On page 2, line 24 of the engrossed bill, delete the numerals "21,620,956" and insert in lieu thereof the numerals "22,413,476"

On page 2, line 26 of the engrossed bill, delete the numerals "23,292,856" and insert in lieu thereof the numerals "24,085,376"

On page 2, line 34 of the engrossed bill, delete the numerals "377,090" and insert in lieu thereof the numerals "356,486"

On page 2, line 35 of the engrossed bill, delete the numerals "1,128,172" and insert in lieu thereof the numerals "1,148,776"

On page 3, line 3 of the engrossed bill, delete the numerals "1,159,672" and insert in lieu thereof the numerals "1,180,276"

On page 3, line 16 of the engrossed bill, delete the numerals "1,771,254" and insert in lieu thereof the numerals "1,791,858"

On page 3, line 18 of the engrossed bill, delete the numerals "648,490" and insert in lieu thereof the numerals "627,886"

On page 3, line 25 of the engrossed bill, delete the numerals "2,889,875" and insert in lieu thereof the numerals "2,537,981"

On page 3, line 26 of the engrossed bill, delete the numerals "8,587,790" and insert in lieu thereof the numerals "8,939,684"

On page 3, line 28 of the engrossed bill, delete the numerals "9,125,785" and insert in lieu thereof the numerals "9,477,679"

On page 4, line 1 of the engrossed bill, delete the numerals "1,001,671" and insert in lieu thereof the numerals "977,923"

On page 4, line 2 of the engrossed bill, delete the numerals "3,584,059" and insert in lieu thereof the numerals "3,607,807"

On page 4, line 4 of the engrossed bill, delete the numerals "3,816,259" and insert in lieu thereof the numerals "3,840,007"

On page 4, line 11 of the engrossed bill, delete the numerals "2,004,720" and insert in lieu thereof the numerals "1,946,928"

On page 4, line 12 of the engrossed bill, delete the numerals "6,413,249" and insert in lieu thereof the numerals "6,471,041"

On page 4, line 14 of the engrossed bill, delete the numerals "6,994,249" and insert in lieu thereof the numerals "7,052,041"

On page 4, line 22 of the engrossed bill, delete the numerals "603,110" and insert in lieu thereof the numerals "567,446"

On page 4, line 23 of the engrossed bill, delete the numerals "2,578,814" and insert in lieu thereof the numerals "2,614,478"

On page 4, line 25 of the engrossed bill, delete the numerals "2,767,685" and insert in lieu thereof the numerals "2,803,349"

On page 4, line 33 of the engrossed bill, delete the numerals "740,900" and insert in lieu thereof the numerals "706,376"

On page 4, line 34 of the engrossed bill, delete the numerals "3,620,211" and insert in lieu thereof the numerals "3,654,735"

On page 5, line 1 of the engrossed bill, delete the numerals "3,836,711" and insert in lieu thereof the numerals "3,871,235"

On page 5, line 23 of the engrossed bill, delete the numerals "85,780,213" and insert in lieu thereof the numerals "88,144,297"

On page 5, line 24 of the engrossed bill, delete the numerals "33,955,396" and insert in lieu thereof the numerals "32,191,312"

On page 5, line 25 of the engrossed bill, delete the numerals "119,735,609" and insert in lieu thereof the numerals "120,335,609"

On page 7 of the engrossed bill after line 14, insert the following new sections:

“SECTION 7. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the expansion of the Indian studies program from a minor to a major be funded from federal and private funds which may become available for such purpose. No general fund moneys shall be expended for such purpose during the biennium beginning July 1, 1975, and ending June 30, 1977.

SECTION 8. APPROPRIATION.) There is hereby appropriated to the board of higher education out of any unappropriated funds in the general fund in the state treasury the sum of \$640,000, or so much thereof as may be necessary, for the biennium beginning July 1, 1975, and ending June 30, 1977, for the purpose of installing power plant emission control systems at the university of North Dakota and North Dakota state university and for conversion to fuel for heating purposes at North Dakota state university-Bottineau branch. The amounts to be allocated to the institutions shall be as follows:

University of North Dakota .....	\$350,000
North Dakota state university .....	\$270,000
North Dakota state university— Bottineau branch .....	\$ 20,000

SECTION 9. UNIVERSITY OF NORTH DAKOTA MEDICAL CENTER.) The line item entitled “contingency accreditation — \$500,000” included within the university of North Dakota medical center appropriation in section 1 of this Act may be used upon approval of the board of higher education to comply with unforeseen needs in meeting accreditation requirements.”

And renumber the lines, sections, and pages accordingly.

And when so amended recommends the same do pass.

STATEMENT OF PURPOSE OF AMENDMENT:

The estimated income at the various institutions was adjusted to reflect tuition increases of \$48 at the state colleges and \$60 at the universities for undergraduate students, as well as increases for graduate students, law students, and medical students. The estimated income was also adjusted to reflect the Board of Higher Education reciprocity agreement with Minnesota.

The University of North Dakota appropriation for major improvements was increased \$100,000 for renovation of Babcock Hall, Budge Hall, and the Old Science Building.

A contingency fund of \$500,000 was added to the medical center appropriation to be used for meeting accreditation requirements. Estimated income was also increased by this amount to reflect the amount of money available for this purpose.

Funds, in the amount of \$640,000, as recommended in the executive budget, in order to comply with environmental laws, were appropriated to the Board of Higher Education for installing power plant emission controls at the University of North Dakota and North Dakota State University and for conversion to fuel for heating purposes at NDSU-Bottineau Branch. It is the intent of the Legislative Assembly that state institutions comply with the Air Quality Standards Act, and that the State Health Department grant extensions in complying with such Act so long as the plant equipment at the institutions is functional; however, when present equipment needs to be replaced, it is the intent of the Legislative Assembly that such improvements be in compliance with such Act.

Except as otherwise provided by law, it is the intent of the Legislative Assembly that plant improvements at the institutions of higher education be made within the limits of legislative appropriations at the discretion of the Board of Higher Education and the administration of the institutions.

For the Senate  
Senator Longmire

Senator Thane  
Senator Walsh

For the House

Rep. Olin  
Rep. Marsden  
Rep. Fleming (refused to sign)

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that House Bill No. 1001 be placed on second reading and final passage, as amended, which motion prevailed.

### SECOND READING OF A HOUSE BILL

House Bill No. 1001. A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

Which has been read:

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 40; nays, 7; absent and not voting 4.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SHYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP	•	
• FREED			• LEE	•		• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSACK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS		•	• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFNER			• MELLAND			• SCHULTZ, J. #14			• WENSTROM		
• HOLLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH	•		• MUTCH			• SCHUSTER			• MR. PRESIDENT		

So the bill passed and the title was agreed to.

### EXPLANATION OF VOTE

Senator L. Christensen: Mr. President, members of the Senate, I voted no on this bill not because I do not believe the colleges and universities should not be funded, but I think it is very inappropriate that this legislative assembly should raise tuitions when we have such surpluses in the general fund.

### REPORTS OF CONFERENCE COMMITTEE

Mr. President: Your Conference Committee to whom was referred House Bill No. 1161 has had the same under consideration and recommends:

That the Senate recede from its amendment.

For the Senate

Senator J. Schultz  
Senator Stroup  
Senator Barth

For the House

Rep. Timm  
Rep. Goetz  
Rep. Wilkie

Senator J. Schultz moved that the report be adopted, which motion prevailed.



On page 1, line 21 of the engrossed bill, after the word "address" insert the words "except that no such notice need be delivered or mailed if the assessment is increased by less than three hundred dollars"

On page 1, line 23 of the engrossed bill, delete the word "less" and insert in lieu thereof the word "including"

And renumber the lines accordingly.

For the Senate  
 Senator Vosper  
 Senator Morgan  
 Senator Rait

For the House  
 Rep. Scofield  
 Rep. Gunderson  
 Rep. Schuett

Senator Vosper moved that the report be adopted, which motion prevailed.

Senator Vosper moved that the rules be suspended, that House Bill No. 1332 be placed on second reading and final passage, as amended, which motion prevailed.

**SECOND READING OF A HOUSE BILL**

**House Bill No. 1332.** A Bill for an Act to amend and reenact section 57-12-09 of the North Dakota Century Code, relating to notification of increase in assessed valuation.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 2; absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER		•	NAADEN		•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	
•			•	JONES		•	NETHING		•	SOLBERG	
•			•	KAUTZMANN		•	PYLE		•	STRAND	
•			•	LARSON		•	RAIT		•	STRINDEN	
•			•	LASHKOWITZ		•	REDLIN		•	STROUP	
•			•	LEE		•	REITEN		•	THANE	
•			•	LIPS		•	RINGSAK		•	TWETEN	
•			•	LONGMIRE		•	SANDS	•	•	VOSPER	
•			•	MAHER		•	SANDNESS		•	WALSH	
•			•	MELLAND		•	SCHULTZ, C #14	•	•	WENSTROM	
•			•	MORGAN		•	SCHULTZ, J #32		•	WRIGHT	
•			•	MUTCH		•	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

**FIRST READING OF SENATE RESOLUTIONS**

Senator Mutch introduced:

**Senate Resolution No. 5.** A resolution commending Keith D. Bjerke for being selected as National Outstanding Young Farmer.

Was read the first time.

**MOTION**

Senator Mutch moved that the rules be suspended, that Senate Resolution No. 5 not be printed as a bill, but printed in the Journal, read in its entirety and placed on second reading for final passage, which motion prevailed.

## SENATE RESOLUTION No. 5

A resolution commending Keith D. Bjerke for being selected as National Outstanding Young Farmer.

WHEREAS, Keith D. Bjerke of rural Northwood, North Dakota, was selected one of America's four Outstanding Young Farmers for 1974-75 by the United States Jaycees at their National Awards Congress in Bloomington, Illinois; and

WHEREAS, Keith Bjerke was selected for this honor from a field of 42 state winners of a year-long search for the Nation's outstanding young farmers, which was conducted by more than 1,500 Jaycee Chapters across the country; and

WHEREAS, contestants were judged on the basis of progress achieved in their agricultural careers, advances made in their production and net worth, and contributions made to the community, state, and Nation; and

WHEREAS, Keith Bjerke has operated his farm in partnership with his father until his father's retirement in 1961, and he has since purchased the farm from his father; and

WHEREAS, Keith Bjerke is a graduate of North Dakota State University, raises purebred hogs of exceptional quality, and has been honored numerous times by the swine industry, which named him Master Pork Producer in 1973 and Pork All-American in 1974; and

WHEREAS, Keith Bjerke is an outstanding representative of young farmers in North Dakota who are helping to revolutionize the agricultural industry, and the North Dakota Legislative Assembly may be justifiably proud of Keith Bjerke and his accomplishments;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

That the Forty-fourth Legislative Assembly takes great pleasure in commending Keith D. Bjerke upon his selection as one of America's four Outstanding Young Farmers for 1974-75; and

BE IT FURTHER RESOLVED, that an enrolled copy of this resolution be forwarded by the Secretary of State to Keith D. Bjerke.

## SECOND READING OF A SENATE RESOLUTION

Senate Resolution No. 5. A resolution commending Keith D. Bjerke for being selected as National Outstanding Young Farmer.

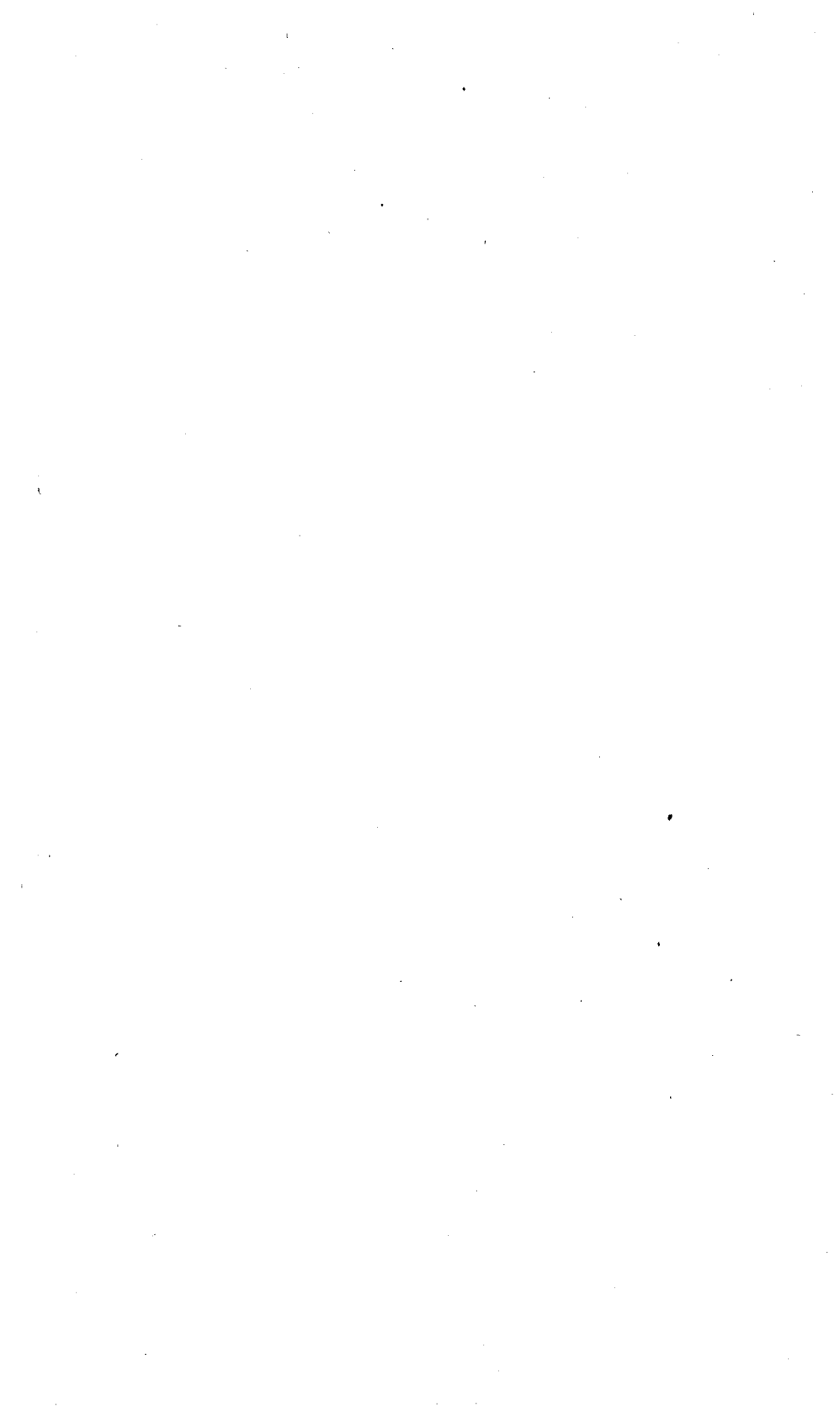
Was read the second time.

The question being on the adoption of the resolution.

Senator Mutch moved that the resolution be adopted, which motion prevailed, and Senate Resolution No. 5 was adopted.

Senator Nething moved that the Senate recess until 9:00 A.M., March 25, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary





FIFTY-FIFTH DAY AFTER RECESS

Bismarck, March 25, 1975

The Senate convened at 9:00 A.M., pursuant to recess taken, the President presiding.

STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 24, 1975

The Honorable Wayne G. Sanstead  
President of the Senate  
Senate Chambers  
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 22, 1975, I signed the following Senate Bills:

Senate Bill No. 2012  
Senate Bill No. 2104  
Senate Bill No. 2113  
Senate Bill No. 2129  
Senate Bill No. 2172  
Senate Bill No. 2197  
Senate Bill No. 2216  
Senate Bill No. 2236  
Senate Bill No. 2238  
Senate Bill No. 2256  
Senate Bill No. 2259  
Senate Bill No. 2260  
Senate Bill No. 2264  
Senate Bill No. 2278  
Senate Bill No. 2324  
Senate Bill No. 2353  
Senate Bill No. 2390  
Senate Bill No. 2470

Sincerely yours,  
ARTHUR A. LINK  
Governor

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1161, 1332, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2313

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 2003.

Rep. Unhjem  
Rep. Wagner  
Rep. Opedahl

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1015

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed Rep. Hensrud & Fleming on House Bill No. 1010 to replace Rep. Eagles & Rep. Mushik.

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has indefinitely postponed.

Senate Bill No. 2286

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass.

Senate Bill No. 2480

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2003

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following Senate Bills Nos. 2001 & 2173, on which the House has not adopted the conference committee report.

And the Speaker has appointed as a new conference committee:

Senate Bill No. 2001:

Rep. Marsden  
Rep. Wagner  
Rep. Mertens

Senate Bill No. 2173:

Rep. Ed Metzger  
Rep. Rau

Rep. Rocheleau

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to inform you that the House has not adopted the conference committee report on:

House Bill No. 1468

And, the Speaker appointed as a new conference committee.

Rep. Olin

Rep. L. Hausauer  
Rep. Solberg

ROY GILBREATH, Chief Clerk

#### MOTION

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1468, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1468:

Senator Melland  
Senator Strinden  
Senator Walsh

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on Senate Bill No. 2001, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 2001,

Senator Melland  
Senator Wenstrom  
Senator Erdman

#### MESSAGES TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the President appointed as a new conference committee on House Bill 1468.

Senator Melland  
Senator Strinden  
Senator Walsh

LEO LEIDHOLM, Secretary

#### Senate Chamber

Mr. Speaker: I have the honor to inform you that the President appointed as a new conference committee on Senate Bill 2001:

Senator Melland  
Senator Wenstrom  
Senator Erdman

LEO LEIDHOLM, Secretary

Senator Nething moved that the Senate stand recessed subject to the call of the Chair, which motion prevailed.

The Senate reconvened, the President presiding.

#### PERSONAL PRIVILEGE

Senator Barth: Mr. President, I rise on a point of personal privilege. I just had the pages hand out a copy of a proposal that I made on the floor on the Minority report to Senate Bill 2031 and there was a mistake in the total figures and I would like to have these corrected for it was an unintentional mistake. I sent this down to the council to get them run off and they were very busy yesterday and I didn't get a chance to review this until it got on the floor. If you look at the second attached sheet, the front clarifies the exact figures I had proposed, and I did not catch the mistake on the second attached page. If you look on the second line, under the Stroup amendment, the second figure on the general fund, instead of reading \$2,305,107 it should read \$3,879,282. It was a mistake; the figures were carried down and the subtractions were not made. I apologize, but wanted to bring this out for clarification.

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: Your conference committee appointed to consider

House Bill No. 1015 has had the same under consideration and recommends:

That the Senate recede from its amendments to the engrossed bill, and that the engrossed bill be further amended as follows:

On page 1 of the engrossed bill, line 3, before the period insert the following:

"; to amend and reenact subsection 1 of section 5 of chapter 36 of the 1973 Session Laws of the state of North Dakota, relating to the issuance of bonds by the state laboratories commission; to ensure continuation of certain existing laws; and to declare an emergency"

On page 2 of the engrossed bill, delete lines 19 through 22

On page 2 of the engrossed bill, line 23, delete the numerals "1,556,978", and insert the numerals "1,549,378" in lieu thereof

On page 2 of the engrossed bill, line 25, delete the numerals "1,855,579", and insert the numerals "1,847,979" in lieu thereof

On page 2 of the engrossed bill, after line 32 insert the following new sections:

"SECTION 3. AMENDMENT.) Subsection 1 of section 5 of chapter 36 of the 1973 Session Laws of North Dakota is hereby amended and reenacted to read as follows:

1. For the purpose of paying the cost of construction of a building to house the state laboratories department, the state laboratories commission may borrow money on the credit of the revenue to be derived from fees collected by the department pursuant to law. In anticipation of such collections, the commission may issue negotiable bonds in a total amount not to exceed (((\$750,000)) \$1,200,000, and may provide for the payment of those bonds and the rights of holders thereof, provided that bonds issued under this section shall not be an indebtedness of the state of North Dakota. Bonds issued under this section shall be payable serially, and may be issued in one or more series, may bear such date or dates, may mature at such times but not later than ten years from the date of issuance of the first series, may be in such denomination or denominations, may be in such form either coupon or registered, may carry such registration and conversion privileges, may be executed in such manner, may be payable in such medium of payment at such place or places, may be subject to such terms of redemption with or without premium, and may bear such rate or rates of interest as may be provided by resolution of the commission. Bonds issued under this section shall have all of the qualities and incidents of negotiable paper, and shall not be subject to taxation by the state of North Dakota, or by any county, municipality, or other political subdivision thereof. Bonds issued under this section may be purchased by the Bank of North Dakota, with approval of the industrial commission. The building to be constructed with the proceeds of such bonds may be located on property owned by the state of North Dakota at the state penitentiary with the exact location to be determined by the state laboratories commission and the director of institutions.

SECTION 4. CONTINUATION OF EXISTING LAW.) Subsections 2 and 3 of section 5 and sections 6 and 7 of chapter 36 of the 1973 Session Laws of the state of North Dakota are hereby specifically declared to be in full force and effect from and after the effective date of this Act."

On page 3 of the engrossed bill, after line 5, insert the following new section:

"SECTION 6. 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, sections, and lines accordingly.  
For the Senate:



SECOND READING OF A HOUSE BILL

House Bill No. 1541. A Bill for an Act to provide for the liability of political subdivisions, to set limitations upon such liability, to establish a political subdivisions liability fund and to limit the liability of the fund, to provide for notice and a statute of limitations, to provide a procedure for making payments from the fund for claims and judgments against political subdivisions, to allow the attorney general to administer and defend the fund, to authorize the state and political subdivisions to purchase insurance coverage, to declare legislative intent, to provide an appropriation, to declare an emergency and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 48; nays, 1; absent and not voting 2.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADE	●	● SHABLOW
● BERUBE			● JACOBSON			● NASSET		● SMYKOWSKI
● CHRISTENSEN, H. #5			● JONES			● NETHING		● SOLBERG
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE		● STRAND
● CONLIN			● LARSON			● RAIT		● STRINDEN
● ERDMAN			● LASHKOWITZ			● REDLIN		● STROUP
● FREED			● LEE			● REITEN		● THANE
● FRITZELL			● LIPS			● RINGSACK		● TWETEN
● GOODMAN			● LONGMIRE			● SANDS		● VOSPER
● GRONHOVD			● MAHER			● SANDNESS		● WALSH
● HOFFNER			● MELLAND			● SCHULTZ, C. #14		● WENSTROM
● HOLLAND			● MORGAN			● SCHULTZ, J. #32		● WRIGHT
● HOMUTH			● MUTCH			● SCHUSTER		MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1541 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1015 & 1541, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your conference committee to whom was referred Senate Bill No. 2001 has had the same under consideration and recommends:

That the House recede from its amendments and that Senate Bill No. 2001 be amended as follows:

On page 1, line 19 of the engrossed bill delete the numerals "355,435" and insert in lieu thereof the numerals "341,263"

On page 2, line 1 of the engrossed bill, delete the numerals "446,213" and insert in lieu thereof the numerals "432,041"

On page 2, line 4 of the engrossed bill, delete the numerals "13,952" and insert in lieu thereof the numerals "21,628"

On page 2, line 8 of the engrossed bill, delete the numerals "21,402" and insert in lieu thereof the numerals "29,078"

On page 2, line 12 of the engrossed bill, delete the numerals "35,800" and insert in lieu thereof the numerals "40,800"

On page 2, line 14 of the engrossed bill, delete the numerals "9,600" and insert in lieu thereof the numerals "11,600"

On page 2, line 17 of the engrossed bill, delete the numerals "405,049" and insert in lieu thereof the numerals "412,049"

On page 2, line 21 of the engrossed bill, delete the numerals "300,000" and insert in lieu thereof the numerals "200,000"

On page 2, line 22 of the engrossed bill, delete the numerals "305,000" and insert in lieu thereof the numerals "205,000"

On page 3, line 7 of the engrossed bill, delete the numerals "211,031" and insert in lieu thereof the numerals "222,749"

On page 3, line 13 of the engrossed bill, delete the numerals "353,445" and insert in lieu thereof the numerals "365,163"

On page 3, line 26 of the engrossed bill, delete the numerals "2,948,144" and insert in lieu thereof the numerals "2,884,944"

On page 3, line 27 of the engrossed bill, delete the numerals "488,850" and insert in lieu thereof the numerals "470,250"

On page 3, line 32 of the engrossed bill, delete the numerals "12,000" and insert in lieu thereof the numerals "20,400"

On page 3, line 34 of the engrossed bill, delete the numerals "4,268,123" and insert in lieu thereof the numerals "4,194,723"

On page 4, line 21 of the engrossed bill, delete the numerals "450,022" and insert in lieu thereof the numerals "469,714"

On page 4, line 26 of the engrossed bill, delete the numerals "535,414" and insert in lieu thereof the numerals "555,106"

On page 5, line 3 of the engrossed bill, delete the numerals "1,228,790" and insert in lieu thereof the numerals "1,273,979"

On page 5, line 9 of the engrossed bill, delete the numerals "1,631,511" and insert in lieu thereof the numerals "1,676,700"

On page 5 of the engrossed bill, delete lines 24 through 29

On page 6, line 9 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 10 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "19,000"

On page 6, line 11 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 13 of the engrossed bill, delete the numerals "21,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 14 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 15 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 16 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 17 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 18 of the engrossed bill, delete the numerals "18,000" and insert in lieu thereof the numerals "16,000"

On page 6, line 19 of the engrossed bill, delete the numerals "17,000" and insert in lieu thereof the numerals "15,000"

On page 6, line 21 of the engrossed bill, delete the numerals "501,000" and insert in lieu thereof the numerals "441,000"

On page 6, line 29 of the engrossed bill, delete the numerals "501,000.00" and insert in lieu thereof the numerals "441,000.00"

On page 7, line 5 of the engrossed bill, delete the numerals "13,318,407" and insert in lieu thereof the numerals "13,162,110"

On page 7, line 8 of the engrossed bill, delete the numerals "16,676,025" and insert in lieu thereof the numerals "16,519,728"

On page 7 of the engrossed bill, after line 24, insert the following section:

"SECTION 6.) It is the intent of the legislative assembly that there continue to be an office of energy management within the governor's office and that the governor at his discretion may allocate a portion of the





That the House recede from its amendments and that Senate Bill No. 2007 be amended as follows:

On page 2, line 2 of the engrossed bill, delete the numerals "28,750" and insert in lieu thereof the numerals "20,750"

On page 2, line 5 of the engrossed bill, delete the numerals "5,211,334" and insert in lieu thereof the numerals "5,203,334"

On page 2, line 7 of the engrossed bill, delete the numerals "5,106,334" and insert in lieu thereof the numerals "5,098,334"

On page 2, line 14 of the engrossed bill, delete the numerals "1,384,260" and insert in lieu thereof the numerals "1,320,060"

On page 2, line 15 of the engrossed bill, delete the numerals "1,384,260" and insert in lieu thereof the numerals "1,320,060"

On page 2, line 17 of the engrossed bill, delete the numerals "785,288" and insert in lieu thereof the numerals "721,088"

On page 3, line 5 of the engrossed bill, delete the numerals "188,923" and insert in lieu thereof the numerals "136,183"

On page 3, line 6 of the engrossed bill, delete the numerals "42,539" and insert in lieu thereof the numerals "39,859"

On page 3, line 7 of the engrossed bill, delete the numerals "68,013" and insert in lieu thereof the numerals "48,881"

On page 3, line 9 of the engrossed bill, delete the numerals "859,700" and insert in lieu thereof the numerals "785,148"

On page 3, line 12 of the engrossed bill, delete the numerals "1,724,662" and insert in lieu thereof the numerals "1,740,662"

On page 3, line 14 of the engrossed bill, delete the numerals "299,228" and insert in lieu thereof the numerals "321,786"

On page 3, line 15 of the engrossed bill, delete the numerals "80,677" and insert in lieu thereof the numerals "100,677"

On page 3, line 18 of the engrossed bill, delete the numerals "2,510,403" and insert in lieu thereof the numerals "2,568,961"

On page 3, line 19 of the engrossed bill, delete the numerals "563,361" and insert in lieu thereof the numerals "443,361"

On page 3, line 20 of the engrossed bill, delete the numerals "1,947,042" and insert in lieu thereof the numerals "2,125,600"

On page 3, line 27 of the engrossed bill, delete the numerals "243,550" and insert in lieu thereof the numerals "26,742"

On page 3, line 28 of the engrossed bill, delete the numerals "849,807" and insert in lieu thereof the numerals "632,999"

On page 3, line 29 of the engrossed bill, delete the numerals "157,340" and insert in lieu thereof the numerals "115,340"

On page 3, line 30 of the engrossed bill, delete the numerals "692,467" and insert in lieu thereof the numerals "517,659"

On page 4, line 2 of the engrossed bill, delete the numerals "156,820" and insert in lieu thereof the numerals "276,820"

On page 4, line 3 of the engrossed bill, delete the numerals "1,863,281" and insert in lieu thereof the numerals "1,983,281"

On page 4, line 4 of the engrossed bill, delete the numerals "392,630" and insert in lieu thereof the numerals "261,302"

On page 4, line 5 of the engrossed bill, delete the numerals "1,470,651" and insert in lieu thereof the numerals "1,721,979"

On page 4, after line 5 of the engrossed bill, insert the following:

"The above line item entitled "land, structures, and major improvements" in subdivision 8 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.)"

On page 4, line 8 of the engrossed bill, delete the numerals "10,971,986" and insert in lieu thereof the numerals "10,883,034"

On page 4, line 11 of the engrossed bill, delete the numerals "127,550" and insert in lieu thereof the numerals "123,050"

On page 4, line 13 of the engrossed bill, delete the numerals "14,175,698" and insert in lieu thereof the numerals "14,082,246"

On page 4, line 14 of the engrossed bill, delete the numerals "3,264,783" and insert in lieu thereof the numerals "2,970,253"

On page 4, line 15 of the engrossed bill, delete the numerals "10,910,915" and insert in lieu thereof the numerals "11,111,993"

On page 4, line 18 of the engrossed bill, delete the numerals "2,258,617" and insert in lieu thereof the numerals "2,336,617"

On page 4, line 30 of the engrossed bill, delete the numerals "4,798,752" and insert in lieu thereof the numerals "4,876,752"

On page 4, line 32 of the engrossed bill, delete the numerals "3,400,413" and insert in lieu thereof the numerals "3,478,413"

On page 5, line 2 of the engrossed bill, delete the numerals "758,168" and insert in lieu thereof the numerals "801,563"

On page 5, line 5 of the engrossed bill, delete the numerals "4,856,732" and insert in lieu thereof the numerals "4,900,127"

On page 5, line 7 of the engrossed bill, delete the numerals "4,544,184" and insert in lieu thereof the numerals "4,587,579"

On page 5, line 8 of the engrossed bill, delete the numerals "30,713,680" and insert in lieu thereof the numerals "31,144,479"

On page 5, line 9 of the engrossed bill, delete the numerals "6,907,973" and insert in lieu thereof the numerals "6,320,115"

On page 5, line 10 of the engrossed bill, delete the numerals "37,621,653" and insert in lieu thereof the numerals "37,464,594"

On page 5, line 35 of the engrossed bill, delete the numerals "1,259,084.00" and insert in lieu thereof the numerals "1,234,289.00"

On page 6, line 7 of the engrossed bill, delete the numerals "1,259,084.00" and insert in lieu thereof the numerals "1,234,289.00"

On page 6, after line 17 of the engrossed bill, insert the following sections:

"SECTION 7. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that seventy-eight thousand, six hundred ten dollars of the appropriation for salaries and wages to the Grafton state school be used to hire a full-time medical director, and that, at the time a full-time medical director is hired, the school discontinue obtaining part-time medical director services.

SECTION 8. LEGISLATIVE INTENT.) It is the intent of the legislative assembly that the cost of education for those students attending the Grafton state school, but do not reside there, be absorbed within the funds appropriated in subdivision 9 of this Act."

And renumber the lines, sections and pages accordingly.

For the Senate

Senator Longmire  
Senator Wenstrom  
Senator Maher

For the House

Rep. Freborg  
Rep. Eagles  
Rep. Mushik

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Longmire moved that the rules be suspended, that Senate Bill No. 2007 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILLS

Senate Bill No. 2007. BUDGETS—DIRECTOR OF INSTITUTIONS—A

Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions, and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 50; nays, 0; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAADEN			● SHABLOW		
● BERUBE			● JACOBSON			● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE			● REITEN			● THANE		
● FRITZELL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed, the title was agreed to, and the emergency clause carried.

Senator Nething moved that the vote by which Senate Bill No. 2007 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2014 has had the same under consideration and recommends:

That the House recede from the House amendments and that Senate Bill 2014 be amended as follows:

On page 1, line 21 of the engrossed bill, delete the numerals "66,600" and insert in lieu thereof the numerals "82,375"

On page 2, line 1 of the engrossed bill, delete the numerals "187,806" and insert in lieu thereof the numerals "203,581"

On page 3, line 8 of the engrossed bill, delete the numerals "5,241,031" and insert in lieu thereof the numerals "5,256,806"

On page 3, line 10 of the engrossed bill, delete the numerals "17,430,564" and insert in lieu thereof the numerals "17,446,339"

On page 3, following line 26 of the engrossed bill, insert the following new section:

"SECTION 4. DEVILS LAKE FLOOD CONTROL PROJECT.) No funds appropriated in Section 1 of this Act to the state water commission for the Devils Lake flood control project shall be expended prior to July 1, 1976. Such funds may be expended after that date only upon approval by the state water commission of the Channel A flood control project in Ramsey County; however, the state water commission is authorized to approve such project only after consultation with the Devils Lake basin advisory committee. In the event the Channel A flood control project is not approved by the state water commission, such funds may then be expended after that date for the McHugh Slough flood control project only after the state water commission's determination, based upon consultation with the Devils Lake basin advisory committee."

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

For the Senate:

Senator Longmire  
 Senator Jones  
 Senator Larson

For the House:  
 Rep. Freborg  
 Rep. Marsden  
 Rep. Mertens

Senator Longmire moved that the report be adopted, which motion prevailed.

Senator Lips moved that the rules be suspended, that Senate Bill No. 2014 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2014. A Bill for an Act to appropriate money for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 49; nays, 2; absent and not voting, 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER		•	NAADEN		•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	
•			•	JONES		•	NETHING		•	SOLBERG	
•			•	KAUTZMANN		•	PYLE		•	STRAND	
•			•	LARSON		•	RAIT		•	STRINDEN	
•			•	LASHKOWITZ		•	REDLIN		•	STROLP	
•			•	LEE		•	REITEN		•	THANE	
•			•	LIPS		•	RINGSAK		•	TWETEN	
•			•	LONGMIRE		•	SANDS		•	VOSPER	
•			•	MAHER		•	SANDNESS		•	WALSH	
•			•	MELLAND		•	SCHULTZ, C #14		•	WENSTROM	
•			•	MORGAN		•	SCHULTZ, J #32		•	WRIGHT	
•			•	MUTCH		•	SCHUSTER			MR. PRESIDENT	

So the bill passed and the title was agreed to.

Senator Nothing moved that the vote by which Senate Bill No. 2014 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Jacobson moved that the Senate do concur in the House amendments to Senate Bill No. 2467, as printed on page 1383 of the Senate Journal, which motion prevailed.

Senator Jacobson moved that the rules be suspended, that Senate Bill No. 2467 be deemed properly re-engrossed and placed on second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2467. A Bill for an Act to create a natural resources council and providing an appropriation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 4; absent and not voting, 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
•			•	ISZLER		•	NAADEN		•	SHABLOW	
•			•	JACOBSON		•	NASSET		•	SMYKOWSKI	

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PWLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to transmit herewith the following Senate Bills Nos. 2001, 2007, 2014, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senator Nothing moved that the Senate stand recessed, which motion prevailed.

The Senate reconvened, the President presiding.

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2031

ROY GILBREATH, Chief Clerk

MOTION

Senator Nothing 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. 2173, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 2173:

Senator Smykowski  
 Senator Reiten  
 Senator Gronhovd

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the President appointed as a new conference committee on Senate Bill 2173:

Senator Smykowski  
 Senator Reiten  
 Senator Gronhovd

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1221

ROY GILBREATH, Chief Clerk

Senator Nothing moved that the Senate stand recessed subject to the call of the Chair, which motion prevailed.

The Senate reconvened, the President presiding.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 2173 has had the same under consideration and recommends:

That the House recede from its amendments and Senate Bill No. 2173 be amended as follows:



House Bill No. 1221 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1221 be amended as follows:

On page 1, line 1 of the engrossed bill, delete everything after the words "A BILL" and delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for a privilege tax on certain coal conversion plants, to provide that such tax shall be in lieu of certain other taxes, to provide a credit against such taxes for certain other taxes paid, to provide for the administration and collection of such taxes, to provide powers and duties of the state tax commissioner, to provide for the allocation of revenues collected, and to provide a penalty.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DEFINITIONS.) As used in this Act:

1. "Gross receipts" means all revenue valued in money, whether received in money or otherwise, derived by a coal conversion facility subject to the provisions of this Act from the production of products of a coal conversion facility, but not including any revenue derived from transportation, transmission, distribution, or other items which occur after the process of production of the products of such facility is completed;

2. "Coal conversion facility" means either:

a. A plant, other than an electrical generating plant, together with all additions thereto, which processes or converts coal from its natural form into a form substantially different in chemical or physical properties, including but not limited to coal gasification, coal liquefaction, and the manufacture of fertilizer and other products, and which uses or is designed to use over five hundred thousand tons of coal per year; or

b. An electrical generating plant, together with all additions thereto, which processes or converts coal from its natural form into electrical power and which has at least one single electrical energy generation unit with a capacity of one hundred twenty thousand kilowatts or more;

3. "Coal gasification" means the production of methane or other commercial gas products from coal;

4. "Commissioner" means the state tax commissioner;

5. "Person" means any individual, estate, trust, corporation, cooperative corporation, or association; and

6. "Synthetic natural gas" means methane and any admixed gaseous products produced by coal gasification.

SECTION 2. IMPOSITION OF TAXES.) Each coal conversion facility shall pay an annual tax for the privilege of producing products of such coal conversion facility. The rate of the tax shall be computed as follows:

1. For all coal conversion facilities, other than electrical generating plants and coal gasification plants as provided in subsections 2 and 3 of this section, the tax shall be measured by the gross receipts derived from such facility for the preceding calendar year and shall be in the amount of two and one-half percent of such gross receipts;

2. For electrical generating plants, the tax shall be at a rate of twenty-five one-hundredths of one mill on each kilowatt hour of electricity produced for the purpose of sale; and

3. For coal gasification plants, the tax shall be either the amount provided in subsection 1 or ten cents on each one thousand cubic feet of synthetic natural gas produced for the purpose of sale, whichever is greater.

SECTION 3. MEASUREMENT AND RECORDING OF SYNTHETIC NATURAL GAS OR ELECTRICITY PRODUCED.) The production of synthetic natural gas or electrical power shall be measured at the place

of production or generation, and any person subject to the imposition of the taxes provided by this Act shall maintain devices to measure and record the cumulative periodic totals of synthetic natural gas and electrical power generated. Any person subject to the taxes imposed by this Act shall maintain accurate records of the daily and monthly totals of synthetic natural gas and electrical power generated and subject to such taxes. The commissioner shall have access to such records at reasonable times and places.

**SECTION 4. PAYMENT OF TAXES ON PLANTS OTHER THAN ELECTRICAL GENERATING PLANTS — WHEN TAXES DUE — WHEN DELINQUENT.)**

1. The taxes imposed by this Act on coal conversion facilities other than electrical generating plants shall be levied by the tax commissioner on or before April fifteenth of each year. Each coal conversion facility subject to the taxes imposed by subsections 1 and 3 of section 2 shall annually on or before April first file a report with the commissioner in such form and containing such information as the commissioner may prescribe and demand. Such report shall state the total amount of gross receipts derived and synthetic natural gas produced by such coal conversion facility during the preceding calendar year. On or before May first of each year, the commissioner shall notify in writing each coal conversion facility subject to the taxes imposed by subsections 1 and 3 of section 2 of the amount of tax imposed. Any person aggrieved by the amount of tax levied against any facility may make application in writing within fifteen days of notification to the commissioner for an abatement hearing which shall be granted not later than fifteen days after the receipt of the application. The commissioner may grant or reject in whole or in part any plea for abatement, and upon conclusion of the hearing shall proceed to make a final levy against the applicant.

2. The taxes levied under subsection 1 of section 2 shall become due and payable to the commissioner on the fifteenth day of June in the year in which such taxes are levied. Such taxes shall become delinquent on the first day of July following, and, if not paid on or before such date, shall be subject to a penalty as provided in section 9.

**SECTION 5. PAYMENT OF TAXES ON ELECTRICAL GENERATING PLANTS — WHEN TAXES DUE — WHEN DELINQUENT.)** The taxes imposed by this Act on electrical generating plants shall be due within thirty days after the end of each calendar quarter, and, if not received by the thirtieth day, shall become delinquent and shall be collected as herein provided. The commissioner, upon request and a proper showing of the necessity therefor, may grant an extension of time, not to exceed fifteen days, for paying the tax, and when such a request is granted, the tax shall not be delinquent until the extended period has expired. The tax commissioner shall require a report to be filed quarterly by each person subject to the taxes imposed by subsection 2 of section 2, in such form as the commissioner shall prescribe, to provide such information as the commissioner deems necessary for the proper administration of this Act.

**SECTION 6. PROPERTY CLASSIFIED AND EXEMPTED FROM AD VALOREM TAXES — IN LIEU OF CERTAIN OTHER TAXES — (CREDIT FOR CERTAIN OTHER TAXES.)** Each coal conversion facility shall be classified as personal property and shall be exempt from all ad valorem taxes except for taxes on the land on which such facility is located. The taxes imposed by this Act shall be in lieu of ad valorem taxes on the property so classified as personal property. The taxes imposed by this Act shall also be in lieu of those taxes imposed by chapters 57-33 and 57-33.1 on cooperative electrical generating plants that qualify as coal conversion facilities as defined in this Act for gross receipts derived from the operation of such plants on or after July 1, 1975. Each cooperative



electrical generating plant shall receive a credit against the taxes imposed by this Act for any taxes imposed pursuant to chapters 57-33 and 57-33.1 and payable after July 1, 1975. Such credit shall apply only for such taxes actually paid, and shall be applied against the taxes imposed by this Act in the years in which such payments are made.

**SECTION 7. POWERS OF COMMISSIONER.)** The commissioner shall have power to require any person subject to the taxes imposed by this Act to furnish any additional information deemed by the commissioner to be necessary for the purpose of correctly computing the amount of the tax, and to examine the books, records, and files of such person, and shall have power to conduct hearings and compel the attendance of witnesses, the production of books, records, and papers of any person, and full authority to make any investigation or hold any inquest deemed necessary to a full and complete disclosure of the true facts as to the amount of production or generation from any coal development plant, and as to the rendition thereof for taxing purposes.

**SECTION 8. COMMISSIONER TO COMPUTE TAX ON INCORRECT RETURNS.)** The commissioner shall have the power and authority to ascertain and determine whether or not any report or remittances filed with him are correct, and if the person filing such report has made an untrue or incorrect report or remittance, the commissioner shall ascertain the correct amount of taxes due, and give immediate written notice to the person filing the incorrect return or remittance. Any persons receiving notice from the commissioner that he has filed an incorrect return or remittance shall remit the tax assessed by the commissioner within fifteen days of such notice. Any person aggrieved by a decision of the tax commissioner may make application in writing within fifteen days of notification for a hearing which shall be granted not later than fifteen days after receipt of the application. The commissioner may accept or reject, in whole or in part, the contentions of the applicant at the hearing, and upon conclusion of the hearing shall proceed to make a final determination of taxes due. Such taxes assessed by the commissioner shall become delinquent five days after the conclusion of the hearing, except in such cases where a person shall appeal such assessment to the district court of Burleigh County, in which case they shall become delinquent five days following final judicial determination.

**SECTION 9. PROCEEDINGS AND PENALTY ON DELINQUENCY.)** Where the tax provided for in this Act shall become delinquent it shall, as a penalty for such delinquency, bear interest at the rate of nine percent per annum, and shall be collected in the manner hereinafter provided. If any person shall fail to make any report herein required, within the time prescribed by law for such report, it shall be the duty of the commissioner to examine the books, records, and files of such person to ascertain the amount and value of such production to compute the tax thereon as provided herein, and he shall add thereto the cost of such examination, together with any penalties accrued thereon.

**SECTION 10. LIEN FOR TAX.)** The tax herein provided for shall, at all times, be and constitute a first and paramount lien in favor of the state of North Dakota upon all property and rights to property, whether real or personal, belonging to the taxpayer, and such lien may be foreclosed in the manner provided in chapter 32-20.

**SECTION 11. APPEAL FROM DECISION OF TAX COMMISSIONER.)** Any person aggrieved because of any action or decision of the commissioner under the provisions of this Act may appeal therefrom to the district court of Burleigh County.

**SECTION 12. RULES AND REGULATIONS — BOND.)** The tax commissioner is hereby authorized and empowered to prescribe and promulgate all necessary rules and regulations for the purpose of making

and filing of all reports required hereunder and otherwise necessary to the enforcement to this Act, and may, at his option and discretion, require a sufficient bond from any person charged with the making and filing of reports and the payment of the taxes herein imposed, and said bond shall run to the state of North Dakota and shall be conditioned upon the making and filing of reports as required by law or regulation, and for the prompt payment, by the principal therein, of all taxes justly due the state by virtue of the provisions of this Act.

SECTION 13. MONEYS TO BE DEPOSITED WITH STATE TREASURER.) It shall be the duty of the commissioner to immediately deposit with the state treasurer all moneys collected by him under this Act and to accompany each remittance with the necessary information to allow the state treasurer to allocate the moneys received as provided by this Act.

SECTION 14. ALLOCATION OF REVENUE.) The state treasurer, on or before July fifteenth of each year, shall allocate all moneys received pursuant to the provisions of this Act and moneys received for those taxes for which a credit is allowed pursuant to section 6, notwithstanding the provisions of section 57-33.1-08, in the following manner:

1. The first one hundred thousand dollars of annual revenue received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated one hundred percent to the county.

2. The second one hundred thousand dollars of annual revenue received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated fifty percent to the county and fifty percent to the state general fund.

3. All annual revenue in excess of two hundred thousand dollars but not in excess of five hundred thousand dollars received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated twenty-five percent to the county and seventy-five percent to the state general fund.

4. All annual revenue in excess of five hundred thousand dollars but not in excess of one million dollars received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated fifteen percent to the county and eighty-five percent to the state general fund.

5. All annual revenue in excess of one million dollars received from the taxation of each coal conversion facility in each county pursuant to this Act shall be allocated ten percent to the county and ninety percent to the state general fund.

SECTION 15. DUTY OF COUNTY TREASURER—ALLOCATION TO POLITICAL SUBDIVISIONS.) Moneys received by counties under the provisions of section 14 shall be apportioned as follows:

1. Fifteen percent of all revenues allocated to any county shall be paid by the county treasurer to the incorporated cities of the county based upon the population of each incorporated city according to the last official decennial federal census;

2. Forty percent of the revenues allocated to any county shall be deposited by the county treasurer in the county general fund to be used for general governmental purposes; and

3. Forty-five percent of all revenues allocated to any county shall be apportioned by the county treasurer to school districts within the county on the average daily attendance distribution basis, as certified to him by the county superintendent of schools.

SECTION 16. PENALTY.) Any person intentionally violating any of the provisions of this Act is guilty of a class A misdemeanor."

And renumber the lines, sections, and pages accordingly.  
For the Senate



● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Nething moved that the vote by which House Bill No. 1221 was passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

#### EXPLANATION OF VOTE

Senator Barth: I would like to explain my vote. Mr. President, I voted no simply because I disagreed with part of the bill and that's the part that I wanted to get back to conference committee to amend. It has been stated previously in all the committee hearings we heard that the consensus was that this is what should be done in order to keep electrical rates in line as much as is possible. I want the Senate to know that what we just did is going to increase electrical rates; there is no way it can be avoided. This is of course why I voted against it, and I do feel that I will have to go home and tell my people "Get ready for another electrical increase because the North Dakota Legislature just did it to you."

#### PERSONAL PRIVILEGE

Senator Stroup: Mr. President, I rise on a point of personal privilege. I think along with that, I agree wholeheartedly, we just increased the electrical rates to most of the consumers in the state of North Dakota, and I think we should also tell the people of North Dakota that along with this we have provided one large increase in all of the electrical rates to all consumers in the state of North Dakota through all of the bills we have been passing these last few days. That the severance tax at the level that it was passed very definitely is going to increase the electric rates to every consumer in the state of North Dakota where they are receiving their electric power through the generation of lignite coal facilities. That along with this, this is the plant tax, that too increases it. Along with this is the fact that the electric generating costs and electric costs were raised through the reclamation bill that was passed. In that that too, is going to very definitely have its effect on the electric facilities. Along with this is another one; and that was that we had a labor strike in the mines and we still have one going on. That the one that was settled very definitely increased, and there are some labor increased costs, involved in that one, and we have a federal reclamation law that also is going to add too. And I think the people of North Dakota should be prepared for a very healthy increase in their electric rates in the state of North Dakota as well as we've noticed that they've been experiencing them nation-wide.

#### MESSAGES FROM THE HOUSE

##### House Chamber

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 1011 and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives:

Rep. Peterson  
Rep. L. Hausauer  
Rep. Solberg

ROY GILBREATH, Chief Clerk

##### House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1468

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1003

House Bill No. 1010

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to return herewith the following House Bill No. 1221, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

MOTION

Senator Lips moved that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on House Bill No. 1011, which motion prevailed.

The President appointed as a Conference Committee on House Bill No. 1011.

Senator Lips

Senator Melland

Senator Walsh

MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House, on House Bill No. 1011:

Senator Lips

Senator Melland

Senator Walsh

LEO LEIDHOLM, Secretary

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your conference committee to whom was referred House Bill No. 1468 has had the same under consideration and recommends that the Senate recede from its amendments and House Bill No. 1468 be amended as follows:

On page 1 of the engrossed bill, delete all of the words after the words "A BILL", delete the remainder of the bill and insert in lieu thereof the following:

"for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. TRANSFER FROM GENERAL FUND.) On July first of each year, until the sum of seventeen million, seven hundred fifteen thousand dollars, or so much thereof as may be necessary, shall have been transferred to the state capital construction 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 that the cash balance in the general fund as of the close of business on the previous thirtieth day of June shall exceed fifty million dollars, the director of the department of accounts and purchases shall direct the state treasurer to transfer to the state capital construction fund the following amounts which are hereby transferred out of the general fund in the state treasury, or so much

thereof as may be necessary, or the amount in excess of fifty million dollars in the general fund, whichever is the lesser:

July 1, 1975 .....	\$4,765,000
July 1, 1976 .....	3,200,000
July 1, 1977 .....	4,875,000
July 1, 1978 .....	4,875,000

Such funds shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriations to be made by the legislative assembly.

SECTION 2. APPROPRIATIONS.) There is hereby appropriated out of any moneys in the state capital construction fund the sum of \$17,715,000.00, or so much thereof as may be necessary, to state agencies, departments, and institutions listed herein for the construction or addition, remodeling, and equipping of buildings and facilities within the limitations hereafter stated in this section:

Name of agency, department, or institution	Type of facility	State funds
Minot state college .....	Completion of allied health and science building	\$ 200,000
State school of science .....	Physical education activities center	3,000,000
Blind school .....	Multi-purpose room	240,000
Main experiment station .....	Completion of veterinary science building	375,000
Main experiment station .....	Meat-handling facility	150,000
Main experiment station .....	Chemical storage building	52,000
Division of independent study ..	Film storage unit	48,000
State fair association .....	Improvements at state fair	500,000
Main experiment station .....	Agriculture science building	3,200,000
North Dakota state university .	Library addition	2,000,000
Grafton state school .....	Administration building	1,200,000
University of North Dakota ....	Office facilities and class lab	3,000,000
Minot state college .....	Physical education activities center	3,000,000
Dickinson state college .....	Multi-purpose arena	250,000
State hospital .....	Maximum security unit	500,000
		<u>\$17,715,000</u>

The order in which the projects are listed in this section shall be the priority list for the construction or remodeling of such facilities. The construction or remodeling of a building or facility shall not be commenced until the amount of funds indicated for such building or facility has been transferred to the state capital construction fund as provided in this Act.

In addition to the appropriations and authorizations set forth in this Act, there is hereby appropriated to the state agencies, departments, and institutions listed herein, any moneys available from private, federal, or other sources to construct or remodel facilities set forth in this Act. In no event shall any facility exceed the cost indicated in the column "state funds" except to the extent funds may be received from federal and private sources.

SECTION 3.) For the purpose of making recommendations to the legislative assembly regarding the order of priority and costs for the construction or addition, remodeling, and equipping of buildings, the



## MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to inform you that the Senate has not adopted the conference committee report on:

House Bill No. 1468

The President appointed as a new conference committee:

Senator Melland

Senator Strinden

Senator Walsh

LEO LEIDHOLM, Secretary

## MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2001

Senate Bill No. 2007

Senate Bill No. 2014

Senate Bill No. 2173

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1013

ROY GILBREATH, Chief Clerk

Senator Nething moved that the Senate recess until 9:00 A.M., March 26, 1975, which motion prevailed.

LEO LEIDHOLM, Secretary



FIFTY-FIFTH DAY AFTER RECESS AND  
FIFTY-SIXTH DAY AND FIFTY-SEVENTH DAY

Bismarck, March 26, 1975

The Senate convened at 9:00 A.M., pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1004

ROY GILBREATH, Chief Clerk

Senator Pyle moved that the absent Senator be excused, which motion prevailed.

Senator Nething moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

FIFTY-SIXTH DAY

Bismarck, March 26, 1975

The Senate convened at 2:00 P.M., the President presiding.

Prayer was presented by Senator Solberg

TO

JOHN MAXSON STILLMAN  
IN TOKEN OF GOOD CHEER

A darkening sky and a whitening sea,  
And the wind in the palm trees tall;  
Soon or late comes a call for me,  
Down from the mountain or up from the sea,  
Then let me lie where I fall.  
And a friend may write -- for friends there be,  
On a stone from the gray sea wall,  
"Jungle and town and reef and sea--  
I loved God's Earth and His Earth loved me,  
Taken for all in all."

Let us join our hearts in prayer:

By Adaptation from Jordan

"Dear God we recognize today is your day and mine, the only day we have, the day in which we play our part. What our part may signify in the great whole, we may never understand, but we are here to play it, and now is the time. This we know, it is a part of action, for winning. It is a part of love, not cynicism. It is for us to express love in terms of human helpfulness. This we know, for we have learned from long experience that any other course of life leads toward decay and waste."

So help us complete the duties assigned to us. Make this a great day in accomplishment for North Dakota and a fulfillment of the desires of the body politic. We ask it all in Jesus' name. Amen."

Roll Call: All Senators present except Freed, Goodman, Kautzmann, Mutch, Ringsak, J. Schultz, Smykowski.

A quorum was declared by the President.

## CORRECTION AND REVISION

Mr. President: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the fifty-fourth day after recess, fifty-fifth day and fifty-fifth day after recess and finds the same to be correct.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

## REPORTS OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1004 has had the same under consideration and recommends:

That the House accede to the Senate amendments.

For the Senate

Senator Longmire  
Senator Wenstrom  
Senator Larson

For the House

Rep. Wagner  
Rep. Olin  
Rep. H. Johnson

Senator Longmire moved that the report be adopted, which motion prevailed.

Mr. President: Your conference committee to whom was referred House Bill No. 1010 has had the same under consideration and recommends that the Senate recede from its amendments and that House Bill 1010 be amended as follows:

On page 2, line 11 of the engrossed bill, delete the numerals "13,281,974" and insert in lieu thereof the numerals "13,181,974"

On page 2 of the engrossed bill, after line 11 insert the following line: "Patient labor — if necessary to meet minimum federal wage standards 200,000"

On page 2 of the engrossed bill, delete line 16

On page 2, line 17 of the engrossed bill, delete the numerals "621,000" and insert in lieu thereof the numerals "891,000"

On page 2, line 19 of the engrossed bill, delete the numerals "18,368,069" and insert in lieu thereof the numerals "17,238,069"

On page 2, line 21 of the engrossed bill, delete the numerals "13,338,069" and insert in lieu thereof the numerals "12,208,069"

On page 2, line 29 of the engrossed bill, delete the numerals "983,658" and insert in lieu thereof the numerals "883,658"

On page 2, line 30 of the engrossed bill, delete the numerals "72,259" and insert in lieu thereof the numerals "172,259"

On page 3, line 2 of the engrossed bill, delete the numerals "17,396,529" and insert in lieu thereof the numerals "16,366,529"

On page 3, line 3 of the engrossed bill, delete the numerals "16,009,211" and insert in lieu thereof the numerals "15,909,211"

On page 3, line 4, of the engrossed bill, delete the numerals "33,405,740" and insert in lieu thereof the numerals "32,275,740"

On page 3, line 22, delete the numerals "50,000" and insert in lieu thereof the numerals "25,000"

On page 4, of the engrossed bill, after line 21, insert the following new sections:

"SECTION 6. SECURITY UNIT.) The state health department and the state hospital are hereby authorized to investigate the feasibility of entering into a joint project with Stutsman County and the city of

Jamestown for the construction of a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown.

“SECTION 7. HUMAN SERVICE CENTERS AND MENTAL HEALTH AND RETARDATION CENTERS.) Moneys shall be transferred to human service centers and mental health and retardation centers pursuant to the provisions of this Act, only after the state health department has been furnished reports by such centers indicating that funds from local sources have, except for necessary operating funds, first been expended for the operation of such centers. Copies of reports from human service centers shall also be filed with the social service board.”

And renumber the lines, sections and pages accordingly.

And when so amended recommends the same do pass.

For the Senate  
 Senator Melland  
 Senator C. Schultz  
 Senator Larson

For the House  
 Rep. Laske  
 Rep. Hensrud  
 Rep. Fleming  
 Senator Melland moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1010 be placed on second reading and final passage, as amended, which motion prevailed.

SECOND READING OF A HOUSE BILL

House Bill No. 1010. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION				ROLL-CALL				1975 LEGISLATURE			
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN		•	• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		•
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAK			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GROHNHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN	•		• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH	•		• SCHUSTER			MR. PRESIDENT		

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. 1013 has had the same under consideration and recommends:

That the House accede to the Senate amendments.

For the Senate  
 Senator Strinden

Senator Pyle  
 Senator Walsh

For the House  
 Rep. Freborg  
 Rep. Tweten  
 Rep. Opedahl

Senator Strinden moved that the report be adopted, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEES**

Mr. President: Your Conference Committee to whom was referred House Bill No. 1003 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1003 be amended as follows:

On page 1, line 3 of the engrossed bill, after the word "Dakota" insert the following: ", and declaring an emergency"

On page 2, line 3 of the engrossed bill, delete the numerals "148,403" and insert in lieu thereof the numerals "156,947"

On page 2, line 7 of the engrossed bill, delete the numerals "190,606" and insert in lieu thereof the numerals "199,150"

On page 2, line 11 of the engrossed bill, delete the numerals "33,214" and insert in lieu thereof the numerals "48,214"

On page 2, after line 11 of the engrossed bill, insert the following: "Travel to annual meeting — president's committee on the employment of the handicapped 3,000"

On page 2, line 14 of the engrossed bill, delete the numerals "95,850" and insert in lieu thereof the numerals "113,850"

On page 2, after line 14 of the engrossed bill, insert the following: "(The above line item entitled "travel to annual meeting — president's committee on the employment of the handicapped" in subdivision 3 of this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval)"

On page 2, line 33 of the engrossed bill, delete the numerals "879,817" and insert in lieu thereof the numerals "906,361"

On page 2, line 35 of the engrossed bill, delete the numerals "2,725,194" and insert in lieu thereof the numerals "2,751,738"

On page 3 of the engrossed bill, after line 15, insert the following new sections:

"SECTION 4. COUNCIL ON HUMAN RESOURCES.) The appropriation in section 1 of this Act to the council on human resources for fees and services and supplies and materials shall be allocated as follows to the committees on aging, committee on children and youth, committee on employment of the handicapped, and the commission on the status of women:

	Fees and Services	Supplies and Materials
Committee on aging .....	\$11,861	\$1,131
Committee on children and youth .....	12,391	1,387
Committee on employment of the handicapped .....	16,537	1,439
Commission on the status of women .....	7,425	1,182
Total .....	\$48,214	\$5,139

SECTION 5. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval on such items as are designated to be made available immediately on passage and approval."

And renumber the lines and pages accordingly.

**STATEMENT OF THE PURPOSE OF THE AMENDMENT:**

To allow for salary adjustment for the director of the department of veterans' affairs to bring him to his level of classification; to provide additional funding in fees and services to the council on human resources to assure adequate programs for the committees on aging, handicapped, youth and status of women; and to allocate the funds appropriated to the various committees and commissions within the council on human resources based on the ratio of the amounts budgeted for the committees and commissions during the 1973-75 biennium.

For the Senate

- Senator C. Schultz
- Senator Wenstrom
- Senator Erdmann

For the House

- Rep. Freborg
- Rep. Christensen
- Rep. Mushik

Senator C. Schultz moved that the report be adopted, which motion prevailed.

Senator C. Schultz moved that the rules be suspended, that House Bill No. 1003 be placed on second reading and final passage, as amended, which motion prevailed.

**SECOND READING OF A HOUSE BILL**

**House Bill No. 1003.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET			• SMYKOWSKI		
• CHRISTENSEN, H. #5			• JONES			• NETHING			• SOLBERG		
• CHRISTENSEN, L. #3			• KAUTZMANN			• PYLE			• STRAND		
• CONLIN			• LARSON			• RAIT			• STRINDEN		
• ERDMAN			• LASHKOWITZ			• REDLIN			• STROUP		
• FREED			• LEE			• REITEN			• THANE		
• FRITZELL			• LIPS			• RINGSAP			• TWETEN		
• GOODMAN			• LONGMIRE			• SANDS			• VOSPER		
• GRONHOVD			• MAHER			• SANDNESS			• WALSH		
• HOFFNER			• MELLAND			• SCHULTZ, C. #14			• WENSTROM		
• HOLAND			• MORGAN			• SCHULTZ, J. #32			• WRIGHT		
• HOMUTH			• MUTCH			• SCHUSTER			MR. PRESIDENT		

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. 2453 has had the same under consideration and recommends:

That since the committee is unable to agree, that it be discharged and a new conference committee appointed.

For the Senate

- Senator Kautzmann
- Senator Mutch
- Senator Gronhovd

For the House

Rep. VanderVorst

Rep. Tennefos

Rep. Langley

Senator Kautzmann moved that the report be adopted, which motion prevailed.

#### MOTION

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 Senate Bill No. 2453, which motion prevailed.

The President appointed as a Conference Committee on Senate Bill No. 2453:

Senator Kautzmann

Senator Mutch

Senator Homuth

#### MESSAGES TO THE HOUSE

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1003, 1004, 1010, 1013, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has adopted the conference committee report on:

Senate Bill No. 2453

And the committees having been unable to agree, the President appointed as a new conference committee.

Senator Kautzmann

Senator Mutch

Senator Homuth

LEO LEIDHOLM, Secretary

#### MESSAGES FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

Senate Bill No. 2453

And the committees having been unable to agree, the Speaker appointed as a new conference committee.

Rep. Rued

Rep. Tennefos

Rep. Kelly

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on House Bill No. 1468.

Rep. Olin

Rep. L. Hausauer

Rep. Solberg

ROY GILBREATH, Chief Clerk

#### 1975 - 1977 INTERIM COMMITTEE APPOINTMENTS

Lieutenant Governor Sanstead announced the following 1975-1977 Interim Committee Appointments:

#### CAPITOL GROUNDS PLANNING COMMISSION

Senator Kautzmann

Senator J. Schultz

Senator Berube

COMBINED LAW ENFORCEMENT COUNCIL

Senator Smykowski

EDUCATION COMMISSION OF THE STATES

Senator Thane

HERITAGE COMMISSION

Senator Jones

LEGISLATIVE COUNCIL

For the Minority

Senator Barth

Senator L. Christensen

For the Majority

Senator Melland

Senator Stroup

Senator Goodman

MULTI-STATE TAX ADVISORY COMPACT COMMITTEE

Senator Shirley Lee

Senator Conlin

INDIAN AFFAIRS COMMISSION (will not begin until July )

Senator Maher

COMMUNICATION  
STATE OF NORTH DAKOTA  
EXECUTIVE OFFICE  
BISMARCK

March 26, 1975

The Honorable Wayne G. Sanstead

President of the Senate

Senate Chambers

Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 25, 1975, I signed the following Senate Bills:

Senate Bill No. 2024

Senate Bill No. 2036

Senate Bill No. 2065

Senate Bill No. 2159

Senate Bill No. 2160

Senate Bill No. 2223

Senate Bill No. 2234

Senate Bill No. 2240

Senate Bill No. 2301

Senate Bill No. 2424

Also, on March 26, 1975, I signed Senate Bill 2070.

Sincerely yours,  
ARTHUR A. LINK  
Governor

MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1468

ROY GILBREATH, Chief Clerk

Senator Nething moved that the Senate stand at ease subject to the call of the Chair, which motion prevailed.

The Senate reconvened, the President presiding.

REPORT OF CONFERENCE COMMITTEES

Mr. President: Your conference committee to whom was referred House Bill No. 1468 has had the same under consideration and recommends:

That the Senate recede from its amendments and House Bill No. 1468 be amended as follows:

On page 1 of the engrossed bill, delete all of the words after the words "A BILL", delete the remainder of the bill and insert in lieu thereof the following:

"for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings at stage agencies, departments, and institutions.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. TRANSFER FROM GENERAL FUND.) On July first of each year, until the sum of seventeen million, seven hundred fifteen thousand dollars, or so much thereof as may be necessary, shall have been transferred to the state capital construction 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 that the cash balance in the general fund as of the close of business on the previous thirtieth day of June shall exceed fifty million dollars, the director of the department of accounts and purchases shall direct the state treasurer to transfer to the state capital construction fund the following amounts which are hereby transferred out of the general fund in the state treasury, or so much thereof as may be necessary, or the amount in excess of fifty million dollars in the general fund, whichever is the lesser:

July 1, 1975 .....	\$4,565,000
July 1, 1976 .....	4,400,000
July 1, 1977 .....	5,000,000
July 1, 1978 .....	3,750,000

Such funds shall be expended by the various agencies, departments, and institutions for the construction or addition, remodeling, and equipping of buildings in accordance with specific appropriations to be made by the legislative assembly.

SECTION 2. APPROPRIATIONS.) There is hereby appropriated out of any moneys in the state capital construction fund the sum of \$17,715,000.00, or so much thereof as may be necessary, to state agencies, departments, and institutions listed herein for the construction or addition, remodeling, and equipping of buildings and facilities within the limitations hereafter stated in this section:

Name of agency, department, or institution	Type of facility	State funds
Minot state college .....	Completion of allied health and science building	\$ 200,000
State school of science .....	Physical education activities center	3,000,000
Blind school .....	Multi-purpose room	240,000
Main experiment station .....	Completion of veterinary science building	375,000
Main experiment station .....	Meat-handling facility	150,000
Main experiment station .....	Chemical storage building	52,000
Division of independent study .....	Film storage unit	48,000
State fair association .....	Improvements at state fair	500,000
Main experiment station .....	Agriculture science building	3,200,000
Grafton state school .....	Administration building	1,200,000
North Dakota state university .....	Library addition	2,000,000
University of North Dakota .....	Office facilities and class lab	3,000,000



Minot state college	Physical education activities center	3,000,000
Dickinson state college	Multi-purpose arena	250,000
State hospital	Maximum security unit	500,000
		<u>\$17,715,000</u>

The order in which the projects are listed in this section shall be the priority list for the construction or remodeling of such facilities. The construction or remodeling of a building or facility shall not be commenced until the amount of funds indicated for such building or facility has been transferred to the state capital construction fund as provided in this Act.

In addition to the appropriations and authorizations set forth in this Act, there is hereby appropriated to the state agencies, departments, and institutions listed herein, any moneys available from private, federal, or other sources to construct or remodel facilities set forth in this Act. In no event shall any facility exceed the cost indicated in the column "state funds" except to the extent funds may be received from federal and private sources.

SECTION 3.) For the purpose of making recommendations to the legislative assembly regarding the order of priority and costs for the construction or addition, remodeling, and equipping of buildings, the legislative council shall appoint an interim committee to conduct an ongoing study of such costs and order of priority.

SECTION 4.) The state hospital and the health department are hereby authorized to conduct a study of the feasibility of entering into a joint project with Stutsman County and the city of Jamestown for the construction of a security unit to be used by the state hospital, Stutsman County, and the city of Jamestown. The funds herein appropriated to the state hospital for the state share of construction costs of a maximum security unit shall not be expended until such a study has been completed.

SECTION 5. APPROPRIATION.) In addition to other appropriations and authorizations provided in this Act, there is hereby appropriated to North Dakota state university from any moneys derived from private or federal sources such amounts as may be necessary for the construction of a fine arts center."

And renumber the lines and pages accordingly.

For the Senate:

- Senator Melland
- Senator Strinden
- Senator Walsh

For the House:

- Representative Olin
- Representative L. Hausauer
- Representative Solberg

Senator Melland moved that the report be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that House Bill No. 1468 be placed on second reading and final passage, as amended, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1468.** A Bill for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 44; nays, 3; absent and not voting, 4.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			● ISZLER			● NAAEDN			● SHABLOW		
● BERUBE			● JACOBSON	●		● NASSET			● SMYKOWSKI		
● CHRISTENSEN, H. #5			● JONES			● NETHING			● SOLBERG		
● CHRISTENSEN, L. #3			● KAUTZMANN			● PYLE			● STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDLIN			● STROUP		
● FREED			● LEE	●		● REITEN			● THANE		
● FRITZEL			● LIPS			● RINGSAK			● TWETEN		
● GOODMAN			● LONGMIRE			● SANDS	●		● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER			● MELLAND			● SCHULTZ, C. #14			● WENSTROM		
● HOLLAND			● MORGAN			● SCHULTZ, J. #32			● WRIGHT		
● HOMUTH			● MUTCH			● SCHUSTER			● MR. PRESIDENT		

So the bill passed and the title was agreed to.

Senator Ringsak moved that the vote by which House Bill No. 1468 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## PERSONAL PRIVILEGE

Senator Stroup: Mr. President, I rise on a point of personal privilege.

Members of the Senate in a little different vein we did not realize that the previous bill was going through just as rapidly as it had and it was going to be accepted because we thought it was going back to another conference committee and meantime we of the area that were not fortunate enough to be on the first list have devised one of our own that we would have liked to propose and we weren't quite ready with it, so for the benefit of the members of the Senate why we'll go down through a few of the buildings that we had but we don't have it in proper form and since that was clinched well we're not going to be able to present it. But we did have a few buildings and the first one was the Plainsmen Heritage Hall for \$3,000,000.00 at Mott and a \$3,000,000.00 gasification refugee center that would be located in Beulah and another \$3,000,000.00 building that would be the Bowman Bubble at Bowman and another \$3,000,000.00 appropriation would be needed for the West River Memorial Cemetery to be located in Dickinson. We needed \$2,000,000.00 for the Underwood Museum at Underwood and this is supposed to be the site of the last ton of lignite coal that is going to be mined. (That has an emergency clause on it). Then we have the civic center at Lignite City and that has a seating capacity of 1 million. 6 million of that appropriation is to be taken from the impact fund. We have the rehabilitation center at Grassy Butte, North Dakota. That is to rehabilitate the coal industry dropouts and last but not least the retirement home at Litchville, North Dakota. That is the site for west river legislators who will retire from public office and this is to be completed by 1977.

## PERSONAL PRIVILEGE

Senator Lashkowitz:

In view of the hard work and dedicated service of Senator Elton Ringsak and to promote and advance the causes and needs of the Grafton State School, I think it would be appropriate and fitting that the new building just authorized at Grafton be named in honor of our colleague, the Honorable Elton Ringsak, the distinguished State Senator from the 16th District.

In this legislative non-bicentennial year, I wish to make a timely and hopefully an appropriate statement.

Perhaps one of the less dramatic but yet more meaningful struggles in the 44th Legislative Session was the effort to restrict the right of citizens

or citizen groups to present their case for legislation without being subject to being singled out for scorn, humiliation and even degradation to an extent.

While all decent citizens have been repelled and sickened by the events reported out of our nation's capitol under the heading of Watergate, we here in North Dakota have sought to maintain open government where the citizens have ready access to the government. This means that the citizens — whether he or she is called a lobbyist or a political action group — should have the right to honorably and openly present his or her case for legislation without being subjected to degradation and even to some extent second class citizen status.

There were two bills before the current legislative assembly that could have far reaching implications as they related to the rights guaranteed citizens under the First Amendment to the Constitution of the United States assuring a citizen the right to speak, the right to print, the right to assemble and to associate and even the right of conscience needed to develop legislation and political activities.

I objected strongly to House Bill 1430 which began as an attempt to restrict labor groups in the exercise of their political rights. This attempt in House Bill 1430 ultimately was extended to occupational and professional associations, farm organizations, cooperatives as well as labor organizations. Further, House Bill 1430 as extended to apply beyond the use of membership dues to apply also to any and all funds which are given voluntarily for political or legislative action and consequently would in effect shackle and silence thousands of North Dakotans in the exercise of their personal and political rights. I was pleased to strenuously resist and oppose House Bill 1430 in the Senate which passed through by a narrow margin. Fortunately, Governor Link has since vetoed this bill and the House of Representatives has sustained the Governor's veto.

In the meantime another measure entitled Senate Bill 2368 designed to control "lobbying" moved through the Senate and House and then came back via the conference committee and was overwhelmingly approved by the Senate by a vote of approximately 47-4. My vote being amongst those in opposition. The following day, I sought to generate a move to reconsider Senate Bill 2368 and with the able assistance of Senator Evan Lips and Senator Elton Ringsak within the short space of two hours sought reconsideration and we were narrowly defeated by a vote of 26-25. This bill is now headed for the Governor's desk.

I feel that I have taken a consistent position by respecting the individual citizen in his or her right to freely petition one's government to seek redress of grievances and to lawfully and legitimately promote legislation.

It was my position that Senate Bill 2368 suffered deficiencies in being vague, indefinite, and too broad and sweeping in its purpose. The question arises under Senate Bill 2368 is "when is a citizen a lobbyist and when is a lobbyist a citizen?" The attempt to draw a distinction is quite unclear.

My position is that we must continue to exercise vigilance under existing laws and to keep the legislators and the citizens in a discreet, honorable relationship. This is certainly possible under existing laws. An offending citizen or a public official can be charged with bribery which is still a crime under North Dakota law. Whenever such a situation exists it should be ferreted out and dealt with severely under existing law.

In the guise of so-called reform, we may be over re-acting and perhaps in the name of reform abridging and crippling fundamental rights guaranteed our citizens under the First Amendment to the Constitution of the United States.

My position has been consistently that we should direct our energies

towards the development of a code of ethics for the guidance of the conduct and action of our legislators and other public officials.

Let us curb government — not the citizen in their rights to freely petition their government. My move in the current legislative assembly stems solidly from my long term personal commitment to our precious personal freedoms of redress of grievances under the Constitution of the United States.

Any attempt to make a judgment concerning the motivation of those of us who led this fight is to do a disservice to a sincere belief that the rights guaranteed by our Constitution are far more precious than an effort to enact a politically expedient piece of legislation which could only apply to a hand-full of miscreants while at the same time restricting thousands of people in their lawful contacts with their government.

If the legislative assembly and other segments of our government are so easily tainted and subjected to sordid influence, then all of the legislation that we might enact would be of no avail. The Bill of Rights in our Constitution must remain the bulwark of the American people and the people of North Dakota in their right to freely and honorably petition their government for justice, legislation, and redress of grievances.

Legislation of the moment must not be allowed to endanger basic American rights guaranteed by the Constitution to speak, to write, to freely assemble and the right to associate and to petition one's government for redress of grievances which includes the lawful request for legislation to correct inequities.

#### MESSAGE FROM THE HOUSE

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on:

House Bill No. 1002

House Bill No. 1011

ROY GILBREATH, Chief Clerk

#### COMMUNICATION STATE OF NORTH DAKOTA EXECUTIVE OFFICE BISMARCK

March 25, 1975

The Honorable Wayne G. Sanstead

President of the Senate

Senate Chambers

Bismarck, North Dakota 58505

Dear Mr. President:

Senate Bill 2435 would preclude state government from providing maximum services to the citizens of North Dakota at minimal direct cost. It would prohibit state agencies, departments, or institutions of the Executive Branch (note that this does not include the legislative branch) from utilizing 100 percent federally-funded employees through such programs as the Public Employment Program (PEP) and the Public Service Employment component of the Comprehensive Employment and Training Act of 1973. During fiscal year 1975 alone through these two programs, some 450 persons have been employed in the legislative, executive, and judicial branches of government at a saving to North Dakota in excess of \$2 million. These dollars, instead, are provided through these programs because the state is willing to make available short-term training opportunities for citizens of the state who are disadvantaged or who are in need of work experience.

A report on public service employment in state government for six months ending December, 1974, indicates the following:

a. "With \$379,000 available to State agencies to hire personnel under the Public Employment Program (PEP) since July 1, 1974, 26 state agencies have hired 84 full-time employees through the first six months of the nine-month program. These people are working for salaries between \$400-\$1000 per month; the average full-time salary is \$570 a month. Student-veteran part-time positions, totalling 87, have also been filled. The average salary for these part-time positions is under \$250 per month. State agencies taking advantage of this 100 percent federally-funded program include State Radio, Highway Department, Employment Security Bureau, State Health Department, School for the Deaf, State Hospital, Vocational Rehabilitation, State Planning Department, Governor's Office, State Laboratory, State Historical Society, State School of Forestry, Heritage Commission, School for the Blind, North Dakota State University, North Dakota State School of Science, University of North Dakota, Dickinson State College, Veterans Affairs, UND-Williston, Minot State College, State Park Service, Vocational Education, Valley City State College, Motor Vehicle and Department of Agriculture. Those hired are working as bookkeepers, accountants, computer programmer, clerical aides, research and administrative assistants, maintenance men, secretaries, psychiatric aides, cooks, teachers, equipment operators and in similar capacities."

b. "Utilizing \$540,000 of federal funding available under Title II of the Comprehensive Employment and Training Act of 1973, 24 state agency requests for personnel have been approved. Some 67 people have been employed full-time as teachers, building supervisors, secretaries, administrative assistants, ward attendants at state institutions, correction officers and in similar positions. An additional 23 positions for part-time student veterans have also been filled. Full-time employees receive between \$350-\$825 a month. Full-time salaries average \$600 a month, while part-time position salaries average under \$250 a month. Agencies requesting and hiring public service employees under this 100 percent federally-financed program include Industrial School, State Highway, Legislative Council, State Penitentiary, State Health, State Hospital, Governor's Council, Indian Affairs, Social Services, Dickinson State College, Energy Management, State Laboratory, Bicentennial Commission, Office of the Governor, Water Commission, UND-Williston, State School of Forestry, Lt. Governor, Minot State College, Mayville State College, NDSU, School for the Blind, Grafton State School, and ND State School of Science."

The current law provides, among other things, that participants in various federal public employment programs may be allowed to work for state government provided no obligation is incurred on the part of the state:

54-16-04.1 MAY AUTHORIZE ACCEPTANCE AND DISBURSEMENT OF CERTAIN MONEYS. — The emergency commission with the advice and counsel of the executive office of the budget may authorize the state treasurer to receive, between legislative sessions, any moneys for new programs not appropriated by the legislative assembly that are made available by the federal government, or any agency thereof, which the legislative assembly has not indicated an intent to reject. The emergency commission may authorize any state agency, department, board, or institution to expend such moneys from the date such moneys become available until July first following the next regular legislative session; provided such expenditures must be consistent with state law and with the terms of the grant, and provide further that the program shall not commit the legislative assembly for matching funds for future bienniums unless the program has first been approved by the legislative assembly. No department, institution or agency shall expend funds received from

the federal government which have not been specifically appropriated by the legislative assembly except as provided in this chapter.

This statute provides adequate safeguard against unchecked growth in the size of state government while permitting state agencies, departments, and institutions to take advantage of federal dollars which may be made available for public service employment programs.

With limited employers in the state, it is appropriate that state government be included among the employment opportunities for our citizens. The state should have the opportunity to train these individuals when federal funds are available so qualified, experienced personnel will be available to fill vacant and necessary new positions in public and private sectors.

Therefore, I veto Senate Bill 2435.

Sincerely yours,  
ARTHUR A. LINK  
Governor

Senator Nothing moved that consideration to over-ride the veto of the Governor on Senate Bill 2435 be placed at the foot of the calendar, which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference Committee to whom was referred House Bill No. 1002 has had the same under consideration and recommends:

That the House accede to the Senate amendments.

For the Senate:

Senator Pyle  
Senator Naaden  
Senator Maher

For the House:

Rep. Marsden  
Rep. Christensen  
Rep. Opedahl

Senator Pyle moved that the report be adopted, which motion prevailed.

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: Your Conference committee to whom was referred House Bill No. 1011 has had the same under consideration and recommends:

That the Senate recede from its amendments and House Bill No. 1011 be amended as follows:

On page 2 of the engrossed bill, delete lines 25, 26, 27, and 28

On page 2, line 30 of the engrossed bill, delete the numerals "1,740,967" and insert in lieu thereof the numerals "940,967"

On page 2, line 31 of the engrossed bill, delete the numerals "857,597" and insert in lieu thereof the numerals "820,967"

On page 2, line 32 of the engrossed bill, delete the numerals "883,370" and insert in lieu thereof the numerals "120,000"

On page 3, line 11 of the engrossed bill, delete the numerals "1,509,044" and insert in lieu thereof the numerals "745,674"

On page 3, line 12 of the engrossed bill, delete the numerals "2,249,104" and insert in lieu thereof the numerals "2,212,474"

On page 3, line 13 of the engrossed bill, delete the numerals "3,758,148" and insert in lieu thereof the numerals "2,958,148"

And renumber the lines accordingly.

#### STATEMENT OF PURPOSE OF AMENDMENT:

The purpose of this amendment is to delete the appropriation to the







Doris McMahon, Desk Reporter  
 Mary Alice Simonson, Chief Steno and Payroll  
 Arthur Herk, Assistant Secretary of the Senate  
 J. Vernon Asheim, Bill Clerk  
 Peggy Ormseth, Chief Committee Clerk  
 Gladys Derrick, Appropriations Committee Clerk  
 Wanda Froelich, Chief Page  
 Olger Sandven, Deputy Sergeant-at-Arms  
 Janna Tjaden, Enrolling and Engrossing Clerk  
 Ruth Moyer, Assistant Enrolling and Engrossing Clerk  
 Patricia Martin, Journal Proofreader  
 Kari Lee, Assistant Appropriations Committee Clerk  
 Mona Ziegler, Secretary to the Minority Leader  
 House Employees

Roy Gilbreath, Chief Clerk  
 Delano Wawers, Assistant Chief Clerk  
 Barbara King, Desk Reporter  
 Clara Wendt, Bill Clerk  
 Tillie Johanneson, Chief Steno and Payroll Clerk  
 James Sette, Calendar Clerk  
 Cecil Crandell, Sergeant-at-Arms  
 Jack Whereatt, Deputy Sergeant-at-Arms  
 Louise Ebert, Chief Committee Clerk  
 LuGale Backlin, Appropriations Committee Clerk  
 Alvin Manning, Chief Journal and Bill Room Clerk  
 Enola Eck, Bill and Journal Room Clerk  
 Ron Otto, Enrolling and Engrossing Clerk  
 Thomas Neill, Assistant Enrolling and Engrossing Clerk  
 Marion Hadzor, Journal Proofreader  
 Willa Carlson, Proofreader

BE IT FURTHER RESOLVED, that the above-listed Senate employees shall serve at the request of, and under the supervision of, the Secretary of the Senate, and that all of the listed employees, including the Secretary of the Senate, shall be employed for not more than 106 man-days in the aggregate. The Secretary of the Senate shall assign the work among the available employees in the appropriate manner within the man-day limit herein established, but shall minimize the days allocated to the extent consistent with the completion of legislative work.

BE IT FURTHER RESOLVED, that the above-listed House employees shall serve at the request of, and under the supervision of, the Chief Clerk of the House, and that all of the listed employees, including the Chief Clerk of the House, shall be employed for not more than 106 man-days in the aggregate. The Chief Clerk of the House shall assign the work among the available employees in the appropriate manner within the man-day limit herein established, but shall minimize the days allocated to the extent consistent with the completion of legislative work.

BE IT FURTHER RESOLVED, that the following named personnel be paid for two additional days' service during the Forty-fourth Legislative Assembly: Leo Leidholm, Albert Bradley, Doris McMahon, Mary Alice Simonson, Arthur Herk, J. Vernon Asheim, Peggy Ormseth, Gladys Derrick, Wanda Froelich, Peggy Stenehjem and Olger Sandven; and that the following named personnel be paid for one additional day's service during the Forty-fourth Legislative Assembly: Roy Gilbreath, Delano Wawers, Barbara King, Clara Wendt, Tillie Johanneson, James Sette, Cecil Crandell, Jack Whereatt, Louise Ebert, LuGale Backlin, Alvin Manning and Adeline Lee. Payment for such additional day's service is to



Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1348

Which the Senate has indefinitely postponed.

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following House Bills Nos. 1001, 1002, 1011 & 1468, on which the Senate has adopted the conference committee report.

LEO LEIDHOLM, Secretary

SECOND READING OF A SENATE BILL

Senate Bill No. 2435. A Bill for an Act to control the size of state government and the number of persons employed by the state, and to file quarterly reports.

Which has been read.

Senator Homuth moved that he be excused from voting, under Rule 24. Senator Nething moved that Senator Homuth be permitted to vote, which motion prevailed.

ROLL CALL

The question being on the passage of Senate Bill 2435 over the Governor's veto, the roll was called and there were ayes, 31; nays, 18; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1975 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		•	•	ISZLER		•	NAADEN				SHABLOW
		•	•	JACOBSON		•	NASSET				SMYKOWSKI
•			•	JONES		•	NETHING		•		SOLBERG
•			•	KAUTZMANN		•	PYLE				STRAND
		•		LARSON	•		RAIT		•		STRINDEN
		•		LASHKOWITZ			REDLIN	•		•	STROUP
•			•	LEE			REITEN				THANE
•				LIPS	•		RINCSAK				TWETEN
•				LONGMIRE			SANDS				VOSPER
		•		MAHER	•		SANDNESS				WALSH
		•	•	MELLAND		•	SCHULTZ, C. #14				WENSTROM
•			•	MORGAN		•	SCHULTZ, J. #32				WRIGHT
		•	•	MUTCH			SCHUSTER	•			MR. PRESIDENT

The Governor's veto on Senate Bill 2453 was sustained.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 2467.

LEO LEIDHOLM, Secretary

Senator Nething moved that the Senate recess, subject to the call of the Chair, which motion prevailed.

The Senate reconvened, the President presiding.

REPORTS OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

- Senate Bill No. 2118
- Senate Bill No. 2130
- Senate Bill No. 2207
- Senate Bill No. 2232
- Senate Bill No. 2275
- Senate Bill No. 2289
- Senate Bill No. 2326

Senate Bill No. 2332  
 Senate Bill No. 2339  
 Senate Bill No. 2413  
 Senate Bill No. 2426

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Walsh 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. 2066  
 Senate Bill No. 2126  
 Senate Bill No. 2144  
 Senate Bill No. 2146  
 Senate Bill No. 2186  
 Senate Bill No. 2187  
 Senate Bill No. 2230  
 Senate Bill No. 2342  
 Senate Bill No. 2349  
 Senate Bill No. 2398  
 Senate Bill No. 2403  
 Senate Bill No. 2407  
 Senate Bill No. 2415  
 Senate Bill No. 2428  
 Senate Bill No. 2430  
 Senate Bill No. 2446  
 Senate Bill No. 2447  
 Senate Bill No. 2464  
 Senate Concurrent Resolution No. 4035  
 Senate Concurrent Resolution No. 4037  
 Senate Concurrent Resolution No. 4074  
 And find the same correctly enrolled.

SENATOR STRAND, Chairman

Senator Fritzell 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. 2066  
 Senate Bill No. 2118  
 Senate Bill No. 2126  
 Senate Bill No. 2130  
 Senate Bill No. 2144  
 Senate Bill No. 2146  
 Senate Bill No. 2186  
 Senate Bill No. 2187  
 Senate Bill No. 2207  
 Senate Bill No. 2230  
 Senate Bill No. 2232  
 Senate Bill No. 2275  
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 Senate Bill No. 2326  
 Senate Bill No. 2332  
 Senate Bill No. 2339  
 Senate Bill No. 2342  
 Senate Bill No. 2349  
 Senate Bill No. 2398  
 Senate Bill No. 2403  
 Senate Bill No. 2407

Senate Bill No. 2413  
Senate Bill No. 2415  
Senate Bill No. 2426  
Senate Bill No. 2428  
Senate Bill No. 2430  
Senate Bill No. 2446  
Senate Bill No. 2447  
Senate Bill No. 2464  
Senate Concurrent Resolution No. 4035  
Senate Concurrent Resolution No. 4037  
Senate Concurrent Resolution No. 4074  
And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2066  
Senate Bill No. 2118  
Senate Bill No. 2126  
Senate Bill No. 2130  
Senate Bill No. 2144  
Senate Bill No. 2146  
Senate Bill No. 2186  
Senate Bill No. 2187  
Senate Bill No. 2207  
Senate Bill No. 2230  
Senate Bill No. 2232  
Senate Bill No. 2275  
Senate Bill No. 2289  
Senate Bill No. 2326  
Senate Bill No. 2332  
Senate Bill No. 2339  
Senate Bill No. 2342  
Senate Bill No. 2349  
Senate Bill No. 2398  
Senate Bill No. 2403  
Senate Bill No. 2407  
Senate Bill No. 2413  
Senate Bill No. 2415  
Senate Bill No. 2426  
Senate Bill No. 2428  
Senate Bill No. 2430  
Senate Bill No. 2446  
Senate Bill No. 2447  
Senate Bill No. 2464  
Senate Concurrent Resolution No. 4035  
Senate Concurrent Resolution No. 4037  
Senate Concurrent Resolution No. 4074

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:  
House Bill No. 1009  
House Bill No. 1103  
House Bill No. 1107  
House Bill No. 1206

House Bill No. 1244  
 House Bill No. 1266  
 House Bill No. 1305  
 House Bill No. 1320  
 House Bill No. 1364  
 House Bill No. 1452  
 House Bill No. 1495  
 House Bill No. 1499  
 House Bill No. 1521  
 House Bill No. 1546  
 House Bill No. 1562  
 House Bill No. 1566  
 House Bill No. 1569  
 House Bill No. 1572  
 House Bill No. 1581  
 House Bill No. 1597  
 House Bill No. 1599

House Concurrent Resolution No. 3003

House Concurrent Resolution No. 3036

House Concurrent Resolution No. 3042

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. 1009  
 House Bill No. 1103  
 House Bill No. 1107  
 House Bill No. 1206  
 House Bill No. 1244  
 House Bill No. 1266  
 House Bill No. 1305  
 House Bill No. 1320  
 House Bill No. 1364  
 House Bill No. 1452  
 House Bill No. 1495  
 House Bill No. 1499  
 House Bill No. 1521  
 House Bill No. 1546  
 House Bill No. 1562  
 House Bill No. 1566  
 House Bill No. 1569  
 House Bill No. 1572  
 House Bill No. 1581  
 House Bill No. 1597  
 House Bill No. 1599

House Concurrent Resolution No. 3003

House Concurrent Resolution No. 3036

House Concurrent Resolution No. 3042

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1009  
 House Bill No. 1103  
 House Bill No. 1107

House Bill No. 1206  
 House Bill No. 1244  
 House Bill No. 1266  
 House Bill No. 1305  
 House Bill No. 1320  
 House Bill No. 1364  
 House Bill No. 1452  
 House Bill No. 1495  
 House Bill No. 1499  
 House Bill No. 1521  
 House Bill No. 1546  
 House Bill No. 1562  
 House Bill No. 1566  
 House Bill No. 1569  
 House Bill No. 1572  
 House Bill No. 1581  
 House Bill No. 1597  
 House Bill No. 1599  
 House Concurrent Resolution No. 3003  
 House Concurrent Resolution No. 3036  
 House Concurrent Resolution No. 3042  
 Which the President has signed.

LEO LEIDHOLM, Secretary

#### REPORT OF CONFERENCE COMMITTEES

Mr. President: The majority of your conference committee appointed to consider Senate Bill No. 2453 has had the same under consideration and recommends that the Senate accede to the House amendments to the engrossed bill, and that the bill as effected by action by the Senate shown on pages 1338 through 1340 of the Senate Journal be further amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words "A BILL" through the end of the bill, and insert the following in lieu thereof:

"for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09.1-02, 6-09.1-03, and 54-17-11 of the North Dakota Century Code, to create an operations board for the Bank of North Dakota and encourage deposits by banks in state.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DECLARATION OF LEGISLATIVE INTENT AND FINDING OF PUBLIC PURPOSE.) The legislative assembly finds that it is in the public interest to promote and encourage banks located in the state to maintain substantial reserve and clearinghouse deposits with the Bank of North Dakota for use in carrying out the purposes of the Bank of North Dakota. The legislative assembly further finds that there is a need to provide additional capital sources within the state of North Dakota for banks in the form of overline credit to carry out the lending demands upon the banks located within the state. The legislative assembly finds that it is in the public interest to have broader participation in the operations of the Bank of North Dakota and its expanding activities.

SECTION 2. AMENDMENT.) Section 6-09.1-02 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.1-02. ((ADDITIONAL AUTHORITY GRANTED TO THE GOVERNOR OF NORTH DAKOTA RELATING TO THE BANK OF NORTH DAKOTA.)) APPOINTMENT OF OPERATIONS BOARD BY INDUSTRIAL COMMISSION.) ((The governor of North Dakota shall

appoint an advisory board of directors of five persons knowledgeable in banking and finance and in motivating the expansion of industry within and without the state of North Dakota to the Bank of North Dakota. The governor shall appoint a chairman, vice chairman, and secretary of such board and shall define their duties. Terms shall be for periods of from one to four years. The industrial commission shall fix compensation for the board on a daily or monthly basis.)) Members of the industrial commission shall appoint a nine-member operations board which shall consist of three persons who are officers of banking institutions within the state, three persons directly engaged in grain farming or livestock farming, and three persons directly engaged in business, industry, or manufacturing. Each member of the industrial commission shall appoint three members of the nine-member operations board and each of the appointments by a member of the industrial commission shall be from a different category as specified in this section. Such persons shall be knowledgeable in their respective fields of endeavor, and as it relates to banking and finance, and in motivating the expansion of industry and available sources of credit within the state of North Dakota. The industrial commission shall fix compensation for the board members on a daily or monthly basis, and shall appoint a chairman, vice chairman, and secretary. Such board shall meet with the industrial commission every three months to review and participate in setting policy as to the commercial operations of the Bank, including its lending and investment practices and the management of the clearinghouse functions of the Bank under the provisions of section 6-09-11. The board shall meet at least monthly and at such additional times as the industrial commission or the majority of the board shall determine to participate in the operations of the Bank with the management personnel, and make recommendations to the industrial commission concerning the operations of the Bank. Original appointments to the operations board shall be so that one member of each of the three categories shall be appointed for a term of one year, one member of each of the three categories shall be appointed for a term of two years, and one member of each of the three categories shall be appointed for a term of three years. Thereafter all terms shall be for three years and shall be arranged so that three terms shall expire on the same date yearly. No member of the board shall serve more than two terms. The industrial commission, the governor, and the president of the Bank shall have all powers and responsibilities heretofore vested in them.

SECTION 3. AMENDMENT.) Section 6-09.1-03 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.1-03. AUTHORITY GRANTED TO THE ((ADVISORY BOARD OF DIRECTORS))) OPERATIONS BOARD OF THE BANK OF NORTH DAKOTA IN THE DECLARATION OF POLICY FOR THE BANK — CREATION OF ONE HUNDRED MILLION DOLLAR CAPITAL POOL.) ((The advisory board))) The operations board of the Bank of North Dakota shall formulate recommendations to the industrial commission of North Dakota relative to the establishment of additional objectives for the operation of the Bank of North Dakota, including the sponsoring, coordination, and assistance to the activities of public officials and private individuals in creating a long-term first mortgage industrial development capital pool of one hundred million dollars; and such ((advisory board))) operations board shall act in behalf of the Bank of North Dakota in such other capacity as may be approved by the industrial commission of North Dakota.

SECTION 4. AMENDMENT.) Section 54-17-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:



54-17-11. OPERATIONS BOARD — MANAGER AND EMPLOYEES OF INDUSTRIES — COMMISSION TO APPOINT — COMPENSATION.) The industrial commission may appoint an operations board as provided in section 6-09.1-02, and shall appoint a manager, and all necessary subordinate officers and employees of and for each utility, industry, enterprise, and business project established, owned, undertaken, administered, or operated by the state. It may constitute such manager its general agent in the performance of its duties in the particular utility, industry, enterprise, or business project in which he shall be engaged, but subject, nevertheless, in such agency to the supervision, limitation, and control of the commission. It shall employ such contractors, architects, builders, attorneys, salesmen, clerks, accountants, and other experts, agents, and servants, as in the judgment of the commission the interests of the state may require, and shall define the duties, designate the titles, and fix the compensation and bonds of all persons so engaged.”

And renumber the pages and lines accordingly.

For the Senate:

Senator Kautzmann

Senator Mutch

For the House:

Representative Rued

Representative Tennefos

#### REPORT OF CONFERENCE COMMITTEE

Mr. President: The minority of your conference committee appointed to consider Senate Bill No. 2453 has had the same under consideration and recommends that the Senate accede to the House amendments to the engrossed bill, and that the bill as effected by action by the Senate shown on pages 1338 through 1340 of the Senate Journal be further amended as follows:

On page 1 of the engrossed bill, line 1, delete everything after the words “A BILL” through the end of the bill, and insert the following in lieu thereof: “for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09-15, 6-09.1-02, 6-09.1-03, and 54-17-11 of the North Dakota Century Code, to create an operations board for the Bank of North Dakota and encourage deposits by banks in state.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DECLARATION OF LEGISLATIVE INTENT AND FINDING OF PUBLIC PURPOSE.) The legislative assembly finds that it is in the public interest to promote and encourage banks located in the state to maintain substantial reserve and clearinghouse deposits with the Bank of North Dakota for use in carrying out the purposes of the Bank of North Dakota. The legislative assembly further finds that there is a need to provide additional capital sources within the state of North Dakota for banks in the form of overline credit to carry out the lending demands upon the banks located within the state. The legislative assembly finds that it is in the public interest to have broader participation in the operations of the Bank of North Dakota and its expanding activities.

The legislative assembly finds that it is in the public interest to provide additional capital sources within the state of North Dakota for residents who wish to purchase stock in banks located in the state of North Dakota to encourage increased deposits and bank business with the Bank of North Dakota by banks within the state.

SECTION 2. AMENDMENT.) Section 6-09-15 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09-15. BANK MAY MAKE LOANS — BANK PURCHASE LOANS — REAL ESTATE LOANS LIMITED.) The Bank of North Dakota may make loans to, and purchase securities issued by instrumentalities of this state, and such loans shall be repaid with interest to the Bank. The Bank of North Dakota may make loans 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. The bank 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. The Bank of North Dakota may invest its funds in bonds, notes, or debentures of any corporation 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 for any one corporation, ten percent of the combined capital, and surplus of the Bank. The Bank 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 certificate and savings accounts offered as security. The Bank 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 recorded mortgages giving the Bank of North Dakota a first lien on real estate in 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 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, excluding those loans insured or guaranteed by the United States or its agencies.

After July 1, 1976, the Bank of North Dakota may make loans to residents of this state for the purpose of purchasing stock in banks located in the state if such loans are secured by the stock purchased in such bank, on such terms and under such rules and regulations as established by the industrial commission. The total of such loans made for this purpose shall not exceed twenty-five percent of the capital and surplus of the Bank of North Dakota, nor shall it exceed twenty-five percent of the total deposits in the Bank of North Dakota from all banks located within the state.

SECTION 3. AMENDMENT.) Section 6-09.1-02 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.1-02. (((ADDITIONAL AUTHORITY GRANTED TO THE GOVERNOR OF NORTH DAKOTA RELATING TO THE BANK OF NORTH DAKOTA.))) APPOINTMENT OF OPERATIONS BOARD BY INDUSTRIAL COMMISSION.) ((The governor of North Dakota shall appoint an advisory board of directors of five persons knowledgeable in banking and finance and in motivating the expansion of industry within and without the state of North Dakota to the Bank of North Dakota. The governor shall appoint a chairman, vice chairman, and secretary of such board and shall define their duties. Terms shall be for periods of from one to four years. The industrial commission shall fix compensation for the board on a daily or monthly basis.))) Members of the industrial commission shall appoint a nine-member operations board which shall consist of three persons who are officers of banking institutions within the state, three persons directly engaged in grain farming or livestock farming, and three persons directly engaged in business, industry, or manufacturing. Each member of the industrial commission shall appoint three members of the nine-member operations board and each of the appointments by a member of the industrial commission shall be from a

different category as specified in this section. Such persons shall be knowledgeable in their respective fields of endeavor, and as it relates to banking and finance, and in motivating the expansion of industry and available sources of credit within the state of North Dakota. The industrial commission shall fix compensation for the board members on a daily or monthly basis, and shall appoint a chairman, vice chairman, and secretary. Such board shall meet with the industrial commission every three months to review and participate in setting policy as to the commercial operations of the Bank, including its lending and investment practices and the management of the clearing-house functions of the Bank under the provisions of section 6-09-11. The board shall meet at least monthly and at such additional times as the industrial commission or the majority of the board shall determine to participate in the operations of the Bank with the management personnel, and make recommendations to the industrial commission concerning the operations of the Bank. Original appointments to the operations board shall be so that one member of each of the three categories shall be appointed for a term of one year, one member of each of the three categories shall be appointed for a term of two years, and one member of each of the three categories shall be appointed for a term of three years. Thereafter all terms shall be for three years and shall be arranged so that three terms shall expire on the same date yearly. No member of the board shall serve more than two terms. The industrial commission, the governor, and the president of the Bank shall have all powers and responsibilities heretofore vested in them.

SECTION 4. AMENDMENT.) Section 6-09.1-03 of the 1973 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

6-09.1-03. AUTHORITY GRANTED TO THE ((ADVISORY BOARD OF DIRECTORS)) OPERATIONS BOARD OF THE BANK OF NORTH DAKOTA IN THE DECLARATION OF POLICY FOR THE BANK — CREATION OF ONE HUNDRED MILLION DOLLAR CAPITAL POOL.) ((The advisory board)) The operations board of the Bank of North Dakota shall formulate recommendations to the industrial commission of North Dakota relative to the establishment of additional objectives for the operation of the Bank of North Dakota, including the sponsoring, coordination, and assistance to the activities of public officials and private individuals in creating a long-term first mortgage industrial development capital pool of one hundred million dollars; and such ((advisory board)) operations board shall act in behalf of the Bank of North Dakota in such other capacity as may be approved by the industrial commission of North Dakota.

SECTION 5. AMENDMENT.) Section 54-17-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-17-11. OPERATIONS BOARD — MANAGER AND EMPLOYEES OF INDUSTRIES — COMMISSION TO APPOINT — COMPENSATION.) The industrial commission may appoint an operations board as provided in section 6-09.1-02, and shall appoint a manager, and all necessary subordinate officers and employees of and for each utility, industry, enterprise, and business project established, owned, undertaken, administered, or operated by the state. It may constitute such manager its general agent in the performance of its duties in the particular utility, industry, enterprise, or business project in which he shall be engaged, but subject, nevertheless, in such agency to the supervision, limitation, and control of the commission. It shall employ such contractors, architects, builders, attorneys, salesmen, clerks, accountants, and other experts, agents, and servants, as in the judgment of the commission the interests of the state may require, and shall define the duties, designate the titles, and fix the compensation and bonds of all persons so engaged."

And renumber the pages and lines accordingly.  
For the Senate  
Senator Homuth

For the House

Rep. Kelly

Senator Homuth moved that the report of the Minority be substituted for that of the Majority, which motion prevailed.

Senator Homuth moved that the rules be suspended, that Senate Bill No. 2453 be deemed properly re-engrossed and placed on the calendar for second reading and final passage, which motion prevailed.

### SECOND READING OF A SENATE BILL

Senate Bill No. 2453. A Bill for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09-15, 6-09.1-02 and 6-09.1-03 of the North Dakota Century Code, to create an operations board of the Bank of North Dakota and encourage deposits by banks in state.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 21; absent and not voting, 2.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1975 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● BARTH			ISZLER	●		MAADEN	●		SHABLOW		
● BERUBE			JACOBSON	●		NASSET	●		SMYKOWSKI		
CHRISTENSEN, H. #5			JONES	●		NETHING	●		SOLBERG		
CHRISTENSEN, L. #3	●		KAUTZMANN	●		PYLE	●		STRAND		
● CONLIN			● LARSON			● RAIT			● STRINDEN		
● ERDMAN			● LASHKOWITZ			● REDIN			● STROUP		
● FREED	●		LEE	●		● RITEN			● THANE		
FRITZELL		●	● LIPS			● RINGSACK		●	● TWETEN		
● GOODMAN		●	● LONGHIRE			● SANDS			● VOSPER		
● GRONHOVD			● MAHER			● SANDNESS			● WALSH		
● HOFFNER	1		● MELLAND			● SCHULTZ, C. #14	●		● WENSTROM		
● HOLAND			● MORGAN	●		● SCHULTZ, J. #32	●		● WRIGHT		
● HOMUTH			● MUTCH	●		● SCHUSTER			MR. PRESIDENT		

Senate Bill 2453 lost due to a lack of a constitutional majority.

Senator L. Christensen changed his vote from aye to nay for the purpose of reconsideration.

Senator Pyle moved that the absent Senators be excused, which motion prevailed.

Senator Nothing moved that the Senate adjourn, which motion prevailed.

LEO LEIDHOLM, Secretary

### FIFTY-SEVENTH DAY

Bismarck, March 26, 1975

The Senate convened, pursuant to recess taken, the President presiding.

Prayer of Rev. Phil Lint, McCabe United Methodist Church, Bismarck was presented by the President.

Let us Pray:

In the closing hours of this legislative session, we again turn to you our Father and our God.

Recognizing your love and concern for us and for all persons, we ask your blessing upon all those decisions and commitments we have made which are in accord with your divine will.

Recognizing our human limitations and frailty, we ask your mercy and

forgiveness upon each one of us for those places we have neglected or denied that will.

Grant us safe journeys as we return home to our families and communities to continue as servants of our state and of you our God.

In Christ's name we pray, Amen.

Roll Call: All Senators present except Smykowski and Strand.

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 recommends that the same be corrected as follows:

On page 1410, line 31, after the words "North Dakota" insert the words "and declaring an emergency"

On page 1410, line 52, after the words "agreed to" insert the words "and the emergency clause was declared carried"

And when so corrected recommends that the same be approved.

SENATOR SANDNESS, Chairman

Senator Sandness moved that the report be adopted, which motion prevailed.

**REPORT OF CONFERENCE COMMITTEES**

Mr. President: Your Conference Committee to whom was referred House Bill No. 1075 has had the same under consideration and recommends:

That the Senate recede from its amendments and that House Bill 1075 be amended as follows:

On page 1 of the engrossed bill, line 9, delete the word "ten" and insert in lieu thereof the word "twenty-five"

On page 1, line 17, delete the word "seventy-five" and insert in lieu thereof the words "one hundred"

And renumber the lines and pages accordingly.

For the Senate

Senator Goodman

Senator Lee

Senator Conlin

For the House

Rep. Johnson

Rep. Weber (refused to sign)

Rep. Farrington

Senator Goodman moved that the report be adopted, which motion prevailed.

Senator Goodman moved that the rules be suspended, that House Bill No. 1075 be placed on second reading and final passage, as amended, which motion prevailed.

**SECOND READING OF A HOUSE BILL**

House Bill No. 1075. A Bill for an Act to provide for an inflation credit against income taxes payable by individuals.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 5.

NORTH DAKOTA SENATE											
REGULAR SESSION						1975 LEGISLATURE					
ROLL CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• BARTH			• ISZLER			• NAADEN			• SHABLOW		
• BERUBE			• JACOBSON			• NASSET					• SMYKOWSKI

● CHRISTENSEN, H. #5	● JONES	● NETHING	● SOLBERG
● CHRISTENSEN, L. #3	● KAUTZMANN	● PYLE	● STRAND
● CONLIN	● LARSON	● RAIT	● STRINDEN
● ERDMAN	● LASHKOWITZ	● REDLIN	● STROUP
● FREED	● LEE	● REITEN	● THANE
● FRITZELL	● LIPS	● RINGSAK	● TWETEN
● GOODMAN	● LONGMIRE	● SANDS	● VOSPER
● GRONHOVD	● MAHER	● SANDNESS	● WALSH
● HOFFNER	● MELLAND	● SCHULTZ, C. #14	● WENSTROM
● HOLLAND	● MORGAN	● SCHULTZ, J. #32	● WRIGHT
● HOMUTH	● MUTCH	● SCHUSTER	● MR. PRESIDENT

So the bill passed and the title was agreed to.

Senator Goodman moved that the vote by which House Bill No. 1075 was passed be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

#### PERSONAL PRIVILEGE

Senator Barth:

Mr. President and Ladies and Gentlemen of the Senate: I voted yes on this bill very reluctantly. We passed the bill out of the Finance and Tax Committee with a different fiscal note on it and I voted for it simply because the bill was going to pass anyway. I do believe that we have reversed our priorities and we are now thinking that we have offered some tax relief and we did in a sense if you look at a total figure of this bill, but I submit to you we are going to go back home with the mill levies we passed and we offered no tax relief whatsoever. I think we've just shifted the load from the income tax to the personal property tax but I have always had the feeling and suppose my thoughts will remain the same that I do believe the fairest tax we have is an income tax because that we do not pay unless we've earned a profit. We are going to shift the tax load to the property holder whether the business makes a profit, the farm, the ranch or what not the tax remains. So I think we've shifted our priorities. I do believe that it is in reverse of what the people back home really want. I did vote for the bill, it was going to pass anyway but it is not my thinking that this is the right bill.

#### PERSONAL PRIVILEGE

Senator Goodman:

Mr. President: I rise to a point of personal privilege.

I submit that we have now the figures that have all passed through both houses. We've now arrived at a point of just about \$43,000,000, closer to 44, in tax relief on income tax, business privilege tax, estate tax and the Vietnam bonus surtax, however you want to put that, and I submit that we've also in this session given \$38,000,000 or very close to it in property tax relief through passage of Senate Bill 2026 because if we hadn't given our state support to elementary and secondary education, they would have had to raise their money back home and the only way they can raise it is through property taxes. I think that is probably tax relief and I will stand to hang that on any occasion. I really think we've given a total of about \$80,000,000 in tax relief. You maybe can't subordinate Senate Bill 2026 and call it a tax relief package but believe me it held down your real estate taxes.

#### MOTION

Senator Melland moved that the absent Senators be excused, which motion prevailed.

#### MOTION

Senator L. Christensen moved that the Senate reconsider the action by which Senate Bill 2453 lost, which motion prevailed.

Senator Naaden moved that the Senate reconsider the action by which we adopted the Minority conference committee report on Senate Bill 2453, which motion lost.



## House Chamber

Mr. President: I have the honor to return herewith the following, which the House has failed to pass: Senate Bill No. 2496

ROY GILBREATH, Chief Clerk

## House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2066  
 Senate Bill No. 2118  
 Senate Bill No. 2126  
 Senate Bill No. 2130  
 Senate Bill No. 2144  
 Senate Bill No. 2146  
 Senate Bill No. 2186  
 Senate Bill No. 2187  
 Senate Bill No. 2207  
 Senate Bill No. 2230  
 Senate Bill No. 2232  
 Senate Bill No. 2275  
 Senate Bill No. 2289  
 Senate Bill No. 2326  
 Senate Bill No. 2332  
 Senate Bill No. 2339  
 Senate Bill No. 2342  
 Senate Bill No. 2349  
 Senate Bill No. 2398  
 Senate Bill No. 2403  
 Senate Bill No. 2407  
 Senate Bill No. 2413  
 Senate Bill No. 2415  
 Senate Bill No. 2426  
 Senate Bill No. 2428  
 Senate Bill No. 2430  
 Senate Bill No. 2446  
 Senate Bill No. 2447  
 Senate Bill No. 2464  
 Senate Concurrent Resolution No. 4035  
 Senate Concurrent Resolution No. 4037  
 Senate Concurrent Resolution No. 4074  
 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. 2066  
 Senate Bill No. 2118  
 Senate Bill No. 2126  
 Senate Bill No. 2130  
 Senate Bill No. 2144  
 Senate Bill No. 2146  
 Senate Bill No. 2186  
 Senate Bill No. 2187  
 Senate Bill No. 2207  
 Senate Bill No. 2230  
 Senate Bill No. 2232  
 Senate Bill No. 2275  
 Senate Bill No. 2289  
 Senate Bill No. 2326



Senate Bill No. 2332  
Senate Bill No. 2339  
Senate Bill No. 2342  
Senate Bill No. 2349  
Senate Bill No. 2398  
Senate Bill No. 2403  
Senate Bill No. 2407  
Senate Bill No. 2413  
Senate Bill No. 2415  
Senate Bill No. 2426  
Senate Bill No. 2428  
Senate Bill No. 2430  
Senate Bill No. 2446  
Senate Bill No. 2447  
Senate Bill No. 2464

Were delivered to the Governor.

SENATOR STRAND, Chairman

REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4035  
Senate Concurrent Resolution No. 4037  
Senate Concurrent Resolution No. 4074  
Were delivered to the Secretary of State.

SENATOR STRAND, Chairman

REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2001  
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. 2013  
Senate Bill No. 2014  
Senate Bill No. 2026  
Senate Bill No. 2031  
Senate Bill No. 2039  
Senate Bill No. 2040  
Senate Bill No. 2041  
Senate Bill No. 2047  
Senate Bill No. 2050  
Senate Bill No. 2060  
Senate Bill No. 2064  
Senate Bill No. 2069  
Senate Bill No. 2079  
Senate Bill No. 2081  
Senate Bill No. 2089  
Senate Bill No. 2090  
Senate Bill No. 2095  
Senate Bill No. 2111  
Senate Bill No. 2136  
Senate Bill No. 2143

Senate Bill No. 2150  
 Senate Bill No. 2157  
 Senate Bill No. 2167  
 Senate Bill No. 2173  
 Senate Bill No. 2182  
 Senate Bill No. 2193  
 Senate Bill No. 2204  
 Senate Bill No. 2224  
 Senate Bill No. 2231  
 Senate Bill No. 2245  
 Senate Bill No. 2247  
 Senate Bill No. 2248  
 Senate Bill No. 2303  
 Senate Bill No. 2306  
 Senate Bill No. 2313  
 Senate Bill No. 2348  
 Senate Bill No. 2368  
 Senate Bill No. 2376  
 Senate Bill No. 2377  
 Senate Bill No. 2379  
 Senate Bill No. 2389  
 Senate Bill No. 2395  
 Senate Bill No. 2412  
 Senate Bill No. 2429  
 Senate Bill No. 2432  
 Senate Bill No. 2439  
 Senate Bill No. 2443  
 Senate Bill No. 2445  
 Senate Bill No. 2452  
 Senate Bill No. 2467  
 Senate Bill No. 2479  
 Senate Bill No. 2487  
 Senate Bill No. 2495  
 Senate Concurrent Resolution No. 4002  
 Senate Concurrent Resolution No. 4009  
 Senate Concurrent Resolution No. 4027  
 Senate Concurrent Resolution No. 4029  
 Senate Concurrent Resolution No. 4034  
 Senate Concurrent Resolution No. 4039  
 Senate Concurrent Resolution No. 4046  
 Senate Concurrent Resolution No. 4079

And find the same correctly Engrossed and Enrolled.

SENATOR STRAND, Chairman

Senator Strand moved that the report be adopted, which motion prevailed, and the report was adopted.

#### REPORT OF PROCEDURAL COMMITTEE

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 2002  
 Senate Bill No. 2022  
 Senate Bill No. 2059  
 Senate Bill No. 2085  
 Senate Bill No. 2103  
 Senate Bill No. 2145  
 Senate Bill No. 2162  
 Senate Bill No. 2177  
 Senate Bill No. 2195  
 Senate Bill No. 2267

Senate Bill No. 2271  
 Senate Bill No. 2287  
 Senate Bill No. 2296  
 Senate Bill No. 2320  
 Senate Bill No. 2335  
 Senate Bill No. 2344  
 Senate Bill No. 2364  
 Senate Bill No. 2440  
 Senate Bill No. 2451  
 Senate Bill No. 2497  
 Senate Resolution No. 5  
 Senate Memorial Resolution No. 5  
 Senate Concurrent Resolution No. 4004  
 Senate Concurrent Resolution No. 4006  
 Senate Concurrent Resolution No. 4011  
 Senate Concurrent Resolution No. 4016  
 Senate Concurrent Resolution No. 4021  
 Senate Concurrent Resolution No. 4023  
 Senate Concurrent Resolution No. 4025  
 Senate Concurrent Resolution No. 4030  
 Senate Concurrent Resolution No. 4032  
 Senate Concurrent Resolution No. 4036  
 Senate Concurrent Resolution No. 4042  
 Senate Concurrent Resolution No. 4045  
 Senate Concurrent Resolution No. 4048  
 Senate Concurrent Resolution No. 4051  
 Senate Concurrent Resolution No. 4054  
 Senate Concurrent Resolution No. 4055  
 Senate Concurrent Resolution No. 4058  
 Senate Concurrent Resolution No. 4059  
 Senate Concurrent Resolution No. 4063  
 Senate Concurrent Resolution No. 4067  
 Senate Concurrent Resolution No. 4069  
 Senate Concurrent Resolution No. 4072  
 Senate Concurrent Resolution No. 4073  
 Senate Concurrent Resolution No. 4075  
 Senate Concurrent Resolution No. 4076  
 Senate Concurrent Resolution No. 4077  
 Senate Concurrent Resolution No. 4078  
 And find the same correctly Enrolled.

SENATOR STRAND, Chairman

Senator Maher moved that the report be adopted, which motion prevailed, and the report was adopted.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 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. 2013  
 Senate Bill No. 2014

Senate Bill No. 2022  
Senate Bill No. 2026  
Senate Bill No. 2031  
Senate Bill No. 2039  
Senate Bill No. 2040  
Senate Bill No. 2041  
Senate Bill No. 2047  
Senate Bill No. 2050  
Senate Bill No. 2059  
Senate Bill No. 2060  
Senate Bill No. 2064  
Senate Bill No. 2069  
Senate Bill No. 2079  
Senate Bill No. 2081  
Senate Bill No. 2085  
Senate Bill No. 2089  
Senate Bill No. 2090  
Senate Bill No. 2095  
Senate Bill No. 2103  
Senate Bill No. 2111  
Senate Bill No. 2136  
Senate Bill No. 2143  
Senate Bill No. 2145  
Senate Bill No. 2150  
Senate Bill No. 2157  
Senate Bill No. 2162  
Senate Bill No. 2167  
Senate Bill No. 2173  
Senate Bill No. 2177  
Senate Bill No. 2182  
Senate Bill No. 2193  
Senate Bill No. 2195  
Senate Bill No. 2204  
Senate Bill No. 2224  
Senate Bill No. 2231  
Senate Bill No. 2245  
Senate Bill No. 2247  
Senate Bill No. 2248  
Senate Bill No. 2267  
Senate Bill No. 2271  
Senate Bill No. 2287  
Senate Bill No. 2296  
Senate Bill No. 2303  
Senate Bill No. 2306  
Senate Bill No. 2313  
Senate Bill No. 2320  
Senate Bill No. 2335  
Senate Bill No. 2344  
Senate Bill No. 2348  
Senate Bill No. 2364  
Senate Bill No. 2368  
Senate Bill No. 2376  
Senate Bill No. 2377  
Senate Bill No. 2379  
Senate Bill No. 2389  
Senate Bill No. 2395  
Senate Bill No. 2412  
Senate Bill No. 2429

Senate Bill No. 2432  
Senate Bill No. 2439  
Senate Bill No. 2440  
Senate Bill No. 2443  
Senate Bill No. 2445  
Senate Bill No. 2451  
Senate Bill No. 2452  
Senate Bill No. 2467  
Senate Bill No. 2479  
Senate Bill No. 2487  
Senate Bill No. 2495  
Senate Bill No. 2497

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE  
Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Bill No. 2001  
Senate Bill No. 2002  
Senate Bill No. 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. 2013  
Senate Bill No. 2014  
Senate Bill No. 2022  
Senate Bill No. 2026  
Senate Bill No. 2031  
Senate Bill No. 2039  
Senate Bill No. 2040  
Senate Bill No. 2041  
Senate Bill No. 2047  
Senate Bill No. 2050  
Senate Bill No. 2059  
Senate Bill No. 2060  
Senate Bill No. 2064  
Senate Bill No. 2069  
Senate Bill No. 2079  
Senate Bill No. 2081  
Senate Bill No. 2085  
Senate Bill No. 2089  
Senate Bill No. 2090  
Senate Bill No. 2095  
Senate Bill No. 2103  
Senate Bill No. 2111  
Senate Bill No. 2136  
Senate Bill No. 2143  
Senate Bill No. 2145  
Senate Bill No. 2150  
Senate Bill No. 2157  
Senate Bill No. 2162  
Senate Bill No. 2167  
Senate Bill No. 2173  
Senate Bill No. 2177

Senate Bill No. 2182  
Senate Bill No. 2193  
Senate Bill No. 2195  
Senate Bill No. 2204  
Senate Bill No. 2224  
Senate Bill No. 2231  
Senate Bill No. 2245  
Senate Bill No. 2247  
Senate Bill No. 2248  
Senate Bill No. 2267  
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Senate Bill No. 2287  
Senate Bill No. 2296  
Senate Bill No. 2303  
Senate Bill No. 2306  
Senate Bill No. 2313  
Senate Bill No. 2320  
Senate Bill No. 2335  
Senate Bill No. 2344  
Senate Bill No. 2348  
Senate Bill No. 2364  
Senate Bill No. 2368  
Senate Bill No. 2376  
Senate Bill No. 2377  
Senate Bill No. 2379  
Senate Bill No. 2389  
Senate Bill No. 2395  
Senate Bill No. 2412  
Senate Bill No. 2429  
Senate Bill No. 2432  
Senate Bill No. 2439  
Senate Bill No. 2440  
Senate Bill No. 2443  
Senate Bill No. 2445  
Senate Bill No. 2451  
Senate Bill No. 2452  
Senate Bill No. 2467  
Senate Bill No. 2479  
Senate Bill No. 2487  
Senate Bill No. 2495  
Senate Bill No. 2497

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:

Senate Concurrent Resolution No. 4002  
Senate Concurrent Resolution No. 4004  
Senate Concurrent Resolution No. 4006  
Senate Concurrent Resolution No. 4009  
Senate Concurrent Resolution No. 4011  
Senate Concurrent Resolution No. 4016  
Senate Concurrent Resolution No. 4021  
Senate Concurrent Resolution No. 4023  
Senate Concurrent Resolution No. 4025  
Senate Concurrent Resolution No. 4027  
Senate Concurrent Resolution No. 4029

Senate Concurrent Resolution No. 4030  
Senate Concurrent Resolution No. 4032  
Senate Concurrent Resolution No. 4034  
Senate Concurrent Resolution No. 4036  
Senate Concurrent Resolution No. 4039  
Senate Concurrent Resolution No. 4042  
Senate Concurrent Resolution No. 4045  
Senate Concurrent Resolution No. 4046  
Senate Concurrent Resolution No. 4048  
Senate Concurrent Resolution No. 4051  
Senate Concurrent Resolution No. 4054  
Senate Concurrent Resolution No. 4055  
Senate Concurrent Resolution No. 4058  
Senate Concurrent Resolution No. 4059  
Senate Concurrent Resolution No. 4063  
Senate Concurrent Resolution No. 4067  
Senate Concurrent Resolution No. 4069  
Senate Concurrent Resolution No. 4072  
Senate Concurrent Resolution No. 4073  
Senate Concurrent Resolution No. 4075  
Senate Concurrent Resolution No. 4076  
Senate Concurrent Resolution No. 4077  
Senate Concurrent Resolution No. 4078  
Senate Concurrent Resolution No. 4079  
Senate Resolution No. 5  
Senate Memorial Resolution No. 5

And the President signed the same in the presence of the Senate.

#### MESSAGE TO THE HOUSE

##### Senate Chamber

Mr. Speaker: I have the honor to transmit:

Senate Concurrent Resolution No. 4002  
Senate Concurrent Resolution No. 4004  
Senate Concurrent Resolution No. 4006  
Senate Concurrent Resolution No. 4009  
Senate Concurrent Resolution No. 4011  
Senate Concurrent Resolution No. 4016  
Senate Concurrent Resolution No. 4021  
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Senate Concurrent Resolution No. 4030  
Senate Concurrent Resolution No. 4032  
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Senate Concurrent Resolution No. 4055  
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Senate Concurrent Resolution No. 4063  
Senate Concurrent Resolution No. 4067

Senate Concurrent Resolution No. 4069  
Senate Concurrent Resolution No. 4072  
Senate Concurrent Resolution No. 4073  
Senate Concurrent Resolution No. 4075  
Senate Concurrent Resolution No. 4076  
Senate Concurrent Resolution No. 4077  
Senate Concurrent Resolution No. 4078  
Senate Concurrent Resolution No. 4079

Which the President has signed and your signature is respectfully requested.

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE  
House Chamber

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 2001  
Senate Bill No. 2002  
Senate Bill No. 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. 2013  
Senate Bill No. 2014  
Senate Bill No. 2022  
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Senate Bill No. 2031  
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Senate Bill No. 2040  
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Senate Bill No. 2195  
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Senate Bill No. 2440  
Senate Bill No. 2443  
Senate Bill No. 2445  
Senate Bill No. 2451  
Senate Bill No. 2452  
Senate Bill No. 2467  
Senate Bill No. 2479  
Senate Bill No. 2487  
Senate Bill No. 2495  
Senate Bill No. 2497  
Senate Concurrent Resolution No. 4002  
Senate Concurrent Resolution No. 4004  
Senate Concurrent Resolution No. 4006  
Senate Concurrent Resolution No. 4009  
Senate Concurrent Resolution No. 4011  
Senate Concurrent Resolution No. 4016  
Senate Concurrent Resolution No. 4021  
Senate Concurrent Resolution No. 4023  
Senate Concurrent Resolution No. 4025  
Senate Concurrent Resolution No. 4027  
Senate Concurrent Resolution No. 4029  
Senate Concurrent Resolution No. 4030  
Senate Concurrent Resolution No. 4032  
Senate Concurrent Resolution No. 4034  
Senate Concurrent Resolution No. 4036  
Senate Concurrent Resolution No. 4039  
Senate Concurrent Resolution No. 4042  
Senate Concurrent Resolution No. 4045  
Senate Concurrent Resolution No. 4046

Senate Concurrent Resolution No. 4048  
 Senate Concurrent Resolution No. 4051  
 Senate Concurrent Resolution No. 4054  
 Senate Concurrent Resolution No. 4055  
 Senate Concurrent Resolution No. 4058  
 Senate Concurrent Resolution No. 4059  
 Senate Concurrent Resolution No. 4063  
 Senate Concurrent Resolution No. 4067  
 Senate Concurrent Resolution No. 4069  
 Senate Concurrent Resolution No. 4072  
 Senate Concurrent Resolution No. 4073  
 Senate Concurrent Resolution No. 4075  
 Senate Concurrent Resolution No. 4076  
 Senate Concurrent Resolution No. 4077  
 Senate Concurrent Resolution No. 4078  
 Senate Concurrent Resolution No. 4079  
 Which the Speaker has signed.

ROY GILBREATH, Chief Clerk

MESSAGE FROM THE HOUSE  
 House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1001  
 House Bill No. 1002  
 House Bill No. 1003  
 House Bill No. 1004  
 House Bill No. 1005  
 House Bill No. 1006  
 House Bill No. 1007  
 House Bill No. 1008  
 House Bill No. 1010  
 House Bill No. 1011  
 House Bill No. 1012  
 House Bill No. 1013  
 House Bill No. 1014  
 House Bill No. 1015  
 House Bill No. 1022  
 House Bill No. 1043  
 House Bill No. 1046  
 House Bill No. 1049  
 House Bill No. 1060  
 House Bill No. 1062  
 House Bill No. 1064  
 House Bill No. 1065  
 House Bill No. 1075  
 House Bill No. 1091  
 House Bill No. 1095  
 House Bill No. 1101  
 House Bill No. 1113  
 House Bill No. 1120  
 House Bill No. 1122  
 House Bill No. 1138  
 House Bill No. 1147  
 House Bill No. 1148  
 House Bill No. 1161  
 House Bill No. 1176  
 House Bill No. 1189  
 House Bill No. 1204

House Bill No. 1210  
House Bill No. 1214  
House Bill No. 1221  
House Bill No. 1222  
House Bill No. 1224  
House Bill No. 1232  
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House Bill No. 1611  
House Bill No. 1614  
House Concurrent Resolution No. 3002  
House Concurrent Resolution No. 3017  
House Concurrent Resolution No. 3027  
House Concurrent Resolution No. 3032  
House Concurrent Resolution No. 3033  
House Concurrent Resolution No. 3038  
House Concurrent Resolution No. 3040  
House Concurrent Resolution No. 3043  
House Concurrent Resolution No. 3044  
House Concurrent Resolution No. 3046  
House Concurrent Resolution No. 3050

House Concurrent Resolution No. 3057  
House Concurrent Resolution No. 3058  
House Concurrent Resolution No. 3059  
House Concurrent Resolution No. 3067  
House Concurrent Resolution No. 3070  
House Concurrent Resolution No. 3071  
House Concurrent Resolution No. 3073  
House Concurrent Resolution No. 3075  
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House Concurrent Resolution No. 3079  
House Concurrent Resolution No. 3081  
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House Concurrent Resolution No. 3094  
House Concurrent Resolution No. 3095  
House Concurrent Resolution No. 3096  
House Concurrent Resolution No. 3097  
House Concurrent Resolution No. 3098

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1001  
House Bill No. 1002  
House Bill No. 1003  
House Bill No. 1004  
House Bill No. 1005  
House Bill No. 1006  
House Bill No. 1007  
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House Bill No. 1014  
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House Bill No. 1022  
House Bill No. 1043  
House Bill No. 1046  
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House Bill No. 1060  
House Bill No. 1062  
House Bill No. 1064  
House Bill No. 1065  
House Bill No. 1075  
House Bill No. 1091  
House Bill No. 1095  
House Bill No. 1101  
House Bill No. 1113  
House Bill No. 1120

House Bill No. 1122  
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House Bill No. 1147  
House Bill No. 1148  
House Bill No. 1161  
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House Bill No. 1591  
House Bill No. 1593  
House Bill No. 1596  
House Bill No. 1609  
House Bill No. 1611  
House Bill No. 1614

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. 3002  
 House Concurrent Resolution No. 3017  
 House Concurrent Resolution No. 3027  
 House Concurrent Resolution No. 3032  
 House Concurrent Resolution No. 3033  
 House Concurrent Resolution No. 3038  
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 House Concurrent Resolution No. 3095  
 House Concurrent Resolution No. 3096  
 House Concurrent Resolution No. 3097  
 House Concurrent Resolution No. 3098

And the President signed the same in the presence of the Senate.

## MESSAGE TO THE HOUSE

Senate Chamber

Mr. Speaker: I have the honor to return:

House Bill No. 1001  
 House Bill No. 1002  
 House Bill No. 1003  
 House Bill No. 1004  
 House Bill No. 1005  
 House Bill No. 1006  
 House Bill No. 1007  
 House Bill No. 1008  
 House Bill No. 1010  
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House Bill No. 1043  
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 House Bill No. 1596  
 House Bill No. 1609  
 House Bill No. 1611  
 House Bill No. 1614  
 Which the President has signed.

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE  
 Senate Chamber

Mr. Speaker: I have the honor to return:

House Concurrent Resolution No. 3002  
 House Concurrent Resolution No. 3017  
 House Concurrent Resolution No. 3027  
 House Concurrent Resolution No. 3032  
 House Concurrent Resolution No. 3033  
 House Concurrent Resolution No. 3038  
 House Concurrent Resolution No. 3040  
 House Concurrent Resolution No. 3043  
 House Concurrent Resolution No. 3044  
 House Concurrent Resolution No. 3046  
 House Concurrent Resolution No. 3050  
 House Concurrent Resolution No. 3057  
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 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  
 House Concurrent Resolution No. 3096  
 House Concurrent Resolution No. 3097  
 House Concurrent Resolution No. 3098  
 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. 2013  
Senate Bill No. 2014  
Senate Bill No. 2022  
Senate Bill No. 2026  
Senate Bill No. 2031  
Senate Bill No. 2039  
Senate Bill No. 2040  
Senate Bill No. 2041  
Senate Bill No. 2047  
Senate Bill No. 2050  
Senate Bill No. 2059  
Senate Bill No. 2060  
Senate Bill No. 2064  
Senate Bill No. 2069  
Senate Bill No. 2079  
Senate Bill No. 2081  
Senate Bill No. 2085  
Senate Bill No. 2089  
Senate Bill No. 2090  
Senate Bill No. 2095  
Senate Bill No. 2103  
Senate Bill No. 2111  
Senate Bill No. 2136  
Senate Bill No. 2143  
Senate Bill No. 2145  
Senate Bill No. 2150  
Senate Bill No. 2157  
Senate Bill No. 2162  
Senate Bill No. 2167  
Senate Bill No. 2173  
Senate Bill No. 2177  
Senate Bill No. 2182  
Senate Bill No. 2193  
Senate Bill No. 2195  
Senate Bill No. 2204  
Senate Bill No. 2224  
Senate Bill No. 2231  
Senate Bill No. 2245  
Senate Bill No. 2247  
Senate Bill No. 2248  
Senate Bill No. 2267  
Senate Bill No. 2271  
Senate Bill No. 2287  
Senate Bill No. 2296  
Senate Bill No. 2303  
Senate Bill No. 2306  
Senate Bill No. 2313  
Senate Bill No. 2320  
Senate Bill No. 2335  
Senate Bill No. 2344

Senate Bill No. 2348  
 Senate Bill No. 2364  
 Senate Bill No. 2368  
 Senate Bill No. 2376  
 Senate Bill No. 2377  
 Senate Bill No. 2379  
 Senate Bill No. 2389  
 Senate Bill No. 2395  
 Senate Bill No. 2412  
 Senate Bill No. 2429  
 Senate Bill No. 2432  
 Senate Bill No. 2439  
 Senate Bill No. 2440  
 Senate Bill No. 2443  
 Senate Bill No. 2445  
 Senate Bill No. 2451  
 Senate Bill No. 2452  
 Senate Bill No. 2467  
 Senate Bill No. 2479  
 Senate Bill No. 2487  
 Senate Bill No. 2495  
 Senate Bill No. 2497

Were delivered to the Governor for his approval.

SENATOR STRAND, Chairman

#### REPORT OF PROCEDURAL COMMITTEES

Mr. President: Your Committee on Enrollment and Engrossment respectfully reports that Senate Bill No. 2435 which has failed to pass the Senate over the Governor's veto, also a copy of the Governor's objections as well as the certificate of the presiding officers of the Senate as to the final action of that body with reference to the passage of this bill, was delivered to the Secretary of State.

SENATOR STRAND, Chairman

#### REPORT OF PROCEDURAL COMMITTEE

The Committee on Enrollment and Engrossment respectfully reports that:

Senate Concurrent Resolution No. 4002  
 Senate Concurrent Resolution No. 4004  
 Senate Concurrent Resolution No. 4006  
 Senate Concurrent Resolution No. 4009  
 Senate Concurrent Resolution No. 4011  
 Senate Concurrent Resolution No. 4016  
 Senate Concurrent Resolution No. 4021  
 Senate Concurrent Resolution No. 4023  
 Senate Concurrent Resolution No. 4025  
 Senate Concurrent Resolution No. 4027  
 Senate Concurrent Resolution No. 4029  
 Senate Concurrent Resolution No. 4030  
 Senate Concurrent Resolution No. 4032  
 Senate Concurrent Resolution No. 4034  
 Senate Concurrent Resolution No. 4036  
 Senate Concurrent Resolution No. 4039  
 Senate Concurrent Resolution No. 4042  
 Senate Concurrent Resolution No. 4045  
 Senate Concurrent Resolution No. 4046  
 Senate Concurrent Resolution No. 4048  
 Senate Concurrent Resolution No. 4051

Senate Concurrent Resolution No. 4054  
 Senate Concurrent Resolution No. 4055  
 Senate Concurrent Resolution No. 4058  
 Senate Concurrent Resolution No. 4059  
 Senate Concurrent Resolution No. 4063  
 Senate Concurrent Resolution No. 4067  
 Senate Concurrent Resolution No. 4069  
 Senate Concurrent Resolution No. 4072  
 Senate Concurrent Resolution No. 4073  
 Senate Concurrent Resolution No. 4075  
 Senate Concurrent Resolution No. 4076  
 Senate Concurrent Resolution No. 4077  
 Senate Concurrent Resolution No. 4078  
 Senate Concurrent Resolution No. 4079  
 Senate Resolution No. 5  
 Senate Memorial Resolution No. 5  
 Were delivered to the Secretary of State.

SENATOR STRAND, Chairman

#### RECOGNITION

Senator Lee Christensen announced to the body that Senator Melland had just been named Chairman of the Legislative Council and offered his congratulations.

Senator Melland expressed his appreciation to Senator Lee Christensen and commended him for the good job he had done as former Vice-Chairman of the Legislative Council.

#### SPECIAL ORDER OF BUSINESS

President Pro-Tem Melland presiding

Senator Nothing: Mr. President, I rise on a point of personal privilege and request that Senator Lee be recognized.

Senator Lee: Mr. President, ladies and gentlemen of the Senate. It gives me a great deal of pleasure to have the very distinct honor of talking with you just a few moments this afternoon. We have come to the "Eleventh hour" of the 44th Legislative Session, it's the time when we have our little "love fest", I guess you could perhaps call it that. It gives me a great deal of pleasure to just say a few words about a friend of mine, I think he's my friend, we've disagreed in some areas, but we've agreed in many areas. I've served on the Finance and Taxation Committee with this gentleman, we have shared the same dormitory at night, I respect this man. He has fought hard for what he believes in; in fact he's fought with all his might, but once he leaves the Senate floor these animosities are left behind. It gives me a great deal of pleasure at this time to present to the Assistant Minority floor leader, Senator Francis Barth, a little token from your fellow Senators.

A gift was presented to Senator Barth.

Senator Barth: Mr. President, certainly by surprise, I want to thank Senator Lee for the kind words and I do want to say that many mornings it was real cold and Senator Lee and I would perhaps be leaving our building about the same time and I'd say "Senator Lee, do you need a ride?" She would say, "No, my car will start", and it did. And I recall one morning when my car didn't start and I immediately looked to see if I could see this little yellow car parked out there and Senator Lee was gone. I know if I had needed a ride, I certainly would have had a ride. It is with deep gratitude that I accept this, I might say to all the Senators that I realize we have some very serious debate and I certainly believe that we all believed in what we debated on, it has been a pleasure working with you and I certainly look forward to perhaps coming back and working with not all of you, but most of you. Thank you.

Senator Lee: Mr. President, I now yield the floor to Senator Holand.

Senator Holand: Mr. President, members of the Senate, I rise at this time to pay tribute to the very distinguished Senator from the 22nd district, who served so capably as the Assistant Majority leader, Senator Ernie Pyle. Senator Pyle is currently serving his fifth session in the Senate and he truly does represent his district of rural Cass County very effectively. Following in the lead of our distinguished President Pro-Tem and mastering the art of seconding every motion, Senator Pyle has mastered the fine art of moving that the absent Senators be excused. Seriously, Senator Pyle has been an effective Senator and like all of the more veteran members of this body has been most courteous, gracious and helpful to freshman members as well as the veterans. Senator Pyle, we members of the Senate all want to say "Thank-you" and present you with this gift as a token of our appreciation.

A gift was presented to Senator Pyle.

Senator Pyle: Mr. President, members of the Senate, I want to thank all you people for this. I haven't given many speeches and most of them have been short. Some of them have been when I've been irritated, so it's probably just as well I haven't given too many. I do appreciate working with you people; I have tried to do what my leader has told me to, I did miss today, I forgot to excuse the absent Senators, and the lady at the desk took care of it for me. I've enjoyed it, and thank you.

Senator Holand: Mr. President, I ask that you now recognize Senator Strinden.

Senator Strinden: Mr. President, it gives me a great deal of pleasure to rise on this occasion of the wrap-up of another session of the legislature. The man I am about to ask that a gift be presented to has glared at me on occasion, he has passed me a note on occasion; I've looked over and have seen the smile on his face and read the note and then I saw the halo kind of rise and I forgot about everything that he had written to me, which has not always been good, but in this two-party system that we have, it is a feeling that I think none of us can disregard. When the gavel sounds ending the session, we all know that we belong to a fraternity and after the session ends, the party is secondary; wherever we go throughout the state we can stop in and visit with a friend. I would state that Senator Hoffner has played the role of Minority leader in a commendable manner and it would be my wish that he would continue to play this role in a commendable manner. Mr. President, members of the Senate, it is with a great deal of pride that I have the privilege of presenting Senator Hoffner this token as a remembrance of the 44th Legislative Session. Congratulations to you Senator Hoffner.

A gift was presented to Senator Hoffner.

Senator Hoffner: Mr. President and members of this Assembly, I am going to mention some names today even if the Majority leader thinks we should talk in terms of district numbers. Senator Strinden, thank you very much and I have glared at you a few times, and there have been others. This is the time of the session that I really don't look forward to, because I enjoy the legislative session, and I enjoy the little differences we have. I don't enjoy the big differences we have, of course, as much as the little ones and I've had some disappointments, it's true, but I want to say that I do believe in a strong two-party system, I wish the Minority party was a little stronger, of course. There was one time, early in the session, about half way through the session, that I thought of forming a coalition with the conservatives; and I thought of going to Senator Mutch and asking him to come to my office and wouldn't you know the timing was really bad, because just then the Northwood Gleaner came out and my rating was so darn bad that Senator Mutch wouldn't even come in the office. But seriously, I have enjoyed working with this assembly, I've

enjoyed working with the leadership, my Minority assistant here, who I've had trouble holding down once in a while (I haven't really), Senator Nething, Senator Pyle, and all the chairmen. On behalf of the Minority, I want to assure you that we may go back and try to increase our numbers. I am sure you will understand, but it has been an enjoyable session and with the differences we have had, this is understandable, but we'll all go home and hopefully we'll all come back two years from now, but I want to thank you all and I certainly want to thank the desk force and all who have worked in this session, because I have enjoyed it very much.

Senator Strinden: Mr. President, I would ask, Mr. President, that you recognize Senator Lee Christensen.

Senator Lee Christensen: Mr. President, ladies and gentlemen of the Senate. The activities and the challenges of being a member of the legislative assembly, and particularly of the Senate, is a very stimulating experience. Few men or women have the opportunity to serve in the position of leader of the Majority party. I am certain it is a responsibility that at times seems awesome, that the problems seem insurmountable and that the Minority seems to be insufferable. Senator Nething has weathered all of these storms and has successfully kept the Majority on its designated course. Now it's my pleasure on behalf of the members of the Senate to present this gift in appreciation, Dave, of your service to the North Dakota State Senate. We have all appreciated the efficient and courteous manner in which you have managed and directed the business of the Senate. We have appreciated the humor which at times you have used to lighten some of the tight situations that develop in the legislative process and so as we pack our books and papers and memorabilia of this legislative session and say our farewells, I again want to express our appreciation for the diligent and effective manner the Majority leadership has used in processing all the legislation that passes through this Senate. Our congratulations to you.

A gift was presented to Senator Nething.

Senator Nething: Mr. President, ladies and gentlemen of the Senate, I have a tendency when nice things happen to get a little bit moved, so you have moved me. Mr. President, ladies and gentlemen of the Senate, in December when I was elected by our party to be the Majority leader, it was one of real mixed emotions, because I had never been involved in a leadership role as my counterpart in the House had, and as you know those days were quite hectic. Frankly there were times when I had to counsel with some of the other individuals who had been in leadership before to really try and find a direction. But there was an incident that happened about the second day here that really kind of made me feel that I would be comfortable, even though in a new job, and that was when one of the new Senators came up to me and asked if I could tell him where the rest room was. You know that was really about the only thing I knew for sure at that time. A couple of other things have happened, it's funny the different kind of nicknames you take on down here, and contrary to rumor, the Pillsbury people have not contacted me, but I could probably handle their "dough". There is another Senator that has been very respectful. I started out as the "great white father" and lately it has been just plain old "g.w.f." Mr. President, ladies and gentlemen of the Senate, I would hope that everyone would have the opportunity to be a Majority leader. Then on the other hand, I am not so sure that all of you would feel very comfortable doing it. Your work with me has made me feel comfortable and I sincerely appreciate all the help that's been given to us and to the Minority members, I want you to know that I have prepared a press release, tentative of course, depending upon how the rest of the day goes, thanking you publicly for your efforts during this legislative session. There are so many people that, you know, they see us visiting with the

Minority members, and they kind of wonder, well you know, what's the matter, are they going soft, or what's the deal, but really the Minority has a role in the legislature to play and you have played it well, I think we've at times, perhaps when we irritated you, it hasn't been with the intention of irritating you per se, it has been more an expression of feeling at the time and in leaving this session, I must admit that I will miss all the members of the Minority as well as the Majority, and if at any time you come through Jamestown, I would appreciate your stopping and saying hello.

Senator Lee Christensen: Mr. President, I now ask that you recognize Senator Berube.

Senator Berube: Mr. President, about this time of the session, every year when it comes around, it reminds me of the first session that I was here, that was in 1953, a little different than what it's now. We had a 25-24 vote that time, and there were tempers flying from morning til night and there wasn't a moment that there wasn't a fight of some kind, and at the end of the session about like this time, Senator Day got up and said, looking back at this last sixty days, he said, I just wonder if we can approach each other at arm's length for gifts and tokens. I think we might just as well give them at the end of a fishpole. And now, Mr. President, I am privileged to be able to express the tremendous regard we of the Senate have for the gentleman to whom I am to make the next presentation. I am speaking of Lt. Governor Wayne Sanstead who has wrapped the gavel loud and clear when calling this body to order. The Senate has chosen today to recognize him with a small token of appreciation. Each of us have had some difference of opinion at times and he has handled these well, and in all fairness to the best of his ability. He has performed admirably and we extend our best wishes to him and his family in the future.

A gift was presented to Lt. Governor Wayne Sanstead.

Lt. Governor Wayne Sanstead: Mr. President, Senator Berube, ladies and gentlemen of the Senate, it has been a real privilege to serve you in the role of presiding officer. I have really gained a lot myself from the experience in being in that chair, and I can only liken it to sitting on a ton of dynamite each and every hour of the day that goes by. I want to express my deep appreciation to each of you, who I think have been ladies and gentlemen, who have been a credit to those persons who sent you here as elected officials of the State of North Dakota, and I express my appreciation too to the Majority leader with whom I have worked closely in seeing that this body did its business in an efficient and effective manner. I know that he hasn't told us the whole story about the "Poppin' Fresh" doll because from where I sit, I can see that it says "soft, washable, non-toxic and movable". I have been corrected, "movable head". I want to say that it has been a real privilege for me to have this opportunity to preside over the Senate the second time, I have enjoyed it very much. I appreciate all the assistance that has been given me, particularly by the desk staff, and by those who have worked with us, seeing that this 44th legislative session of the Senate was a success. Thank you.

Senator Berube: Mr. President, I now ask that you recognize Senator Goodman.

Senator Goodman: Mr. President, fellow Senators, I am really pleased this afternoon to make this presentation to our President Pro Tem, Senator Melland, and for some reason I think, I am even more pleased this afternoon than I would have been if this had happened yesterday afternoon. I am sure that Senator Melland is the only President so far in this session, so far, that hasn't had any problem in identifying Senator Nething even when he had his red coat on. But, you know, Bob Melland has a mastery of words, he's truly a man of words, and because of that it

kind of makes me a little nervous making this presentation and then I stop and then I realize as Senator Solberg also realizes that Bob is really nothing but the verbosity of a conspicuously articulated neuritis which eludes the complexities of the "something like that". Well, anyway, Bob is really a man of words. But very seriously, as our President Pro Tem, Bob Melland has indeed been an outstanding Senator as he is also an outstanding leader in the business world and in his own community, and we thank you, Bob, for the contribution you have made to this assembly.

A gift was presented to Senator Melland.

Senator Melland: Mr. President, ladies and gentlemen of the Senate, the privilege that you have given me of presiding in the absence of our President is one that I'll always cherish. I would just like to say a couple of things about it. For one thing, it really is a privilege and I think the Lt. Governor will concur in this, to be able to sit up here and with a slow glance, take all of you in, and you truly are a marvelous body, you are alert, you're intent, you care what's happening and you make it easy to preside for one who's not necessarily familiar with doing it and I thank you very much for that. The other thing I would like to say to you is that you have been very tolerant about many things, and Senator Goodman I am, like you, glad that this is happening today instead of yesterday afternoon and I was going to say that you could have avoided all of this difficulty if Lt. Governor Sanstead would have just left town the day that I introduced the amendments to House Bill 1468. Then I would have been presiding and I don't know which of you would have introduced those amendments. So thank you very much.

Senator Goodman: Mr. President, I ask that you now recognize Senator Solberg.

Senator Solberg: Mr. President and members of the Senate, I have a distinct pleasure and have had that pleasure all this session to serve as chairman of an excellent Committee on Employment. They have worked well together, I think we have had responses from you that indicate that we have had real success in our relationship and communications between the employees and those of us that must serve the people directly, and I couldn't help, but as I walked by one of the doors sometime back, and Senator Nothing made the comment he was moved, I heard them say "Let's move Nothing". So that is not new. Also I think sometimes, that we feel like there needs to be some moving around and it kind of reminds me of Ole, Mr. President, if I may illustrate that way in this august body because it indicates that sometimes we have to move quickly and we don't quite know what moved us. "Ole was a fellow who lived on a farm and had no conveniences, he moved into town, and he forgot that he didn't have to strike the match to light the lamp and so he always struck the match and lighted his way and then pulled the switch on the electric lights. This day his house had filled with gas and the minute that he lit the match, the house blew to smithereens. Up went Ole, up went the house and he landed out there in time behind the back yard of his neighbor and he looked over and saw the empty space where his house was and his neighbor ran out very quickly and said, 'Ole, are you hurt?', No, but I'm glad I got out of there when I did." So, I'm quite sure some of our employees felt that way too, Mr. President. Now I'm going to need several of the pages, if they will please, come to my desk, because I have several people that we want to recognize at this time. If the pages will come and help, why we will do this as quickly as we can and with expedition. This is for Doris at the desk, then we want to recognize Al, we call them by their first names, now you see. And we want to recognize Olger, we want to recognize Art, and to Vern, we have a gift too, and to the man who coordinates it all and makes the things function properly and keeps the employment committee happy and we know also many of the employees are happy — our good friend and efficient Secretary, Leo.

Senator Solberg: Mr. President, will you recognize the Secretary of the Senate, Leo Leidholm.

Leo Leidholm: Mr. President, members of the Senate. First of all I would like to thank you on behalf of the desk force and our sergeant-at-arms, for the treatment and the tokens that have been given to us, and now Mr. President, on behalf of the employees of the 44th Legislative Assembly, we wish to present the members of the Employment Committee with a small token of our appreciation. We sincerely hope we have served you well and offer to each of you our best wishes for the future. If the pages will come forth and receive these gifts and present them to the members of the Employment Committee. Thank you.

Gifts were presented to Senator "Esky" Solberg, Senator Ken Morgan, Senator Shirley Lee, Senator Harry Iszler, Senator Ernest Sands, Senator Lester Larson, Senator Pam Holand and Senator Roland Redlin.

The "President" would like to recognize the President to come back up and we will return to another order of business.

Senator Morgan: I indeed appreciate the employees' giving me this present, but I received another one today. Since 1961, it has been my privilege to sit beside, who I think is the most intellectual man in the Senate. We have had our differences, but we have always gotten along well most of the times we have worked together. Today I was quite surprised with a gift from Senator Ringsak and his wife Ruth, of a real nice bracelet with my name engraved on it, and I want to thank the Senator for the privilege of being able to sit next to him.

Senator Vosper: Mr. President, I would like to just take a few moments to thank the Majority leader for telling me where the bathroom was that day.

Senator Solberg: Mr. President, having acted as a lobbyist, I know that the true definition of a hangover is the burden of too much proof. On behalf of the Employment Committee, I thank the employees for the souvenir cup that they have presented each of us. This is nice, and it's going to be something that will help us remember you, too.

Senator Nothing: Mr. President, I would like to thank all of the employees and the desk force on behalf of all of us for the fine work that they have shown us and the cooperation.

Senator Nothing: Mr. President, I move that a committee of three be appointed to notify the Governor that the Senate has completed its current business and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee:

Senator Clarence Schultz

Senator Kent Vosper

Senator Lee Christensen

Senator Nothing: Mr. President, I move that a committee of three be appointed to notify the House that the Senate has completed its current business and is about to adjourn sine die, which motion prevailed.

The President appointed as such committee:

Senator Ernest Pyle

Senator Stanley Wright

Senator Rolland Redlin

Senator C. Schultz 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 Pyle 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 Nothing moved that the Senate adjourn sine die, which motion prevailed and the Senate stood adjourned sine die.

LEO LEIDHOLM, Secretary



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## MELLAND

Chairman of Legislative Council, 1477

Standing Committee: 20, 22

Conference Committee: 1240, 1291(2), 1312, 1375, 1405(2), 1423, 1425

Committees other than Standing: 10, 11, 409

Committee Reports: 223, 225, 522, 538, 551, 552, 773, 868, 869

Bills: 30(2), 55, 104, 131, 171, 186, 187, 227, 228, 237, 238, 244, 247(2)

Senate Concurrent Resolution: 55, 56, 120, 147, 385, 527, 678

Senate Resolution: 281

Senate Memorial Resolution: 61

Motions: 19, 23, 25, 61(2), 157, 180(3), 181(2), 252, 292, 302(3), 495(3), 517, 528, 573(2), 580(2), 618(3), 724, 776, 792, 890, 978, 979, 1025, 1044, 1056, 1100, 1120, 1139, 1177(2), 1178(2), 1179, 1216, 1222(2), 1225(2), 1226(4), 1228(4), 1229(2), 1252, 1253(2), 1268(2), 1308, 1351(2), 1368, 1377, 1378(2), 1407(2), 1410(2), 1425, 1429(2), 1435(2), 1456

Remarks Printed: 1093, 1127, 1392, 1481

**MORGAN**

Standing Committee: 21(2), 22

Conference Committee: 1244(2)

Committees other than Standing: 10, 516

Committee Reports: 65, 90, 130, 144, 198(2), 289(2), 291(2), 311, 384, 419(2), 420(2), 421, 442, 460(2), 480, 481(3), 482(3), 512, 537, 551, 552, 620, 621, 622(2), 728, 729, 794, 796(2), 799, 800, 819, 821, 823, 923(2), 924(2), 945, 946, 949(2), 1120(2), 1275

Bills: 37, 38(2), 41, 112, 170(2), 187, 200, 201(2), 207, 250(2)

Senate Concurrent Resolution: 171, 264

Motions: 132(2), 315, 318(2), 335(3), 405, 437(2), 445, 465, 484, 499, 502, 528, 563, 749, 780, 815, 818, 839, 919(2), 942(2), 943, 951(2), 952, 968(2), 969, 1011, 1011(2), 1122(2), 1204(2), 1269(2), 1275(2), 1347(2), 1369(3)

Remarks Printed: 1482

**MUTCH**

Standing Committee: 21(2)

Conference Committee: 920, 999, 1285, 1373, 1432

Committee Reports: 143, 144(2), 159, 160, 161, 197(4), 206, 233, 234, 279, 289(2), 290, 291(3), 292(2), 458, 459, 461(4), 462, 480, 481, 505, 510, 511(2), 536, 622(2), 730(2), 731(2), 796(2), 798, 800, 824, 922, 926(2), 945, 946(3), 947, 949, 1005, 1006(5), 1071

Bills: 32, 113, 236, 246(2), 249

Senate Concurrent Resolution: 294(2)

Senate Resolution: 1400

Motions: 154(3), 163(2), 174(2), 208, 263, 269, 315, 319, 478, 482, 494, 501, 502, 527, 528(3), 573, 574, 617(2), 715, 725, 749, 816(2), 872(2), 920, 923, 943, 952, 968(2), 969, 971, 994, 1024(4), 1045(2), 1098(2), 1104(2), 1105(2), 1175, 1182, 1300(2), 1400, 1401

**NAADEN**

Standing Committee: 20, 22

Conference Committee: 1290, 1291

Committees other than Standing: 11

Bills: 41, 146(2), 147, 186, 206, 236(2), 240, 241, 242, 251

Senate Concurrent Resolution: 55, 294(2)

Motions: 62, 359(2), 416, 451(3), 675(2), 715, 892(2), 954(2), 1156(2), 1219, 1220(4), 1249, 1250(2), 1264(3), 1356, 1456

Remarks Printed: 193, 598

**NASSET**

Standing Committee: 20, 21, 22

Conference Committee: 841, 1094

Committees other than Standing: 6, 10, 11

Committee Reports: 62, 97, 98, 99(2), 129, 143, 223, 234(2), 279, 310(3), 311(3), 312(2), 313, 345, 365, 417, 418, 419, 441, 443(6), 509(2), 510, 511, 514, 552(2), 586, 594, 596(4), 725, 730, 731(2), 751(2), 752(3), 775(2), 776(3), 843, 844(3), 845, 867, 892, 894, 897(3), 924, 974(2), 975, 1004, 1006, 1037, 1101

Bills: 30(2), 37, 113, 131, 161(2), 227, 246

Senate Concurrent Resolution: 132, 385

Motions: 4, 5, 62, 108, 122, 123, 153, 163(2), 167, 235, 236, 293, 335, 336, 338, 349, 379, 417, 437(2), 466, 469, 470, 484, 485, 528, 559, 563, 574, 581(3), 616(2), 643, 750, 791, 793(2), 831, 841, 869(2), 871(2), 874(2), 915, 917(2), 974, 994, 998(2), 1021, 1023, 1024, 1053, 1093, 1101, 1172(2), 1203, 1208(2), 1255, 1376(2)



## NETHING

Standing Committee: 22

Committees other than Standing: 10, 11, 849, 1305

Bills: 35, 36(2), 68, 101(6), 161, 186, 187, 228, 237(2), 239, 245, 246, 247

Senate Concurrent Resolution: 131, 264, 366, 402, 527, 572, 677, 678

Senate Resolution: 124, 281, 295

Motions: 5(2), 6(3), 7, 10(6), 11(2), 13, 14, 15(2), 19(2), 22, 25, 27(2), 58, 62, 63, 71(3), 81, 84, 93, 96, 108, 109, 123, 124, 125, 126, 127, 133(2), 134, 140(2), 141, 151, 156, 157, 158, 161, 164, 168, 174, 182, 188, 195, 201, 204, 211, 212, 218, 229(3), 232, 256, 259, 269, 273, 281, 283(2), 286, 295, 298, 307, 315, 316, 321, 323(3), 326, 328, 331, 335, 337, 340, 342, 347, 349, 361, 367, 369, 370(2), 371(2), 377, 379, 385, 397, 406(2), 408, 409, 412, 416(2), 423, 426, 434, 446, 452, 455, 467, 475, 484, 485, 493, 496, 515, 516(2), 525, 527, 553, 562, 570, 575, 614, 618, 619, 633, 636, 642, 650(2), 657, 667, 672, 673(2), 674(2), 675(2), 676(2), 677, 678, 679(2), 680(3), 681(2), 682(2), 683, 684(2), 685(2), 686(3), 687(2), 688(3), 689(2), 690(2), 691, 692(3), 693(3), 694(3), 697, 702, 703(3), 704, 705(3), 706, 707, 708, 709(2), 710(2), 711(2), 712(2), 713(2), 714(2), 715(3), 716(2), 717(3), 720, 723(4), 732, 735, 736, 742, 748, 754, 756, 757(3), 772, 776, 777(2), 779, 780, 789, 802, 806, 814, 815, 816(2), 817(2), 818, 837, 846, 851, 854, 863, 870(5), 871(3), 874, 875, 876, 885, 888, 890, 898, 913, 918(2), 920, 921(7), 940, 941, 949, 954, 958, 960, 965, 967, 968, 976(4), 977, 979, 980(3), 983, 992, 1006, 1019, 1021, 1040, 1051, 1082, 1094, 1096, 1099(2), 1100, 1101(2), 1102, 1116, 1118, 1119(2), 1120, 1128(4), 1129(2), 1144, 1156, 1164, 1165(3), 1167(2), 1169(4), 1178, 1184(2), 1185, 1187, 1202, 1210, 1213(2), 1217, 1219(2), 1220, 1221(2), 1222, 1224, 1225, 1227, 1228, 1229, 1230(2), 1247, 1249, 1251(3), 1252, 1254, 1262(2), 1263, 1265, 1274(2), 1275, 1276, 1292, 1303, 1304, 1306, 1311(2), 1314(2), 1315(2), 1332, 1344(2), 1362, 1363, 1366(3), 1367, 1368, 1370, 1374, 1376, 1377, 1378(2), 1379, 1383, 1390, 1393, 1401, 1405, 1407, 1408, 1410, 1413, 1414, 1415(3), 1416, 1422, 1425, 1426, 1427, 1433, 1440, 1445, 1454, 1482

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## PYLE

Standing Committee: 20, 22

Conference Committee: 1241, 1290, 1291

Committees other than Standing: 10, 11, 134, 327, 1482

Bills: 170, 238

Senate Concurrent Resolution: 55, 56, 385, 677

Motions: 5, 6, 27, 62, 164, 211, 229, 256, 269, 281, 316, 337, 348, 369, 385, 404, 406, 423, 437, 445, 464, 467, 478, 485, 499, 515, 516, 553, 573, 615, 670, 676, 724, 736, 749, 757, 775, 777, 791, 802, 815, 817, 839, 846, 869, 889, 898, 915, 916, 918, 928, 949, 983, 994, 1023, 1053, 1094, 1097, 1102, 1217, 1264, 1265, 1323, 1427, 1440, 1454

Remarks Printed: 598, 1348, 1478

## RAIT

Standing Committee: 21(2), 22

Conference Committee: 910, 968, 1116, 1120, 1205, 1244(2), 1329

Committees other than Standing: 10

Bills: 37(3), 38, 39, 42(2), 236

Senate Concurrent Resolution: 329(2), 384

Motions: 292, 1274, 1309

Remarks Printed: 558

## REDLIN

Standing Committee: 21(2), 22

Conference Committee: 951, 1021, 1255

Member of Education Commission of the States: 1367

Committees other than Standing: 10, 327, 516, 1482  
 Bills: 30(2), 31(3), 38, 39, 42(3), 131, 146, 147, 187, 200, 237, 241(2), 249,  
 250  
 Senate Concurrent Resolution: 56, 402, 676, 678  
 Motions: 156, 464(2), 776, 780, 1082, 1092, 1093(2), 1132, 1133(2)  
 Remarks Printed: 1368

**REITEN**

Standing Committee: 21(2)  
 Conference Committee: 826, 999, 1204, 1255(2), 1285, 1312, 1415  
 Bills: 30(4), 42(2), 113(2), 130, 146(2), 186, 207(2), 237, 241, 246, 249(2),  
 250  
 Senate Concurrent Resolution: 55(2), 615  
 Motions: 167, 374(3), 1303(2), 1304(2), 1323, 1328(2), 1340, 1346

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Standing Committee: 20, 21  
 Conference Committee: 910, 968, 999, 1153, 1169, 1346  
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 926(2), 944, 948, 976, 1038, 1067, 1101, 1129, 1214  
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 Motions: 100(2), 151, 189, 191(2), 214, 228, 229, 315, 320, 386, 387(4),  
 405(2), 410, 433, 438, 448(2), 495, 553, 562, 573, 574, 575(2), 576(2), 581,  
 618(2), 703(3), 715, 717, 723, 779, 806, 815, 817, 839(4), 841(3), 905(3),  
 920(2), 941, 965, 968(3), 1041(2), 1055, 1101, 1129, 1153, 1182, 1189,  
 1213(4), 1328, 1329, 1368, 1436  
 Remarks Printed: 715, 717, 907, 1306, 1330  
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Standing Committee: 20, 21, 22  
 Conference Committee: 951, 968, 999, 1189  
 Committees other than Standing: 10  
 Committee Reports: 73(2), 74, 144(2), 160, 205, 212, 223, 226, 234, 278,  
 288(5), 290, 310, 312(2), 365(4), 383, 459(4), 460(2), 480, 481(2), 510, 513,  
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 727(4), 728(2), 794, 796(4), 821(2), 822(4), 823(5), 824, 825, 923, 924,  
 946(2), 948, 949, 975(3), 976(3), 1038, 1072, 1075, 1076(3)  
 Bills: 44, 130, 146, 238, 248  
 Motions: 91, 126, 174, 212, 251(2), 253, 263(2), 293, 315, 316, 317, 318(2),  
 319, 322, 323, 335(2), 374(2), 379, 482(2), 499(2), 501, 528(2), 573, 574,  
 598, 616(3), 617, 618, 640(2), 641, 672, 699, 724, 749(2), 825(2), 826, 839(3),  
 840, 942, 959, 994, 997, 1098(3), 1104, 1120, 1126, 1135(3), 1178(2), 1171(2),  
 1206(4), 1254, 1255(3), 1262(4), 1285(2), 1312  
 Remarks Printed: 634

**SANDNESS**

Standing Committee: 21(2), 22  
 Conference Committee: 965, 1021, 1153, 1189, 1255, 1329

Committees other than Standing: 10, 407  
 Committee Reports: 63, 71, 81, 94, 109, 124, 133, 152, 164, 175, 188, 202, 230, 257, 270, 281, 299, 317, 337, 349, 370, 407, 485, 516, 554, 651, 676, 732, 757, 777, 803, 817, 847, 875, 899, 919, 950, 984, 1007, 1041, 1094, 1103, 1217, 1265, 1312, 1380, 1428, 1455  
 Bills: 38, 39, 227, 241, 250(2)  
 Senate Concurrent Resolution: 385  
 Motions: 63, 69, 71, 81, 94, 109, 124, 133, 152, 164, 175, 188, 202, 230, 257, 270, 281, 299, 317, 337, 349, 370, 386, 407, 485, 516, 554, 651, 676, 716, 732, 757, 777, 803, 817, 847, 874(2), 875, 899, 919, 950, 984, 1007, 1012(3), 1041, 1081, 1094, 1103, 1217, 1265(2), 1312, 1330(3), 1355(2), 1380, 1428, 1455

**SCHULTZ**

Standing Committee: 20, 22, 484  
 Conference Committee: 1017, 1028, 1255(3), 1290, 1291(4), 1375  
 Committees other than Standing: 10, 11, 1482  
 Bills: 146  
 Motions: 176(3), 187, 235, 740, 1135, 1174(2), 1207, 1431(2), 1482  
 Remarks Printed: 609, 671, 702

**SCHULTZ, JAY C.**

Standing Committee: 20, 21, 22  
 Conference Committee: 788, 874, 1104, 1241, 1266(2), 1285  
 Committees other than Standing: 327  
 Committee Reports: 1038(2)  
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 Senate Concurrent Resolution: 435, 678  
 Senate Memorial Resolution: 572  
 Motions: 280(2), 491(3), 498, 562(2), 572, 573, 1043(2), 1047(3), 1053, 1093, 1130(3), 1138, 1176(2), 1372(2), 1392, 1398, 1399  
 Remarks Printed: 636

**SCHUSTER**

Standing Committee: 20, 21  
 Conference Committee: 825, 951, 968, 1121, 1169, 1241, 1273, 1285, 1346  
 Committees other than Standing: 11  
 Bills: 54, 85, 146, 186(2), 200, 227(4), 228, 238, 240(3), 241, 247, 248(3)  
 Senate Concurrent Resolution: 294, 402, 572, 678  
 Motions: 347, 416(2), 1082(3)  
 Remarks Printed: 1263, 1348

**SHABLOW**

Standing Committee: 20, 22(2)  
 Conference Committee: 899, 1104, 1172, 1255(2), 1266(2), 1285  
 Committees other than Standing: 10  
 Bills: 31(3), 200, 237(2)  
 Motions: 187, 323, 348, 492, 622, 632, 702, 703, 784(2), 1054, 1325  
 Remarks Printed: 418, 488, 703

**SMYKOWSKI**

Standing Committee: 21, 22, 484  
 Conference Committee: 826, 910, 1104, 1205, 1244, 1255(3), 1285, 1415  
 Committee Reports: 508, 509, 515, 537, 538, 550, 551, 552, 596(2), 597(2), 1120  
 Bills: 39, 41, 130, 200, 201, 242, 249, 250  
 Senate Concurrent Resolution: 264  
 Motions: 157, 305, 404, 520, 528, 573(2), 600, 617(2), 686(3), 693, 716, 717(2), 754, 777, 1169, 1216, 1281(2), 1325, 1326, 1340, 1341(2), 1356, 1416(2)  
 Remarks Printed: 1168

**SOLBERG**

Standing Committee: 20, 21, 22

Conference Committee: 952, 1204

Committees other than Standing: 10, 780

Committee Reports: 90(3), 381, 383(2), 384(2)

Bills: 30(2), 31(2), 39(3), 40(2), 41, 45, 113, 145, 146, 161, 170, 187, 200, 206, 227, 228, 243

Senate Concurrent Resolution: 385

Senate Memorial Resolution: 572

Motions: 23, 60, 100(2), 114, 283(2), 285, 326, 338(2), 404(2), 423, 452(2), 652(3), 663, 776, 779, 832, 959, 979, 1125, 1177(3), 1215(2), 1216(2), 1242(4), 1251, 1252(2), 1270(3), 1276, 1442, 1444(2)

Remarks Printed: 495, 1168, 1345, 1481, 1482

**STRAND**

Standing Committee: 20, 21, 22

Conference Committee: 842, 1204, 1255

Committee Reports: 85, 97, 111, 129, 143, 161, 170, 183, 197, 205, 223, 233(2), 261(2), 275(3), 282, 287(2), 309(2), 329(2), 343(2), 360, 363(2), 379, 399, 412, 413, 435(3), 457(2), 477(2), 497(2), 498, 527, 572, 651(2), 670(2), 813, 833, 834, 885, 889, 911(2), 915, 940(2), 941(3), 962, 985, 986, 992, 1023(2), 1078(2), 1097(2), 1112, 1116(2), 1117(3), 1156(2), 1293(2), 1343, 1365(3), 1367, 1394, 1446(2), 1459(2), 1460, 1461, 1476(2), 1477

Bills: 30(4), 49, 75, 170, 236, 241, 243

Senate Concurrent Resolution: 55(2), 676

Motions: 85, 161, 261, 413, 497, 651, 833, 915(2), 985, 1112, 1293, 1365, 1460

**STRINDEN**

Standing Committee: 20, 22

Conference Committee: 1215, 1291(3), 1312, 1405, 1425

Committees other than Standing: 10, 11, 327, 1305

Committee Reports: 1138

Bills: 30(2), 146, 170, 186, 200, 238(2), 250

Senate Concurrent Resolution: 55, 120, 329

Motions: 701(2), 1138, 1139, 1224, 1263, 1330, 1342, 1353, 1430

Remarks Printed: 1136, 1305(4), 1478, 1479

**STROUP**

Standing Committee: 20, 21

Conference Committee: 788, 1241, 1266

Committees other than Standing: 10

Committee Reports: 66(2), 98(3), 159, 160, 185(3), 223, 225, 226, 344, 345, 354, 402, 419, 420, 422(2), 439, 440, 443(2), 444(3), 506(3), 509(2), 510, 536(3), 537(2), 538, 549(4), 585, 587, 589(3), 590, 593, 594, 621(4), 725, 727, 728, 729, 752(2), 754(2), 843, 845, 846, 892, 910(3), 974, 975(3), 976, 1029(3), 1030, 1031(4), 1032, 1038, 1039(2), 1040, 1070, 1071, 1074, 1308

Bills: 37(5), 38, 43(5), 44(3), 46, 47, 49(2), 51, 75, 112(2), 114, 130, 131, 207, 225, 227, 237(2), 241, 248

Senate Concurrent Resolution: 56, 105, 132

Motions: 74, 91(2), 122(2), 123, 174, 215, 235(2), 251, 445, 464(3), 465(4), 469, 516(2), 528(2), 553(2), 556, 557, 558, 565(2), 616(2), 636(2), 637(2), 638(3), 639, 640, 642, 724, 736, 743, 757(2), 775, 776(2), 787, 842(2), 869, 873, 899, 915, 950(2), 956, 994, 995, 996(2), 1000(2), 1053(3), 1054(3), 1055, 1098(2), 1121(2), 1123(2), 1139, 1169(2), 1172, 1216, 1241, 1251(2), 1265(2), 1266(3), 1337, 1392, 1421(2)

Remarks Printed: 157, 1349, 1422, 1436

**THANE**

Standing Committee: 20, 22

Conference Committee: 997, 1028, 1241, 1255, 1290, 1373

Member of the Education Commission of the States: 1367  
Committees other than Standing: 327  
Bills: 30(2), 49, 112, 146, 170(3), 186, 200, 201, 206, 236, 237(2), 238(2), 242,  
246, 247, 249, 250  
Senate Concurrent Resolution: 55, 171(2), 329, 678  
Motions: 280(2), 371(3), 681, 724(2), 1089, 1213, 1268(2), 1287(2), 1289(2)

**TWETEN**

Standing Committee: 20, 21  
Conference Committee: 920, 1021, 1094  
Bills: 30(2), 31(2), 47, 49, 75, 131, 240, 246, 247, 249  
Motions: 417, 757(2), 777, 780, 998(2), 999(2), 1012, 1286(2), 1328  
Remarks Printed: 683

**VOSPER**

Standing Committee: 21(2), 22(2)  
Conference Committee: 910, 951, 1116, 1120, 1205  
Committees other than Standing: 10, 1482  
Committee Reports: 446, 468, 737, 1129, 1167  
Bills: 146, 200  
Motions: 97, 170, 223, 275, 329, 363, 423, 446, 457, 468, 497, 651, 715, 737, 780,  
810, 885, 941, 992, 1116, 1129, 1167, 1168(2), 1293, 1312, 1313, 1365, 1400  
Remarks Printed: 1482

**WALSH**

Standing Committee: 20, 22  
Conference Committee: 1290, 1291(2), 1312, 1373, 1405, 1423, 1425  
Bills: 30(2), 61, 200, 228, 249  
Senate Concurrent Resolution: 294(3), 295  
Motions: 129, 197, 233, 309, 343, 399, 477, 520, 553, 572, 670, 911, 941, 1078,  
1117, 1446

**WENSTROM**

Standing Committee: 20, 22  
Conference Committee: 1017, 1240, 1241, 1291(3), 1405  
Committees other than Standing: 10, 407  
Bills: 29(2), 30(3), 37, 41(2), 46, 74, 170, 227, 236, 237(2), 241, 246, 249  
Senate Concurrent Resolution: 55, 294, 295  
Senate Memorial Resolution: 13  
Motions: 13, 14, 71, 368, 483, 492, 683, 691, 1210(2), 1213, 1338(3), 1346  
Remarks Printed: 194, 614, 683, 850

**WRIGHT**

Standing Committee: 20, 21  
Conference Committee: 874, 899, 951, 1172, 1266(3)  
Committees other than Standing: 516, 1482  
Bills: 37(3), 130, 146, 171, 187, 241, 243, 247  
Senate Concurrent Resolution: 294, 384  
Motions: 1175, 1362(2), 1379

## RECORD OF SENATE BILLS IN THE SENATE

### Senate Bill No. 2001 — (Committee on Appropriations)

Senate Bill No. 2001. A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the State of North Dakota.

Introduction, first reading, 28  
 Referred to Committee on Appropriations  
 Reported back amended, 643-646  
 Amendments adopted, 670  
 Engrossed, 694, 1459  
 Re-engrossed, 1351, 1410  
 Second reading, 699, 1351  
 Passed 1352, 1410  
 Divided questions, 699-702  
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 Enrolled, 1459  
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 Signed by President, 1461  
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 Received from House, 1466  
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### Senate Bill No. 2002 — (Committee on Appropriations)

Senate Bill No. 2002. A Bill for an Act making an appropriation for defraying the expenses of various divisions thereof of the state of North Dakota and which are under the supervision of the director of accounts and purchases.

Introduction, first reading, 28  
 Referred to Committee on Appropriations  
 Reported back, amended, 581-582  
 Amendments adopted, 615  
 Engrossed, 669  
 Second reading, 673  
 Passed, 673  
 Clincher motion, 673  
 To House, 721  
 Returned to Senate, 1189  
 Enrolled, 1460  
 Signed by President, 1461  
 Sent to House, 1463

Received from House, 1466  
 Message to Governor, 1474

**Senate Bill No. 2003 — (Committee on Appropriations)**

**Senate Bill No. 2003.** A Bill for an Act making an appropriation for defraying expenses of the judicial branch of the government of the state of North Dakota.

Introduction, first reading, 28  
 Referred to Committee on Appropriations  
 Reported back, amended, 159  
 Amendments adopted, 174  
 Engrossed, 183, 1459  
 Re-engrossed, 1394  
 Second reading, 191, 1394  
 Passed, 192, 1394  
 Clincher motion, 1394  
 To House, 202  
 House Amendments, 1231  
 Returned to Senate, amended, 1230  
 Conference Committee, 1380, 1404  
 Conference Committee Report, 1393-1394  
 Adopts, 1394  
 House Adopts, 1404  
 Senate does not concur, 1380  
 Enrolled, 1459  
 Sent to House, 1395  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2004 — (Committee on Appropriations)**

**Senate Bill No. 2004.** A Bill for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands.

Introduction, first reading, 28  
 Referred to Committee on Appropriations  
 Reported back, amended, 97  
 Statement of Intent, 97  
 Amendments adopted, 122  
 Engrossed, 129, 1459  
 Re-engrossed, 1287  
 Second reading, 138, 1287  
 Passed, 138, 1288  
 To House, 157  
 House Amendments, 1231-1232  
 Returned to Senate, amended, 1230  
 Conference Committee, 1241, 1280  
 Conference Committee Report, 1287  
 Adopts, 1287  
 House Adopts, 1352  
 Senate does not concur, 1241  
 Enrolled, 1459  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2005 — (Committee on Appropriations)**

**Senate Bill No. 2005.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduced by Committee on Appropriations  
 Introduction, first reading, 28  
 Referred to Committee on Appropriations  
 Reported back, amended  
 Amendments adopted, 464  
 Engrossed, 477, 1459  
 Re-engrossed, 1288  
 Second reading, 486, 1288  
 Passed, 486, 1288  
 To House, 521  
 House Amendments, 1190  
 Returned to Senate, amended, 1190  
 Conference Committee, 1215, 1280  
 Conference Committee Report, 1288  
 Adopts, 1288  
 House Adopts, 1352  
 Senate does not concur, 1214  
 Enrolled, 1459  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2006 — (Committee on Appropriations)**

**Senate Bill No. 2006.** A Bill for an Act making an appropriation for defraying expenses of the various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 28  
 Referred to Committee on Appropriations  
 Reported back, do pass, 205  
 Engrossed, 1267, 1459  
 Second reading, 230, 1267  
 Passed, 231, 1268  
 To House 273  
 House Amendments, 1232  
 Returned to Senate, amended, 1230  
 Senate concurs, 1267  
 Enrolled, 1459  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2007 — (Committee on Appropriations)**

**Senate Bill No. 2007.** BUDGETS—DIRECTOR OF INSTITUTIONS—A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the director of institutions, and declaring an emergency.

Introduction, first reading, 28  
 Referred to Committee on Appropriations



Reported back, amended, 529-532  
 Amendments adopted, 573  
 Engrossed, 651, 1459  
 Re-engrossed, 1412  
 Second reading, 651, 1413  
 Passed, 652, 1413  
 Clincher motion, 1413  
 Emergency carried, 652, 1413  
 To House, 721  
 House amendments, 1232-1233  
 Returned to Senate, amended, 1230  
 Conference Committee, 1241, 1280  
 Conference Committee Report, 1410-1412  
 Adopts, 1412  
 House adopts, 1426  
 Senate does not concur, 1241  
 Enrolled, 1459  
 Sent to House, 1415  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2008 — (Committee on Appropriations)**

**Senate Bill No. 2008.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the commissioner of insurance.

Introduction, first reading, 28  
 Referred to Committee on Appropriations  
 Reported back, do pass, 62  
 Engrossed, 485, 911  
 Second reading, 69, 485  
 Passed, 69, 486  
 To House, 84  
 House amendments, 474-475  
 Returned to Senate, amended, 474  
 Senate concurs, 485  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 939  
 Approved by Governor, 967

**Senate Bill No. 2009 — (Committee on Appropriations)**

**Senate Bill No. 2009.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota and which are under the supervision of the commissioner of agriculture.

Introduction, first reading, 28-29  
 Referred to Committee on Appropriations  
 Reported back, amended, 287-288  
 Amendments adopted, 315  
 Engrossed, 329, 1173, 1459  
 Second reading, 337, 1173

Passed, 338, 1174  
 To House, 360  
 House amendments, 963-964  
 Returned to Senate, amended, 963  
 Conference Committee, 997, 1050  
 Conference Committee report, 1173  
 Senate adopts, 1173  
 House adopts, 1319  
 Senate does not concur, 997  
 Enrolled, 1459  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2010 — (Committee on Appropriations)**

**Senate Bill No. 2010.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 29  
 Referred to Committee on Appropriations  
 Reported back, amended, 363-364  
 Amendments adopted, 379  
 Engrossed, 399, 1459  
 Re-engrossed, 1268  
 Second reading, 408, 1268  
 Passed, 409, 1268  
 To House, 433  
 House amendments, 1234  
 Returned to Senate, amended, 1230  
 Senate concurs, 1268  
 Enrolled, 1459  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2011 — (Committee on Appropriations)**

**Senate Bill No. 2011.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 29  
 Referred to Committee on Appropriations  
 Reported back, amended, 309-310  
 Amendments adopted, 335  
 Engrossed, 343, 1459  
 Re-engrossed, 1268  
 Second reading, 348, 1268  
 Passed, 348, 1268  
 To House, 376  
 House amendments, 1234  
 Returned to Senate, amended, 1230  
 Conference Committee report, 1319  
 Senate concurs, 1268  
 Senate adopts, 1319  
 Enrolled, 1459

Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2012 — (Committee on Appropriations)**

**Senate Bill No. 2012.** A Bill for an Act making an appropriation for defraying expenses of the pardon board and parole office.

Introduction, first reading, 29  
 Referred to Committee on Appropriations  
 Reported back, amended, 73  
 Amendments adopted, 91  
 Engrossed, 97, 1293  
 Re-engrossed, 1026  
 Second reading, 106, 1026  
 Passed, 106, 1026  
 To House, 127  
 House amendments, 1018  
 Returned to Senate, amended, 1017  
 Senate concurs, 1026  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2013 — (Committee on Appropriations)**

**Senate Bill No. 2013.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the office of the adjutant general.

Introduction, first reading, 29  
 Referred to Committee on Appropriations  
 Reported back, amended, 380-381  
 Amendments adopted, 404  
 Engrossed, 413, 1459  
 Re-engrossed, 1203  
 Second reading, 426, 1203  
 Passed, 426, 1203  
 To House, 455  
 House amendments, 1190  
 Returned to Senate, amended, 1190  
 Senate concurs, 1203  
 Enrolled, 1459  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2014 — (Committee on Appropriations)**

**Senate Bill No. 2014.** A Bill for an Act to appropriate money for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

Introduction, first reading, 29

Referred to Committee on Appropriations  
 Reported back, amended, 457-458  
 Amendments adopted, 478  
 Engrossed, 497, 1459  
 Re-engrossed, 1414  
 Second reading, 517, 1414  
 Passed, 517, 1414  
 Clincher motion, 1414  
 To House, 568  
 House amendments, 1235  
 Returned to Senate, amended, 1230  
 Conference Committee, 1254, 1280  
 Conference Committee Report, 1413-1414  
 Senate adopts, 1414  
 House adopts, 1426  
 Senate does not concur, 1254  
 Reconsidered, 478  
 Enrolled, 1459  
 Sent to House, 1415  
 Signed by President, 1461  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2015 — (Committee on Appropriations)**

**Senate Bill No. 2015.** A Bill for an Act making an appropriation for defraying expenses of the North Dakota educational broadcasting council.

Introduction, first reading, 29  
 Referred to Committee on Appropriations  
 Reported back, do pass, 381  
 Second reading, 448  
 Lost, 448

**Senate Bill No. 2016 — (Wenstrom, Lips, Larson, Barth)**

**Senate Bill No. 2016.** A Bill for an Act to provide for a periodic review of employee bond coverage, and to amend and reenact sections 26-23-01, 26-23-02.1, 26-23-05, 26-23-06, 26-23-07, 26-23-08, 26-23-09, 26-23-10, 26-23-11, 26-23-15, 26-23-17, 26-23-18, 26-23-19, 26-23-20, 26-23-22, 43-04-06, 43-05-05, 43-10-03, 43-11-07, 43-13-06, 43-15-07, 43-19.1-09, 43-25-06, and 43-35-06, relating to public official and employee bond coverage as provided under the state bonding fund.

Introduction, first reading, 29  
 Referred to Committee on Appropriations  
 Reported back, do pass, 129  
 Second reading, 149  
 Passed, 149  
 To House, 164  
 Returned to Senate, 787  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1018  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2017 — (Westrom, Lips, Larson, Barth)**

**Senate Bill No. 2017.** A Bill for an Act to create and enact section 6-01-31 of the North Dakota Century Code, providing that certain accounts with financial institutions be subject to inspection, audit, or examination by the state auditor, the commissioner of banking, or the attorney general.

Introduction, first reading, 29  
Referred to Committee on Appropriations  
Reported back, do pass, 111  
Second reading, 138  
Passed, 138  
To House, 157  
Returned to Senate, 522  
Enrolled, 910  
Signed by President, 933  
Sent to House, 934  
Received from House, 939  
Message to Governor, 939  
Approved by Governor, 967

**Senate Bill No. 2018 — (Barth, Larson, Lips, Wenstrom)**

**Senate Bill No. 2018.** A Bill for an Act to amend and reenact subsection 2 of section 54-10-01 of the North Dakota Century Code, relating to the authority of the state auditor to examine the books and records of state agencies and occupational and professional boards and commissions.

Introduction, first reading, 30  
Referred to Committee on Appropriations  
Reported back, do pass, 439  
Second reading, 470  
Passed, 471  
To House, 495  
Returned to Senate, 860  
Enrolled, 1116  
Signed by President, 1149  
Sent to House, 1149  
Received from House, 1152  
Message to Governor, 1155  
Approved by Governor, 1261

**Senate Bill No. 2019 — (Strinden, Melland, Erdman, Nasset, Thane, Wenstrom)**

**Senate Bill No. 2019.** A Bill for an Act providing for the creation of a preliminary planning revolving fund for the prepayment of consulting and planning fees for capital improvement projects and structures, and providing for an appropriation.

Introduction, first reading, 30  
Referred to Committee on Appropriations  
Reported back, do pass, 111  
Second reading, 138  
Passed, 138  
To House, 157  
Returned to Senate, 522  
Enrolled, 910  
Signed by President, 933  
Sent to House, 934  
Received from House, 939

Message to Governor, 940  
Approved by Governor, 967

**Senate Bill No. 2020** — (Melland, Erdman, Nasset, Strinden, Thane, Wenstrom)

**Senate Bill No. 2020.** A Bill for an Act to amend and reenact sections 15-55-02 and 15-55-18 of the North Dakota Century Code, relating to the issuance of revenue bonds by institutions under the control of the board of higher education, junior colleges, and off-campus educational centers.

Introduction, first reading, 30  
Referred to Committee on Appropriations  
Reported back, do pass, 111  
Second reading, 139  
Passed, 139  
To House, 157  
Returned to Senate, 769  
Enrolled, 985  
Signed by President, 1014  
Sent to House, 1015  
Received from House, 1018  
Message to Governor, 1022  
Approved by Governor, 1077

**Senate Bill No. 2021** — (Goodman, Reiten, Strand)

**Senate Bill No. 2021.** A Bill for an Act to amend and reenact section 15-47-34 of the North Dakota Century Code, relating to the education of deaf-blind children.

Introduction, first reading, 30  
Referred to Committee on Social Welfare and Veterans Affairs  
Reported back, do pass, 65  
Second reading, 76  
Passed, 77  
To House, 95  
Returned to Senate, 328  
Enrolled, 812  
Signed by President, 813  
Sent to House, 813  
Received from House, 814  
Message to Governor, 814  
Approved by Governor, 833

**Senate Bill No. 2022** — (Strand, Reiten)

**Senate Bill No. 2022.** 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 and educational centers and to change the formula for computing such aid.

Introduction, first reading, 30  
Referred to Committee on Education  
Reported back, do pass, 332  
Reported back, amended, 143, 276  
Re-referred to Committee on Appropriations, 163, 292  
Amendments adopted, 163  
Engrossed, 170  
Second reading, 348  
Passed, 348

To House, 377  
House amendments, 1191  
Returned to Senate, amended, 1190  
Conference Committee, 1204, 1259  
Conference Committee report, 1276  
Senate adopts, 1276  
House adopts, 1352  
Senate does not concur, 1203  
Enrolled, 1460  
Signed by President, 1462  
Sent to House, 1463  
Received from House, 1466  
Message to Governor, 1475

**Senate Bill No. 2023 — (Goodman, Reiten, Strand)**

**Senate Bill No. 2023.** A Bill for an Act to amend and reenact section 15-18-08 of the North Dakota Century Code, relating to standards for state aid and to provide for an annual review of institutional budgets for junior colleges and educational centers by the state board of public school education.

Introduction, first reading, 30  
Referred to Committee on Education  
Reported back, amended, 97  
Amendments adopted, 122  
Engrossed, 129  
Second reading, 139  
Passed, 139  
To House, 157  
Returned to Senate, 341  
Enrolled, 812  
Signed by President, 813  
Sent to House, 813  
Received from House, 814  
Message to Governor, 814  
Approved by Governor, 833

**Senate Bill No. 2024 — (Strand, Reiten)**

**Senate Bill No. 2024.** A Bill for an Act to amend and reenact section 15-18-09 of the North Dakota Century Code, relating to the verification of students attending junior colleges and educational centers for state aid purposes.

Introduction, first reading, 30  
Referred to Committee on Education  
Reported back, do pass, 98  
Second reading, 125  
Passed, 125  
To House, 133  
Returned to Senate, 1095  
Enrolled, 1365  
Signed by President, 1365  
Sent to House, 1366  
Received from House, 1381  
Message to Governor, 1394  
Approved by Governor, 1433

**Senate Bill No. 2025 — (Redlin, Lips, Solberg, Tweten)**

**Senate Bill No. 2025.** A Bill for an Act to amend and reenact sections 15-45-01, 15-45-02, and 15-45-04 of the North Dakota Century Code, relating to the establishment of kindergartens, providing a minimum term for kindergartens, and providing for an election for a mill levy for kindergartens.

Introduction, first reading, 30  
 Referred to Committee on Education  
 Reported back, amended, 418  
 Amendments adopted, 437  
 Engrossed, 457  
 Second reading, 471  
 Passed, 471  
 To House, 496  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2026 — (Lips, Redlin, Berube, Solberg, Tweten)**

**Senate Bill No. 2026.** A Bill for an Act to provide that personal property tax replacement allocations to school districts shall be made through the foundation program and to provide future restrictions on foundation program payments; to create and enact section 15-40.1-16.1 of the North Dakota Century Code, relating to transportation aid for cooperative vocational education programs; to amend and reenact sections 15-40.1-06, 15-04.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-16, 15-40.2-03, and 57-15-14 of the North Dakota Century Code, relating to foundation program payments, tax levy limitations in school districts, aid for transportation, and tuition payments for school districts; to repeal section 57-58-02 of the North Dakota Century Code, relating to computation of grants-in-aid to county equalization funds; and declaring legislative intent.

Introduction, first reading, 30-31  
 Referred to Committee on Education  
 Reported back, amended, 417  
 Amendments adopted, 437  
 Engrossed, 457, 1459  
 Re-engrossed, 1021, 1376  
 Second reading, 471, 1376  
 Passed, 472, 1376  
 To House, 496, 1376  
 House amendments, 1077-1078  
 Returned to Senate, amended, 1077  
 Conference Committee, 1093-1094, 1115  
 Conference Committee report, 1375  
 Senate adopts, 1376  
 House adopts, 1394  
 Senate does not concur, 1093  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475



**Senate Bill No. 2027 — (Tweten, Solberg, Berube)**

**Senate Bill No. 2027.** A Bill for an Act to amend and reenact sections 15-40.1-03, 15-40.1-04, and subsection 3 of section 57-51-15 of the North Dakota Century Code, relating to the school districts' share of oil and gas gross production tax proceeds.

Introduction, first reading, 31  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 159  
 Committee report for indefinite postponement, 174 adopted

**Senate Bill No. 2028 — (Lips, Redlin)**

**Senate Bill No. 2028.** A Bill for an Act to amend and reenact subsection 6 of section 21-03-07 of the North Dakota Century Code, relating to the vote required for passage of school district bond issues.

Introduction, first reading, 31  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 223  
 Committee report for indefinite postponement, 235 adopted

**Senate Bill No. 2029 — (Redlin, Lips)**

**Senate Bill No. 2029.** A Bill for an Act to amend and reenact section 57-15-16 of the North Dakota Century Code, to provide for majority votes in elections concerning school building funds.

Introduction, first reading, 31  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 98  
 Committee report for indefinite postponement, 123 adopted

**Senate Bill No. 2030 — (Redlin, Solberg, Tweten)**

**Senate Bill No. 2030.** A Bill for an Act to require that a statement of full consideration be filed with certain deeds or with the state tax commissioner; and providing a penalty.

Introduction, first reading, 31  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 98  
 Committee report for indefinite postponement, 123 adopted

**Senate Bill No. 2031 — (J. Schultz, Shablow)**

**Senate Bill No. 2031.** A Bill for an Act to provide for a severance tax upon all coal mined; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of moneys collected and to provide an impact program for impacted school districts, cities, counties, and other taxing districts; to provide for the creation of a coal development impact office in the office of the governor; to provide for a legislative council coal development review committee to approve or disapprove impact grants; to provide that certain sections of this Act shall be temporary; to provide a penalty; and to provide an appropriation.

Introduction, first reading, 31  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 582  
 Reported back, amended, 532-536

Re-referred to Committee on Appropriations, 565  
 Amendments adopted, 565  
 Engrossed, 571, 1459  
 Re-engrossed, 633, 1392  
 Second reading, 622, 633, 1393  
 Amended from floor, 633  
 Passed, 633, 1393  
 Clincher motion, 1393  
 To House, 721  
 House amendments, 1191-1192  
 Returned to Senate, amended, 1190  
 Conference Committee, 1241, 1280  
 Conference Committee report, 1384-1390  
 Senate adopts, 1392  
 House adopts, 1415  
 Senate does not concur, 1241  
 Enrolled, 1459  
 Sent to House, 1395  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2032 — (J. Schultz, Shablow)**

**Senate Bill No. 2032.** A Bill for an Act to provide a tax for the privilege of converting coal into synthetic natural gas or electrical power, to provide that such tax be limited to certain large plants, to provide that such tax be in lieu of certain other taxes, to provide for the administration and collection of such tax, to provide powers and duties for the state tax commissioner, and to provide a penalty.

Introduction, first reading, 31  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 536  
 Committee report for indefinite postponement, 637, adopted

**Senate Bill No. 2033 — (Shablow, J. Schultz)**

**Senate Bill No. 2033.** A Bill for an Act to provide for a state program to reimburse political subdivisions for impact expenditures resulting from coal development, to provide for the administration of such program, and to provide for a legislative council coal development impact committee to approve impact grants.

Introduction, first reading, 31  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 536  
 Committee report for indefinite postponement, 637 adopted

**Senate Bill No. 2034 — (Kautzmann)**

**Senate Bill No. 2034.** A Bill for an Act to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment; to amend and reenact subdivision b of subsection 5 of section 65-01-02 of the North Dakota Century Code, relating to the exclusions from the definition of employee; and providing for an effective date.

Introduction, first reading, 32  
 Referred to Committee on Industry, Business & Labor

Reported back, do pass, 646  
 Reported back, amended, 582-583  
 Referred to Committee on Appropriations, 597  
 Amendments adopted, 597  
 Engrossed, 669  
 Second reading, 673  
 Passed, 674  
 Clincher motion, 674  
 To House, 721  
 Returned to Senate indefinitely postponed, 1050

**Senate Bill No. 2035 — (Mutch, Kautzmann)**

**Senate Bill No. 2035.** A Bill for an Act to amend and reenact subdivision a of subsection 4 of section 65-01-02 of the North Dakota Century Code, relating to the definition of hazardous employment; and providing for an effective date.

Introduction, first reading, 32  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 65  
 Second reading, 77, 92  
 Passed, 92  
 To House, 109  
 Returned to Senate, failed to pass, 863

**Senate Bill No. 2036 — (Kautzmann)**

**Senate Bill No. 2036.** A Bill for an Act to create and enact subsection 22 of section 65-01-02 of the North Dakota Century Code, relating to the definition of weekly wage of the claimant; and to amend and reenact subsection 21 of section 65-01-02 of the North Dakota Century Code, relating to the definition of average weekly wage in the state; to amend and reenact section 65-05-09 of the North Dakota Century Code, relating to the weekly and aggregate workmen's compensation paid for temporary or permanent disability; to amend and reenact section 65-06-03 of the North Dakota Century Code, relating to compensation benefits for volunteer firemen and civil defense trainees; to amend and reenact section 65-07-03 of the North Dakota Century Code, relating to the determination of weekly wage for an employer, self-employed, and volunteer workers; and to amend and reenact section 65-07-04 of the North Dakota Century Code, relating to benefits for employer, self-employed, and volunteer workers.

Introduction, first reading, 32  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 583-584  
 Amendments adopted, 615  
 Engrossed, 669  
 Second reading, 674  
 Passed, 674  
 Clincher motion, 674  
 To House, 721  
 Returned to Senate, 1112  
 Enrolled, 1365  
 Signed by President, 1365  
 Sent to House, 1366  
 Received from House, 1381  
 Message to Governor, 1394  
 Approved by Governor, 1433

**Senate Bill No. 2037 — (Kautzmann)**

**Senate Bill No. 2037.** A Bill for an Act to provide for an advisory council to the workmen's compensation bureau.

Introduction, first reading, 32  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 98  
 Second reading, 125  
 Lost, 125

**Senate Bill No. 2038 — (Kautzmann)**

**Senate Bill No. 2038.** A Bill for an Act to amend and reenact sections 6-03-63 and 47-14-09 of the North Dakota Century Code, relating to the interest rates payable by a state banking association on deposits and to usury; providing a penalty; and declaring an emergency.

Introduction, first reading, 32  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 111  
 Second reading, 139  
 Passed, 140  
 Emergency carried, 140  
 To House, 158  
 Returned to Senate, 232  
 Enrolled, 233  
 Signed by President, 233  
 Sent to House, 233  
 Received from House, 251  
 Message to Governor, 251  
 Approved by Governor, 251

**Senate Bill No. 2039 — (Freed, Jones)**

**Senate Bill No. 2039.** A Bill for an Act to create and enact sections 11-19A-07.1, 12-44-25.1, 16-01-17, 25-01-16, 44-06-13.1, 45-11-09, 57-15-58, and 57-36-33; to amend and reenact sections 1-03-03, 2-03-10, 2-03-13, 2-04-12, 2-05-17, 2-05-18, 2-07-13, 4-02-06, 4-02-07, 4-09-24, 4-10-22, 4-10.1-15, subsection 10 of section 4-11-23, sections 4-12-20, 4-13.1-13, 4-14-07, 4-14-10, 4-18.1-14, 4-21.1-16, 4-24-06, 4-25-03, 4-26-12, 4-27-12, 4-28-09, 4-28.1-05, 4-30-53, 4-33-08, 4-34-10, 5-01-04, 5-01-08, 5-01-08.1, 5-01-09, 5-01-10, 5-01-11, 5-02-01, 5-02-05, 5-02-06, 5-03-01, 5-03-06, 6-01-29, 6-03-10, 6-03-20, 6-03-38, 6-03-56, 6-03-61, 6-03-72, 6-05-16, 6-06-05, 6-07-06, 6-07-08, 6-08-09, 6-08-11, 6-08-14, 6-08-15, subsection 1 of section 6-08-16, sections 6-08-16.1, 6-08-28, 6-10-08, 7-02-06, 7-03-07, 7-03-09, 7-05-04, 7-08-01, 7-08-04, 8-10-07.2, 8-10-07.3, 8-10-09, 8-10-10, 10-04-18, subsection 2 of section 10-15-35, section 10-15-53, subsection 2 of section 10-15-58, sections 10-23-03, 10-23-08, 10-28-03, 10-28-04, 11-09-09, 11-09-38, 11-10-22, 11-13-10, 11-14-05, 11-15-28, 11-16-04, 11-16-05, 11-17-05, 11-18-06, 11-19A-07, 11-20-15, 11-21-09, 11-28-09, 11-28-20, 11-29-33, 11-33-21, 12-44-28, 12-44-33, 12-44-36, 12-44-37, 12-47-23, 12-47-24, 12-53-15, 12-59-06, 12-59-10, 13-01-11, 13-01-12, 13-01-13, 13-05-10, 13-06-02, 14-03-28, 14-07-15, 14-07-16, 14-09-22, 14-10-05, 14-10-06, 14-10-08, 14-10-16, 15-04-18, 15-04-19, 15-04-22, 15-05-08, 15-06-23, 15-34.1-05, 15-35-14, 15-35-16, 15-35-17, 15-43-12, 15-47-15, 15-49-01, 15-49-02, 15-49-03, 15-49-04, 15-49-06, 15-49-08, 15-49-09, 15-49-10.1, 15-49-11, 15-50-07, 16-01-11, 16-12-09, 16-12-14, 16-14-10, 16-14-12, 16-18-09, 16-20-06, 16-20-08, 16-20-09, 16-20-17.1, 16-20-17.2, 16-20-17.3, 16-20-19, 16-20-24, 16-21-05, 18-01-11, 18-01-13, 18-01-15, 18-01-33, 18-08-01, 18-08-07, 18-08-09, 18-08-11, 18-09-13, 19-01-09, 19-02-17, 19-02-20, subsection 1 of section 19-20.1-04, sections 19-03.1-23, 19-03.1-24, 19-03.1-25, 19-03.1-26, 19-03.1-30, 19-

04-01, 19-04-03, 19-04-04, 19-05-16, 19-06-08, 19-07-06, 19-08-06, 19-10-18, 19-10-22, 19-10-23, 19-11-06, 19-13.1-12, 19-14-08, 19-16.1-10, 19-16.1-11, 19-17-05, 19-17-06, 19-18-08, 19-20.1-17, 19-21-09, 19-22-05, 19-22.1-03, 20.1-01-01, 20.1-01-08, 20.1-01-09, 20.1-01-23, 20.1-03-01, 20.1-03-16, 20.1-03-21, 20.1-03-27, 20.1-04-01, 20.1-05-01, 20.1-06-01, 20.1-07-01, 20.1-08-01, 20.1-09-01, 20.1-11-01, 20.1-12-01, 20.1-13-01, 21-01-03, 21-02-04, 21-03-26, 21-04-04, 21-04-23, 21-05-08, 23-01-15, subsection 1 of section 23-01-17, sections 23-02-14, 23-02-27, 23-02-33, 23-02-42, 23-02-43, 23-05-11, 23-05-12, 23-06-05, 23-06-06, 23-06-11, 23-06-12, 23-06-17, 23-06-18, 23-06-24, 23-06-26, 23-06-27, 23-06-28, 23-06-29, 23-07-07.4, 23-07-21, 23-09-08, 23-09-20, 23-09-21, 23-10-12, 23-12-03, 23-12-07, 23-13-03, 23-13-05, 23-13-06, 23-15-06, 23-16-11, 23-17-10, 23-19-09, 23-20-06, 23-20.1-10, 23-21.1-09, 23-23-04, 23-26-09, 23-27-05, 23-28-06, 24-03-05, 24-03-11, 24-06-27, 24-10-03, 24-12-05, 24-15-05, 24-16-12, 25-01.1-35, 25-01.1-36, 25-03-22, 25-03-28, 25-13-04, 26-01-15, subsection 4 of section 26-02-36, sections 26-03A-09, 26-04-08, 26-04-09, 26-07-09, 26-07-17, 26-09-02, 26-09-03, 26-09-04, 26-10-14, 26-12-51, 26-12-52, 26-16-14, 26-17-01.14, 26-20-08, 26-21.1-06, 26-25-27, 26-26-20, 26-27-21, 26-27.1-25, 26-27.2-24, 26-28-17, 26-29-16, 26-31-06, 26-33-05, 26-37-18, 27-07-16, 27-08-15, subdivision d of subsection 1 of section 27-09-17, subdivision e of subsection 2 of section 27-09-1-08, section 27-09-1-16, subsection 2 of section 27-09-1-17, sections 27-10-06, 27-10-14, 27-10-16, 27-10-17, 27-10-22, 27-11-01, 27-13-05, 27-13-08, 27-13-09, 27-13-11, 27-13-12, 27-18-04, subsection 1 of section 27-20-53, sections 28-03-06, 28-32-11, 29-01-15, 29-01-16, 29-03-09, 29-03-10, 29-04-03, 29-05-12, 29-05-25, 29-06-08, subsection 4 of section 29-09-02, sections 29-12-05, 29-16-05, 29-21-21, 29-21-29, 29-26-21, 29-27-01, 29-27-03, 29-27-04, 29-29-18, subsection 3 of section 29-30-01, sections 29-30-11, 29-30-16, 29-32-05, 31-01-09, 32-13-08, 32-13-11, 32-22-10, 32-22-38, 32-36-28, 32-36-29, 33-01-08, 33-01-25, 33-12-24, 33-12-28, 34-01-04, 34-01-05, 34-01-06, 34-01-15, 34-01-17, 34-05-03, 34-06-19, 34-06.1-09, 34-07-21, 34-13-02, subsection 11 of section 34-13-15, sections 34-13-16, 34-14-07, 35-05-03, 35-27-26, 36-01-18, 36-01-28, 36-01-30, 36-04-09, 36-04-21, 36-05-14, 36-05-15, 36-06-02, 36-06-03, 36-06-04, 36-07-14, 36-09-15, 36-09-17, 36-09-20, 36-09-22, 36-09-23, 36-11-01, 36-11-06, 36-11-19, 36-12-06, 36-13-08, 36-14-09, 36-14-13, 36-14-16, 36-14-21, 36-15-19, 36-15-21, 36-21-01, 36-21.1-02, 36-21.1-03, 36-21.1-04, 36-21.1-05, 36-21.1-07, 36-21.1-08, 36-21.1-09, 36-23.1-04, 36-23.1-06, 37-01-13, 37-01-16, 37-01-20, 37-01-21, 37-01-25.1, 38-01-08, 38-04-10, 38-06-62.1, 38-06-64, 38-08-16, 39-01-02, 39-01-07, subsection 4 of section 39-01-15, sections 39-03-11, 39-03-12, 39-03A-25, subsection 3 of section 39-04-18, sections 39-04-41, 39-04A-08, 39-05-11, 39-05-17, 39-05-28, 39-05-33, subsection 5 of section 39-06-17, sections 39-06-40, 39-06-40.1, 39-06-42, 39-07-06, 39-08-01, 39-08-02, 39-08-04, 39-08-05, 39-08-19, 39-10-65, 39-12-21, 39-16-30, 39-16.1-21, 39-18-07, 39-21-51, 39-22-07, 39-22-13, 39-23-10, subdivision c of subsection 5 of section 39-24-09, sections 39-24-11, 39-25-08, 39-26-03, 40-01-08, subsections 26 and 27 of section 40-05-02, sections 40-11-12, 40-18-12, 40-48-38, subsection 3 of section 40-49-12, sections 40-50-08, 41-02-48, 41-03-80, 42-01-15, 42-02-01, 42-02-02, 42-02-04, 42-02-07, 42-02-10, 43-01-20, 43-02-16, 43-02-17, 43-03-21, subsections 4 and 5 of section 43-04-45, sections 43-06-19, 43-07-18, 43-07-21, 43-09-23, 43-10-20, 43-10-24, 43-12-24, 43-13-27, 43-15-29, 43-15-32, 43-15-42, 43-15-43, 43-15-44, 43-17-33, 43-17-34, 43-17-36, 43-18-24, 43-18.1-09, 43-19.1-31, 43-20-09, 43-21-12, 43-22-09, subdivision f of subsection 1 of section 43-23-11.1, sections 43-23-17, 43-23.1-23, 43-25-19, 43-26-12, 43-26-14, 43-27-10, 43-28-25, 43-29-17, 43-30-10, 43-31-17, 43-32-31, 43-33-18, 43-34-13, 43-35-22, 43-36-25, 44-06-13, 44-08-05, 44-08-05.1, 45-11-08, 46-02-17, 46-02-19, 46-05-05, 47-14-11, 47-19-07, 47-20.1-12, 47-21-11, 47-23-10, 47-27-03, 48-09-05, 49-07-01, 49-11-19, 49-11-22, 49-11-23, 49-11-29, 49-13-20, 49-13-27, 49-17-05, 49-17-06, 49-21-20, 50-01-18, 50-09-13, 50-10-08, 50-11-10, 50-18-08, 50-19-15, 50-20-06, 50-22-05, 50-24-31, 51-04-05, 51-04-10, 51-06-03, 51-07-04, 51-07-04.1, 51-07-12, 51-07-13, 51-08-01, 51-08-03, 51-09-02, 51-10-05, 51-10-14, 51-12-02, 51-12-13, 51-13-07, 51-14-

05, 51-16-02, 51-17-17, 51-18-09, 52-01-04, 52-06-40, 52-09-18, 53-01-19, 53-02-08, 53-02-15, 53-03-08, 53-04-08, 53-05-06, 53-06-11, 54-03-18, 54-03.2-15, 54-05-10, 54-06-08, 54-06-12, 54-10-23, 54-10-25, 54-11-12, 54-16-05, 54-16-10, 54-21.1-11, 54-23-50, 54-23-51, 54-27-13, 54-27-17, 54-41-05, 55-02-03, 55-03-07, subsection 8 of section 55-08-03, subsection 1 of section 57-02-08.1, sections 57-02-48, 57-05-05, 57-05-09, 57-15-35, 57-22-14, 57-33.1-12, 57-35.1-09, 57-35.2-07, 57-36-04, subsection 3 of section 57-36-09, sections 57-36-32, 57-37-30, subsection 2 of section 57-38-45, subsection 4 of section 57-39-18, subsections 2 and 5 of section 57-39.2-18, sections 57-39.2-23, 57-40.2-08, 57-40.2-12, subsection 4 of section 57-40.2-15, sections 57-40.3-11, 57-45-05, 57-51-22, 57-52-19, 57-53-08, 57-54-23, 57-55-07, 57-55-08, 58-07-04, 58-08-08, 60-02-10, 60-02-12, 60-02-21, 60-02-29, 60-02-39, 60-03-05, 60-03-06, 60-03-07, 60-07-10, 60-09-05, 61-01-07, 61-01-09, 61-01-16, 61-01-22, 61-01-25, 61-04-12, 61-14-06, 61-14-07, 61-14-08, 61-14-09, 61-14-10, 61-14-11, 61-14-15, 61-15-08, 61-16-44, 61-20-04, subsection 4 of section 61-21-39, sections 61-21-57, 62-01-11, 62-01-20, 62-03-03, 62-04-01, 62-04-03, 62-04-05, subsection 1 of section 63-01.1-15, sections 64-03-01, 64-03-02, 64-03-03, 64-03-05, 64-03-06, 64-03-07, 64-03-09, 64-04-05, 65-01-05, 65-01-10, 65-03-02, 65-05-24, 65-12-07; and to repeal chapters 19-19, 24-11, and 36-10; and sections 2-05-09, 4-01-18, 4-02.1-24, 4-24-01, 4-24-02, 4-24-03, 4-24-04, 4-24-05, 5-01-03, 5-01-05.3, 5-01-12, 5-02-07, 5-02-08, 6-08-05, 6-08-12, 6-08-13, 6-08-17, 6-08-18, 6-08-19, 6-09-13, 7-08-06, 8-08-06, 8-08-10, 8-10-06, 8-10-07, 8-10-07.1, 8-10-08, 11-15-15, 11-15-23, 11-18-12, 11-23-11, 11-29-32, 12-44-22, 12-44-25, 12-44-26, 12-44-27, 12-44-39, 12-46-07, 12-46-21, 12-48.1-04, 12-49-04, 12-52-06, 12-60-14, 14-07-18, 15-08-21, 15-35-08, 15-35-13, 15-40.1-20, 15-49-07, 15-62.1-14, 16-01-08, 16-01-12, 16-12-15, 16-13-06, 16-16-25, 16-18-18, 16-18-19, 16-20-11, 16-20-13, 16-20-14, 18-01-12, 18-08-03, 19-01-15, 19-03.1-29, subsections 1, 2, and 3 of section 19-03.1-31, sections 19-04-02, 19-04-07, subsections 1 and 2 of section 19-05-13, sections 19-05-15, 21-03-33, 21-03-48, 21-03-49, 21-05-04, 21-07-04, 23-02-34, 23-02-41, 23-05-10, 23-09-13, 23-09-15, 23-10-08, 23-12-02, 23-12-05, 23-12-06, 24-02-14, 24-09-13, 24-09-14, 24-12-06, 25-03-18, 25-05-29, 26-06-11, 26-06-12, 26-07-16, 26-12-50, 27-07-17, 27-07-18, 27-10-01, 27-10-02, 28-26-05, 29-06-13.1, 29-08-27, subsection 8 of section 29-17-36, sections 29-27-06, 29-28-34, 29-29-19, 31-01-08, 33-12-29, 33-12-30, 33-12-31, 33-12-32, 34-01-07, 34-01-09, 34-01-10, 34-01-18, subsection 8 of section 34-13-15, sections 35-01-26, 35-22-13, 35-27-08, 36-06-08, 36-09-16, 36-14-17, 36-14-18, 36-21-04, 37-01-17, 37-01-18, 37-25-09, 38-04-03, 39-02-07, 39-04-42, 39-05-07, 39-05-16, 39-05-25, 39-05-34, subsection 3 of section 39-08-01, sections 39-08-12, 39-21-47, 40-09-15, 40-13-06, 40-13-12, 40-50-10, 43-04-47, 43-28-26, 44-04-02, 44-04-11, 44-04-17, 44-08-15, 46-02-16, 47-16-24, 48-05-05, 49-07-02, 49-07-04, 49-07-05, 49-11-07, 49-12-02, 49-12-05, 49-12-07, 49-12-08, 49-12-09, 49-12-10, 49-12-12, 49-12-16, 49-12-22, 49-12-24, 49-13-15, 49-13-17, 49-13-19, 49-13-21, 49-13-23, 49-13-26, 49-13-28, 49-15-18, 49-17-02, 49-17-03, 49-17-04, 49-18-44, 49-19-22, 49-19-24, 49-19-25, 49-20-12, 49-20-13, 49-21-21, 50-01-23, 50-01-24, 50-01-25, 50-09-23, 50-24-39, 51-05-06, 51-07-08, 51-08-04, 51-08-05, 51-12-04, 51-12-05, 51-12-06, 51-12-07, 52-06-38, 52-06-39, 52-09-19, 53-05-07, 54-05-01, 54-06-09.1, 54-14-06, 54-16-07, subsection 4 of section 57-02-08.1, section 57-02-13, subsection 3 of section 57-02-21, sections 57-02-45, 57-15-18, 57-15-33, 57-15-40, 57-22-33, 57-24-05, 57-35-15, 57-36-20, 57-36-21, subsection 4 of section 57-36-25, subsection 5 of section 57-36-26, section 57-37-32, subsection 2 of section 57-38-57, subsection 3 of section 57-39.2-18, subsection 2 of section 57-40.2-15, sections 57-45-15, 57-51-13, 58-12-06, 60-02-34, 60-05-05, 60-06-06, 61-01-10, 61-01-11, 61-01-12, 61-01-13, 61-01-18, 61-06-23, 61-08-15, 62-01-02, 62-02-06, 62-04-02, 64-03-04, 64-03-08, 65-01-07, and 65-05-31, all of the North Dakota Century Code, relating to the definitions of crime and criminal procedure.

Introduction, first reading, 32-35  
 Referred to Committee on Judiciary  
 Reported back, amended 439  
 Amendments adopted, 464

Engrossed, 527, 1459  
 Re-engrossed, 1297  
 Second reading, 565-567, 1297-1299  
 Passed, 567, 1299  
 To House, 663  
 House amendments, 1245-1247  
 Returned to Senate, amended, 1245  
 Conference Committee, 1254, 1280  
 Conference Committee, report, 1295-1296  
 Senate adopts, 1296  
 House adopts, 1352  
 Senate does not concur, 1254  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2040 — (Freed, Jones)**

**Senate Bill No. 2040.** A Bill for an Act to create and enact subsection 32 of section 12.1-01-04, subsection 6 of section 12.1-32-01, section 12.1-32-01.1, subsection 7 of section 12.1-32-02, and section 12.1-32-03.1 of the North Dakota Century Code; to amend and reenact subsections 6, 25, and 27 of section 12.1-01-04, section 12.1-01-05, subdivision b of subsection 1 of section 12.1-03-01, subsection 1 of section 12.1-08-01, subsection 1 of section 12.1-08-02, subsection 1 of section 12.1-08-03, subdivision d of subsection 2 of section 12.1-11-02, subdivision b of subsection 1 of section 12.1-11-05, sections 12.1-11-06, 12.1-13-01, 12.1-13-04, and 12.1-14-03, subsection 3 of section 12.1-16-01, subsection 2 of section 12.1-17-01, sections 12.1-17-07 and 12.1-22-05, subdivision b of subsection 2 of section 12.1-23-05, section 12.1-23-06, subsection 1 of section 12.1-23-09, subsection 1 of section 12.1-25-02, subsection 1 of section 12.1-29-05, subsection 1 of section 12.1-32-02, subsection 6 of section 12.1-32-02, subsection 1 of section 12.1-32-08, subdivision c of subsection 1 of section 12.1-32-09, section 12.1-32-11, and the introductory language of section 12.1-32-12 of the North Dakota Century Code and all as contained in chapter 104 or chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to definitions of terms, definitions of offenses, sentencing alternatives, defenses to criminal charges, justifications on the use of force, classifications of offenses, and providing penalties; and to repeal subsections 9 and 20 of section 12.1-01-04 of the North Dakota Century Code as contained in section 1 of chapter 116 of the 1973 Session Laws of the state of North Dakota, and section 12.1-02-04 of the North Dakota Century Code as contained in section 2 of chapter 116 of the 1973 Session Laws of the state of North Dakota, defining certain terms, and setting forth instances where mistake of fact or law is a defense.

Introduction, first reading, 35  
 Referred to Committee on Judiciary  
 Reported back, amended, 111-112  
 Amendments adopted, 132  
 Engrossed, 143, 1459  
 Re-engrossed, 1027  
 Second reading, 149, 1027  
 Passed, 150, 1027  
 To House, 164  
 House amendments, 1018  
 Returned to Senate, amended, 1017

Senate concurs, 1026  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2041 — (Hoffner, Barth, Iszler, Kautzmann, Nething)**

**Senate Bill No. 2041.** A Bill for an Act to create and enact a new subsection to section 11-15-03, a new subsection to section 39-06.1-01, a new subsection to section 39-06.1-05, a new subsection to section 39-06.1-10, section 39-08-03.1, and a new subsection to section 40-05-02, all of the North Dakota Century Code, and to amend and reenact section 39-06-01, subsection 9 of section 39-06-03, subdivision d of subsection 3 of section 39-06-17, sections 39-06-19.1, 39-06-27, 39-06.1-02, subsections 2, 3, and 4 of section 39-06.1-03, section 39-06.1-04, subsection 1, 2, 4, and 6 of section 39-06.1-05, section 39-06.1-07, subsections 2 and 3 of section 39-06.1-10, subsection 2 of section 39-06.1-13, sections 39-07-07, 39-07-08, 39-08-07, and subsection 15 of section 40-05-02 of the North Dakota Century Code, relating to sheriffs' powers and duties, to the powers of cities to pass certain ordinances, to administrative disposition of certain traffic offenses, to a system of demerits entered against traffic offenders' driving records, to the definition of certain traffic offenses, to traffic arrest procedures, to procedures relating to the issuance, suspension, and revocation of drivers' licenses, and to provide penalties.

Introduction, first reading, 35  
 Referred to Committee on Judiciary  
 Reported back, amended, 276  
 Amendments adopted, 292  
 Engrossed, 309, 1459  
 Re-engrossed, 1277  
 Second reading, 320, 1277  
 Passed, 321, 1277  
 To House, 342  
 House amendments, 1112  
 Returned to Senate, amended, 1112  
 Conference Committee, 1121, 1150  
 Conference Committee report, 1276-1277  
 Senate adopts, 1277  
 House adopts, 1352  
 Senate does not concur, 1121  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2042 — (Hoffner, Barth, Iszler, Kautzmann)**

**Senate Bill No. 2042.** A Bill for an Act to amend and reenact sections 12-48-01, 12-48-02, 12-48-03, 12-48-03.1, 12-48-05, 12-48-06, 12-48-14, and 54-23-24 of the North Dakota Century Code, relating to the operation and funding of certain industries at the penitentiary, to inventory at the twine plant, and to compensation of inmates; and to repeal sections 12-48-04, 12-48-07, 12-48-12, 12-48-13, 12-48-23, and chapter 12-49 of the North Dakota Century Code, relating to inmate labor on highways, to prison industries, to the employment and equipping of inmates to work in those industries, and to the deposit of industry receipts in the general fund.



Introduction, first reading, 35  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 183  
 Amendments adopted, 208  
 Engrossed, 223  
 Second reading, 231  
 Lost, 231

**Senate Bill No. 2043 — (Hoffner, Barth, Iszler, Kautzmann, Nething)**

**Senate Bill No. 2043.** A Bill for an Act to amend and reenact section 12-48.1-02 of the North Dakota Century Code, relating to the eligibility of penitentiary inmates for work release programs.

Introduction, first reading, 36  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 87  
 Second reading, 107  
 Passed, 107  
 To House, 127  
 Returned to Senate, 232  
 Enrolled, 261  
 Signed by President, 272  
 Sent to House, 272  
 Received from House, 275  
 Message to Governor, 275  
 Approved by Governor, 571

**Senate Bill No. 2044 — (Kautzmann, Barth, Iszler)**

**Senate Bill No. 2044.** A Bill for an Act to amend and reenact sections 12-46-10.1 and 12-46-18 of the North Dakota Century Code, relating to the disciplinary committee and to the employment and compensation of students at the state industrial school.

Introduction, first reading, 36  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 143  
 Amendments adopted, 163  
 Engrossed, 170  
 Second reading, 175  
 Passed, 175  
 To House, 195  
 Returned to Senate, 341  
 Enrolled, 812  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2045 — (Kautzmann, Barth, Iszler)**

**Senate Bill No. 2045.** A Bill for an Act to amend and reenact sections 12-46-13, 12-52-01, 12-52-02, 12-52-03, 12-52-04, 12-52-05, and 12-52-07 of the North Dakota Century Code, relating to the state industrial school, who may be sent there, and to parole and discharge from that institution; and to repeal sections 12-46-16 and 12-52-06 of the North Dakota Century Code, relating to penalties for violation of parole from the state industrial school and to the minority of persons committed to the state industrial school.

Introduction, first reading, 36  
 Referred to Committee on Judiciary  
 Reported back, amended, 87-88  
 Amendments adopted, 99  
 Engrossed, 111  
 Second reading, 125  
 Passed, 126  
 To House, 133  
 Returned to Senate, 769  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1018  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2046 — (Nothing, Kautzmann, Iszler, Barth)**

**Senate Bill No. 2046.** A Bill for an Act to create and enact sections 12-46-24 and 12-51-11 of the North Dakota Century Code, relating to the delivery to, or possession of, alcoholic beverages or controlled substances by inmates of the state farm or the state industrial school; to amend and reenact sections 12-44-25, 12-44-27, 12-44-28, 12-47-21, 12-48-05, 12-48.1-04, the first paragraphs of subsections 1 and 2 of section 19-03.1-23, subsection 3 of section 19-03.1-23, and sections 19-03.1-29 and 48-05-06 of the North Dakota Century Code, relating to the delivery or possession of alcoholic beverages or controlled substances, and to the delivery or possession of such substances to, or by, inmates of the penitentiary or a county jail, or to certain state institutions; and providing penalties.

Introduction, first reading, 36  
 Referred to Committee on Judiciary  
 Reported back, amended, 332-333  
 Amendments adopted, 347  
 Engrossed, 363  
 Second reading, 368  
 Passed, 369  
 To House, 396  
 Returned to Senate, 769  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1018  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2047 — (Kautzmann, Barth, Iszler)**

**Senate Bill No. 2047.** A Bill for an Act to create and enact subsection 6 of section 27-20-36, and to amend and reenact subsections 1 and 10 of section 27-20-02, section 27-20-09, subsections 1 and 4 of section 27-20-34, and subsection 5 of section 27-20-36, of the North Dakota Century Code, relating to the definitions of "child" and "minor traffic offense", transfers to the juvenile court from other courts, limitations of time on orders of disposition of the juvenile court, and to waiver of juvenile jurisdiction in certain instances.

Introduction, first reading, 36  
 Referred to Committee on Judiciary  
 Reported back, amended, 88

Amendments adopted, 99  
 Engrossed, 111, 1459  
 Re-engrossed, 1204, 1324  
 Second reading, 150, 1204, 1324  
 Passed, 150, 1204, 1325  
 To House, 164, 1342  
 House amendments, 1192  
 Returned to Senate, amended, 1190  
 Conference Committee, 1273, 1307  
 Conference Committee report, 1323-1324  
 Senate concurs, 1204  
 Senate adopts, 1324  
 House adopts, 1352  
 Senate reconsidered concurring, 1273  
 Senate does not concur, 1273  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2048 — (Barth, Hoffner, Iszler, Kautzmann)**

**Senate Bill No. 2048.** A Bill for an Act to amend and reenact section 29-30-14 of the North Dakota Century Code, relating to the per diem paid to agents returning fugitives from justice.

Introduction, first reading, 36-37  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 62  
 Second reading, 69  
 Passed, 70  
 To House, 84  
 Returned to Senate, 341  
 Enrolled, 812  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2049 — (Nasset, Wenstrom, Longmire, Erdman)**

**Senate Bill No. 2049.** A Bill for an Act to amend and reenact section 15-52-03 of the North Dakota Century Code, relating to the medical center advisory council.

Introduction, first reading, 37  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 65  
 Second reading, 77  
 Passed, 77  
 To House, 95  
 Returned to Senate, 232  
 Enrolled, 261  
 Signed by President, 272  
 Sent to House, 272  
 Received from House, 275  
 Message to Governor, 275  
 Approved by Governor, 571

**Senate Bill No. 2050.** — (L. Christensen, Fritzell, Stroup, Rait, Morgan, Wright)

**Senate Bill No. 2050.** A Bill for an Act to provide for energy conversion facility siting authority by the department of health and transmission facility siting authority by the public service commission; providing a penalty; providing an appropriation; and declaring an emergency.

Introduction, first reading, 37  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 646  
 Reported back, amended, 503-504  
 Re-referred to Committee on Appropriations, 527  
 Amendments adopted, 527  
 Engrossed, 571, 1156, 1459  
 Re-engrossed, 1320  
 Second reading, 675, 1321  
 Passed, 676, 1321  
 Clincher motion, 676  
 To House, 721, 1342  
 House amendments, 1270-1271  
 Returned to Senate, amended, 1270  
 Conference Committee, 1285, 1307  
 Conference Committee report, 1320  
 Senate adopts, 1320  
 House adopts, 1352  
 Senate does not concur, 1285  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2051** — (L. Christensen, Fritzell, Stroup, Wright)

**Senate Bill No. 2051.** A Bill for an Act relating to city planning and development; to provide for zoning, official maps, subdivision regulations, and other official controls; to provide a penalty; and to repeal chapters 40-47 and 40-48 of the North Dakota Century Code, relating to municipal zoning and municipal master plans and planning commissions.

Introduction, first reading, 37  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 288  
 Committee report for indefinite postponement, 316 adopted

**Senate Bill No. 2052** — (L. Christensen, Fritzell, Jacobson, Rait, Stroup, Wright)

**Senate Bill No. 2052.** A Bill for an Act to provide for county planning and development and to provide for zoning and other official controls; to provide a penalty; and to repeal chapter 11-33 of the North Dakota Century Code, relating to county planning and zoning, and sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code, relating to township planning and zoning.

Introduction, first reading, 37  
Referred to Committee on Political Subdivision  
Reported back, indefinitely postponed, 288  
Committee report for indefinite postponement, 316 adopted

**Senate Bill No. 2053 — (L. Christensen, Fritzell, Jacobson, Stroup)**

**Senate Bill No. 2053.** A Bill for an Act to create and enact sections 11-35-03, 11-35-04, and 11-35-05 of the North Dakota Century Code, relating to the implementation and filing of plans developed by joint planning commissions and judicial review of actions of such commissions; to amend and reenact sections 11-35-01 and 11-35-02 of the North Dakota Century Code, relating to the appointment of regional planning commissions and zoning of territory adjacent to cities; and to repeal sections 54-34.1-10, 54-34.1-11, 54-34.1-12, 54-34.1-13, and 54-34.1-14 of the North Dakota Century Code, relating to the establishment and powers of regional planning commissions and the implementation and filing of plans developed by regional planning commissions.

Introduction, first reading, 37  
Referred to Committee on Political Subdivision  
Reported back, indefinitely postponed, 288  
Committee report for indefinite postponement, 318 adopted

**Senate Bill No. 2054 — (L. Christensen, Fritzell, Jacobson, Rait, Stroup)**

**Senate Bill No. 2054.** A Bill for an Act to provide for review and comment authority by the state planning division on plans and applications for state permits; to amend and reenact sections 54-34.1-01, 54-34.1-02, 54-34.1-03, 54-34.1-04, 54-34.1-05, 54-34.1-06, 54-34.1-08, and 54-34.1-09 of the North Dakota Century Code, relating to definitions, establishment, purpose, and authority of the division, the state planning fund, duties of the director, authority of the division to give assistance to planning agencies, and authority of planning agencies to apply for grants; and to repeal section 54-34.1-15 of the North Dakota Century Code, relating to the authority of planning agencies to apply for grants from the federal government.

Introduction, first reading, 37  
Referred to Committee on Political Subdivision  
Reported back, indefinitely postponed, 288  
Committee report for indefinite postponement, 318 adopted

**Senate Bill No. 2055 — (Stroup, L. Christensen, Fritzell, Jacobson, Morgan)**

**Senate Bill No. 2055.** A Bill for an Act to create and enact section 40-02-05.1 of the North Dakota Century Code, relating to incorporation of a city by order of the board of county commissioners; and to amend and reenact subsections 3 and 4 of section 40-01-01 and sections 40-02-01, 40-02-02, 40-02-03, 40-02-04, 40-02-05, 40-02-06, 40-02-07, 40-02-08, 40-02-09, 40-02-10, 40-02-11, 40-02-12, 40-02-13, 40-02-14, 40-02-15, 40-02-16, and 40-04-01 of the North Dakota Century Code, relating to definitions, requirements for incorporation as a city, conduct of the election for incorporation, issuance by the board of county commissioners of an order of incorporation, division of property between the city and township, and arbitration of differences.

Introduction, first reading, 38  
Referred to Committee on Political Subdivision  
Reported back, indefinitely postponed, 223, 310

Committee report for indefinite postponement, 336 adopted  
 Referred to Committee on Political Subdivision, 263

**Senate Bill No. 2056** — (Fritzell, L. Christensen, Morgan, Lee, Walsh)

**Senate Bill No. 2056.** A Bill for an Act to repeal sections 36-07-04, 36-07-05, and 36-07-06 of the North Dakota Century Code, relating to the construction and operation of rendering plants.

Introduction, first reading, 38  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 65  
 Second reading, 77  
 Passed, 78  
 To House, 95  
 House amendments, 341-342  
 Returned to Senate, amended, 341  
 Conference Committee, 348, 386  
 Conference Committee report, 388, 475  
 Senate does not concur, 348  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 940  
 Approved by Governor, 967

**Senate Bill No. 2057** — (Lee, L. Christensen, Fritzell, Walsh)

**Senate Bill No. 2057.** A Bill for an Act to repeal sections 23-12-01 and 23-12-02 of the North Dakota Century Code, relating to the disinfecting of secondhand goods.

Introduction, first reading, 38  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 88  
 Second reading, 107  
 Passed, 107  
 To House, 127  
 Returned to Senate, 361  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 940  
 Approved by Governor, 967

**Senate Bill No. 2058** — (L. Christensen)

**Senate Bill No. 2058.** A Bill for an Act to create and enact section 47-10-25 of the North Dakota Century Code, relating to the meaning of the terms "minerals" or "all other minerals" in a deed, grant, or conveyance of the title to real property.

Introduction, first reading, 38  
 Referred to Committee on Judiciary  
 Reported back, do pass, 310  
 Second reading, 338  
 Passed, 338  
 To House, 360  
 Returned to Senate, 912

Enrolled, 1117  
 Signed by President, 1150  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2059 — (L. Christensen)**

**Senate Bill No. 2059.** A Bill for an Act to provide for legislative intent, to provide the authority to cancel coal leases by either party, to provide for a maximum primary term of years in a coal lease, to require that the advance royalty provisions of a lease be acknowledged specially in order to be valid, and to declare an emergency.

Introduction, first reading, 38  
 Referred to Committee on Judiciary  
 Reported back, amended, 584  
 Amendments adopted, 616  
 Engrossed, 669  
 Second reading, 679  
 Passed, 679  
 Clincher motion, 679  
 Emergency carried, 679  
 To House, 721  
 Returned to Senate, 1189  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2060 — (Redlin, Rait, Sandness)**

**Senate Bill No. 2060.** A Bill for an Act creating a pesticide control board, and relating to the distribution, storage, transportation, use and application and disposal of pesticides and devices; providing for the examination of such materials and the licensing of pesticide dealers and commercial applicators, and certification of applicators of restricted use pesticide; imposing penalties; and for other purposes.

Introduction, first reading, 38  
 Referred to Committee on Agriculture  
 Reported back, amended, 88-90, 132  
 Placed on Calendar, no recommendation, 223  
 Re-referred to Committee on Appropriations, 90, 99, 133  
 Amendments adopted, 99  
 Reprinted, 99  
 Engrossed, 111, 1459  
 Re-engrossed, 133, 1204, 1347  
 Second reading, 254, 1205, 1347  
 Passed, 254, 1205, 1348  
 To House, 272  
 House amendments, 1192-1196, 1333-1337  
 Returned to Senate, amended, 1190, 1333  
 Senate concurs, 1204, 1347  
 House requests return, 1272  
 Returned to House, 1274  
 Reconsidered, 1272  
 Enrolled, 1459

Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2061 — (Sandness, Redlin, Rait, Smykowski)**

**Senate Bill No. 2061.** A Bill for an Act to amend and reenact sections 28-01-40 and 28-01-41 of the North Dakota Century Code, relating to the requirement for reports of loss through spraying by aircraft, and to the contents of verified reports of damage by aircraft.

Introduction, first reading, 39  
 Referred to Committee on Agriculture  
 Reported back, do pass, 65  
 Engrossed, 919, 1116  
 Second reading, 78, 919  
 Passed, 78, 920  
 To House, 95  
 House amendments, 912  
 Returned to Senate, amended, 912  
 Senate concurs, 919  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2062 — (Gronhovd)**

**Senate Bill No. 2062.** A Bill for an Act to create and enact a new section to Title 39 of the North Dakota Century Code to require footrests for passengers on motorcycles and to prohibit the use of handlebars over fifteen inches in height on motorcycles.

Introduction, first reading, 39  
 Referred to Committee on Transportation  
 Returned to Senate, 386  
 Withdrawn, 387

**Senate Bill No. 2063 — (Gronhovd)**

**Senate Bill No. 2063.** A Bill for an Act to create and enact a new section to Title 39 of the North Dakota Century Code, to require the use of protective headgear and eye-protective devices, and to give the motor vehicle registrar the authority to approve or disapprove protective headgear and eye-protective devices.

Introduction, first reading, 39  
 Referred to Committee on Transportation  
 Returned to Senate, 386  
 Reported back, indefinitely postponed, 143  
 Withdrawn, 387  
 Committee report for indefinite postponement, 163  
 Re-referred to Committee on Transportation, 163

**Senate Bill No. 2064 — (H. Christensen, Gronhovd, Solberg)**

**Senate Bill No. 2064.** A Bill for an Act to amend and reenact subsection 1 of section 39-08-01 of the North Dakota Century Code, relating to operating a motor vehicle under the influence of alcohol or drugs.



Introduction, first reading, 39  
 Referred to Committee on Judiciary  
 Reported back, amended, 364-365  
 Amendments adopted, 379  
 Engrossed, 399, 1459  
 Re-engrossed, 1278  
 Second reading, 409, 1278  
 Passed, 409, 1278  
 To House, 433  
 House amendments, 1146  
 Returned to Senate, amended, 1145  
 Conference Committee, 1169, 1238  
 Conference Committee report, 1277-1278  
 Senate adopts, 1278  
 House adopts, 1352  
 Senate does not concur, 1169  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2065 — (Solberg, H. Christensen, Gronhovd)**

**Senate Bill No. 2065.** A Bill for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to penalties for conviction of driving while under the influence of alcohol or drugs.

Introduction, first reading, 39  
 Referred to Committee on Judiciary  
 Reported back, amended, 418  
 Amendments adopted, 437  
 Engrossed, 457  
 Second reading, 472  
 Passed, 472  
 To House, 496  
 Returned to Senate, 1112  
 Enrolled, 1365  
 Signed by President, 1365  
 Sent to House, 1366  
 Received from House, 1381  
 Message to Governor, 1394  
 Approved by Governor, 1433

**Senate Bill No. 2066 — (Gronhovd)**

**Senate Bill No. 2066.** A Bill for an Act to create and enact a new subsection to section 39-21-40 of the North Dakota Century Code, relating to restrictions as to tire equipment.

Introduction, first reading, 39  
 Referred to Committee on Transportation  
 Reported back, do pass, 381  
 Second reading, 409  
 Passed, 410  
 To House, 433  
 Returned to Senate, 1145  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447

Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2067 — (Solberg, H. Christensen, Gronhovd)**

**Senate Bill No. 2067.** A Bill for an Act to create and enact sections 39-10-07.1, 39-10-07.2, 39-10-26.1, 39-10-33.1, 39-10-33.2, 39-10-33.3, 39-10-33.4, and 39-10-33.5 of the North Dakota Century Code, relating to lane-direction-control signals, display of unauthorized signs, signals, and markings, highway construction and maintenance, pedestrians' rights-of-way on sidewalks, pedestrians yielding to authorized emergency vehicles, blind pedestrians' rights-of-way, pedestrians under the influence of alcohol or drugs, and bridge and railroad signals; to amend and reenact sections 39-10-05, 39-10-08, 39-10-14, 39-10-15, 39-10-16, 39-10-17, 39-10-26, 39-10-27, 39-10-29, 39-10-33, 39-10-34, 39-10-35, 39-10-36, 39-10-38, 39-10-43, and 39-10-64 of the North Dakota Century Code, relating to traffic-control signal legends, driving on the right side of the roadway, limitations on driving on the left side of the roadway, no-passing zones, one-way roadways and rotary traffic islands, driving on roadways laned for traffic, operation of vehicles on approach of authorized emergency vehicles, pedestrian obedience to traffic regulations, pedestrian crossing at other than crosswalks, pedestrians on roadways, pedestrians soliciting rides or business, required position and method of turning, prohibition of turn on curve or crest of grade, turning movements and required signals, vehicles required to stop at railroad crossings, and prohibition against driving through safety zone; and to repeal sections 24-09-06, 39-10-31, and 39-13-04 of the North Dakota Century Code, relating to vehicles carrying school children, passengers for hire, and explosives being required to stop at railroad crossings; protection of blind or incapacitated persons; and signs erected by unauthorized persons and signs containing advertising.

Introduction, first reading, 39  
 Referred to Committee on Transportation  
 Reported back, do pass, 144  
 Second reading, 165  
 Passed, 165  
 To House, 181  
 Returned to Senate, 361  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 940  
 Approved by Governor, 967

**Senate Bill No. 2068 — (Solberg, Gronhovd)**

**Senate Bill No. 2068.** A Bill for an Act to create and enact chapters 39-10.1 and 39-10.2 of the North Dakota Century Code, relating to bicycle and motorcycle laws; to create and enact sections 39-09-04.1, 39-10-52.1, 39-10-52.2, 39-10-68, 39-10-69, 39-10-70, and 39-10-71 of the North Dakota Century Code, relating to special speed limitations, driving on sidewalks, riding in house trailers, stopping when traffic is obstructed, charging violations and rule in civil actions, racing on highways, and fleeing or attempting to elude a police officer; to amend and reenact sections 39-10-02.1, 39-10-21, 39-10-47, 39-10-48, 39-10-50, 39-18-04, and 39-18-05 of the North Dakota Century Code, relating to speed limits on bridges, causeways, and viaducts, persons riding bicycles or animals or driving animal-drawn

vehicles, restrictions on use of controlled-access highways, stopping, standing, or parking outside of business or residence districts, officers authorized to remove illegally stopped vehicles, additional parking regulations, safety devices and requirements, and size of mobile homes on roadways and oversize permits; and to repeal sections 39-09-05, 39-10-53, 39-10-60, 39-10-61, 39-10-62, 39-10-63, 39-10-63.1, 39-21-48, and 39-21-49 of the North Dakota Century Code, relating to driving faster than posted speed on a bridge, causeway, or viaduct, riding on motorcycles, riding on bicycles, clinging to vehicles, riding on roadways and bicycle paths, carrying articles on bicycles, lamps, and other equipment on bicycles, crash helmets required for operators of and passengers on motorcycles, and limitation on number of riders on motorcycles.

Introduction, first reading, 40\*  
 Referred to Committee on Transportation  
 Reported back, do pass, 144  
 Second reading, 165  
 Passed, 166  
 To House, 181  
 Returned to Senate, 361  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 940  
 Approved by Governor, 967

Senate Bill No. 2069 — (Solberg, Gronhovd)

Senate Bill No. 2069. A Bill for an Act to create and enact sections 39-10-01.1 and 39-10-07.3 of the North Dakota Century Code, relating to required obedience to traffic laws, interference with official traffic-control devices or railroad signs or signals, and moving heavy equipment at railroad grade crossings; to amend and reenact section 24-01-14, subsection 1 of section 39-01-01, sections 39-01-08, 39-07-05, 39-08-03, 39-08-08, 39-08-17, 39-09-01, 39-09-03, 39-09-04, 39-09-09, 39-10-01, 39-10-02, 39-10-04, 39-10-06, 39-10-07, 39-10-11, 39-10-12, 39-10-13, 39-10-18, 39-10-19, 39-10-22, 39-10-23, 39-10-24, 39-10-25, 39-10-28, 39-10-30, 39-10-39, 39-10-42, 39-10-45, 39-10-46, 39-10-52, 39-10-54.1, 39-10-55, 39-10-56, 39-10-57, 39-10-58, and 39-13-03 of the North Dakota Century Code, relating to determination of speed, definitions within Title 39, insurance on vehicles owned by the state and political subdivisions of the state, applicability of chapters 39-08 through 39-13, the penalty for reckless driving, duty of driver upon striking fixtures upon a highway, reporting of traffic convictions, care required in operating a vehicle, local authorities setting speed limitations, speed limits on bridges, causeways, and viaducts, minimum speed limits, provisions of chapter referring to vehicles upon the highways, obedience to police officers, obedience to and required traffic-control devices, pedestrian control signals, flashing signals, overtaking a vehicle on the left, overtaking on the right, following too closely, driving on divided highways, vehicle approaching or entering intersection, vehicle turning left, vehicle entering stop or yield intersection, vehicle entering highway from private road or turning left to enter private road, pedestrian right-of-way in crosswalks, drivers to exercise due care, signals and signal lamps, all vehicles to stop at certain railroad crossings, emerging from alley, driveway, or building, overtaking and passing school bus, limitations on backing, opening and closing vehicle doors, driving on mountain highways, coasting prohibited, following fire apparatus prohibited, crossing fire hose, enforceability of local parking regulations where signs are not

legible or not in proper position; and to repeal sections 39-07-04 and 39-09-08 of the North Dakota Century Code, relating to powers of local authorities and regulation of speed control signs.

Introduction, first reading, 40  
 Referred to Committee on Transportation  
 Reported back, amended, 536  
 Amendments adopted, 573  
 Engrossed, 651, 652, 1459  
 Re-engrossed, 1215  
 Second reading, 652, 1215  
 Amended from floor, 652  
 Passed, 653, 1216  
 To House, 721  
 House amendments, 1196-1197  
 Returned to Senate, amended, 1190  
 Senate concurs, 1215  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2070 — (Solberg)**

**Senate Bill No. 2070.** A Bill for an Act providing a random motor vehicle maintenance program by the superintendent of the state highway patrol; and providing a penalty.

Introduction, first reading, 41  
 Referred to Committee on Transportation  
 Reported back, amended, 504-505  
 Amendments adopted, 528  
 Engrossed, 571  
 Second reading, 597  
 Passed, 597  
 To House, 663  
 Returned to Senate, 1095  
 Enrolled, 1365  
 Signed by President, 1365  
 Sent to House, 1366  
 Received from House, 1381  
 Message to Governor, 1394  
 Approved by Governor, 1433

**Senate Bill No. 2071 — (Lips)**

**Senate Bill No. 2071.** A Bill for an Act to amend and reenact section 54-16-01 of the North Dakota Century Code, relating to legislative council budget section approval of certain emergency commission action.

Introduction, first reading, 41  
 Referred to Committee on Appropriations  
 Reported back, do pass, 205  
 Second reading, 254  
 Passed, 254  
 To House, 272  
 Returned to Senate, 860  
 Enrolled, 1116  
 Signed by President, 1149

Sent to House, 1149  
Received from House, 1152  
Message to Governor, 1155  
Approved by Governor, 1261

**Senate Bill No. 2072 — (Naaden)**

**Senate Bill No. 2072.** A Bill for an Act to amend and reenact section 15-28-02 of the North Dakota Century Code, relating to rural and city members of school boards.

Introduction, first reading, 41  
Referred to Committee on Education  
Reported back, do pass, 129  
Second reading, 150  
Passed, 151  
To House, 164  
Returned to Senate, indefinitely postponed, 787

**Senate Bill No. 2073 — (Morgan, Smykowski, Barth)**

**Senate Bill No. 2073.** A Bill for an Act to amend and reenact subsection 6 of section 20.1-01-02 of the North Dakota Century Code, relating to definitions of game birds to include mourning doves.

Introduction, first reading, 41  
Referred to Committee on Natural Resources  
Reported back, do pass, 144  
Second reading, 166  
Passed, 166  
To House, 181  
Returned to Senate, failed to pass, 474

**Senate Bill No. 2074 — (Wenstrom)**

**Senate Bill No. 2074.** A Bill for an Act to amend and reenact section 10 of chapter 462 of the 1969 Session Laws as contained in chapter 443 of the 1973 Session Laws of North Dakota, relating to the custody and sale or distribution of the constitutional convention journal and debates.

Introduction, first reading, 41  
Referred to Committee on State & Federal Government  
Reported back, do pass, 62  
Second reading, 70  
Passed, 70  
To House, 84  
Returned to Senate, 232  
Enrolled, 261  
Signed by President, 272  
Sent to House, 272  
Received from House, 275  
Message to Governor, 275  
Approved by Governor, 571

**Senate Bill No. 2075 — (Wenstrom)**

**Senate Bill No. 2075.** A Bill for an Act to provide that teachers at state institutions may be eligible to receive additional benefits in accordance with the provisions for teachers' retirement under the teachers' fund for retirement.

Introduction, first reading, 41  
 Referred to Committee on Education  
 Returned to Senate and withdrawn, 71

**Senate Bill No. 2076 — (Lips)**

**Senate Bill No. 2076.** A Bill for an Act to amend and reenact subsection 4 of section 54-52-03 of the North Dakota Century Code, relating to compensation for members of the retirement board.

Introduction, first reading, 42  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 65  
 Second reading, 78  
 Passed, 78  
 To House, 95  
 Returned to Senate, 341  
 Enrolled, 812  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2077 — (Lips)**

**Senate Bill No. 2077.** A Bill for an Act to amend and reenact section 54-21-06 of the North Dakota Century Code to remove necessity for approval of senate for appointee position of director of institutions, and declaring an emergency.

Introduction, first reading, 42  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 169  
 Second reading, 192  
 Lost, 192

**Senate Bill No. 2078 — (Longmire)**

**Senate Bill No. 2078.** A Bill for an Act to amend and reenact section 43-31-02 of the North Dakota Century Code, relating to the devices to be used for detection of deception.

Introduction, first reading, 42  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 65  
 Committee report for indefinite postponement, 74 adopted

**Senate Bill No. 2079 — (Rait)**

**Senate Bill No. 2079.** A Bill for an Act relating to and defining abandoned personal property, providing methods for the same to be taken into custody of the state; for its recovery by the rightful owner; for an administrator; for a penalty; and to repeal sections 6-08-24.1, 12-45-07, 25-01-15, 54-01-02.1, 54-01-02.2, and 54-01-02.3 of the North Dakota Century Code, relating to unclaimed funds.

Introduction, first reading, 42  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 223  
 Reported back, amended, 381-382

Referred to Committee on Appropriations, 223  
 Amendments adopted, 404  
 Engrossed, 413, 1459  
 Re-engrossed, 1313  
 Second reading, 426, 1313  
 Passed, 426, 1313  
 To House, 455, 1318  
 House amendments, 1197  
 Returned to Senate, amended, 1190  
 Conference Committee, 1205, 1239  
 Conference Committee report, 1312  
 Senate adopts, 1312  
 House adopts, 1352  
 Senate does not concur, 1205  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2080 — (Hoffner)**

**Senate Bill No. 2080.** A Bill for an Act to provide that all votes taken by the legislative assembly, or by standing committees thereof, with respect to all bills and certain concurrent resolutions, shall be recorded in the journal of the appropriate house, and declaring an emergency.

Introduction, first reading, 42  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 537  
 Reported back, indefinitely postponed, 584  
 Committee report for indefinite postponement, 619 adopted  
 Re-referred to Committee on Appropriations, 537

**Senate Bill No. 2081 — (Redlin)**

**Senate Bill No. 2081.** A Bill for an Act to create and enact section 11-10-24 of the North Dakota Century Code, providing authorization for the establishment of an association of county governments; and to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the powers of boards of county commissioners.

Introduction, first reading, 42  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 144, 205  
 Referred to Committee on Political Subdivision, 167  
 Engrossed, 1340, 1459  
 Second reading, 166, 254, 1340  
 Passed, 255, 1340  
 To House, 272, 1342  
 House amendments, 1235  
 Returned to senate, amended, 1230  
 Conference committee, 1254, 1280  
 Conference committee report, 1340  
 Senate adopts, 1340  
 House adopts, 1352  
 Senate does not concur, 1254  
 Enrolled, 1459  
 Signed by President, 1462

Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2082 — (Relin, Reiten)**

**Senate Bill No. 2082.** A Bill for an Act to amend and reenact section 11-15-29 of the North Dakota Century Code, relating to sheriffs' and deputies' uniforms.

Introduction, first reading, 42  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 73  
 Second reading, 92  
 Passed, 93  
 To House, 109  
 Returned to Senate, 341  
 Enrolled, 812  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2083 — (Redlin, Reiten)**

**Senate Bill No. 2083.** 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, 42  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 73  
 Amendments adopted, 91  
 Engrossed, 97  
 Second reading, 107  
 Passed, 108  
 To House, 127  
 Returned to Senate, 341  
 Enrolled, 812  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2084 — (Rait, Barth)**

**Senate Bill No. 2084.** A Bill for an Act to require that mineral interests which have been severed from the surface be filed for record; to provide a method of filing and verifying ownership of severed mineral interests, forfeiture for failure to refile, publication of the requirements of this Act, and a filing fee; to repeal subsection 2 of section 11-18-03 of the North Dakota Century Code; and providing for an appropriation.

Introduction, first reading, 42  
 Referred to Committee on State & Federal Government  
 Returned to Senate and re-referred to Committee on Finance & Taxation, 91  
 Reported back, do pass, 585



- Reported back, amended, 505-506
- Re-referred to Committee on Appropriations, 528
- Amendments adopted, 528
- Engrossed, 571
- Re-engrossed, 654
- Second reading, 653
- Amended from floor, 653-654
- Passed, 654
- To House, 721
- Returned to Senate indefinitely postponed, 1187

**Senate Bill No. 2085 — (Committee on State & Federal Government)**

**Senate Bill No. 2085.** A Bill for an Act to increase the daily compensation of members of the merit system council to forty-five dollars.

- Introduction, first reading, 43
- Referred to Committee on State & Federal Government
- Reported back, do pass, 66
- Second reading, 78
- Passed, 79
- To House, 95
- Returned to Senate, 1189
- Enrolled, 1460
- Signed by President, 1462
- Sent to House, 1463
- Received from House, 1466
- Message to Governor, 1475

**Senate Bill No. 2086 — (Stroup)**

**Senate Bill No. 2086.** A Bill for an Act to provide for annual reports to the state soil conservation committee of surface mining operations for minerals other than coal, annual reports by the state soil conservation committee to local soil conservation districts of surface mining operations conducted within the districts, and exemption of certain surface mining operations.

- Introduction, first reading, 43
- Referred to Committee on Natural Resources
- Reported back, do pass, 74
- Second reading, 93
- Passed, 93
- To House, 109
- Returned to Senate, 811
- Enrolled, 985
- Signed by President, 1014
- Sent to House, 1015
- Received from House, 1018
- Message to Governor, 1022
- Approved by Governor, 1077

**Senate Bill No. 2087 — (Stroup)**

**Senate Bill No. 2087.** A Bill for an Act to amend and reenact sections 39-17-10 and 47-14-05 of the North Dakota Century Code, relating to the interest rate on moneys due to the unsatisfied judgment fund and to the legal rate of interest when the rate is not otherwise specified.

- Introduction, first reading, 43
- Referred to Committee on State & Federal Government

Reported back, do pass, 66  
 Second reading, 79  
 Passed, 79  
 To House, 95  
 Returned to Senate, 232  
 Enrolled, 261  
 Signed by President, 272  
 Sent to House, 272  
 Received from House, 275  
 Message to Governor, 275  
 Approved by Governor, 571

**Senate Bill No. 2088 — (Stroup)**

**Senate Bill No. 2088.** A Bill for an Act creating the West River Conservancy District in order to coordinate and facilitate the development and utilization of the water and related land resources of southwestern North Dakota, and defining its purposes, objectives, functions, powers, and duties.

Introduction, first reading, 43  
 Referred to Committee on Natural Resources  
 Reported back, amended, 506  
 Amendments adopted, 528  
 Engrossed, 571  
 Second reading, 597  
 Passed, 598  
 To House, 663  
 Returned to Senate, indefinitely postponed, 1279

**Senate Bill No. 2089 — (Stroup)**

**Senate Bill No. 2089.** A Bill for an Act to create and enact a new section to chapter 40-57.1 of the North Dakota Century Code to exclude certain large industries from eligibility for tax exemptions for new industries.

Introduction, first reading, 43  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 223  
 Amendments adopted, 235  
 Engrossed, 261, 1459  
 Re-engrossed, 1169  
 Second reading, 267, 1169  
 Passed, 267, 1170  
 To House, 286  
 House amendments, 1146  
 Returned to Senate, amended, 1145  
 Senate concurs, 1169  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2090 — (Committee on Appropriations)**

**Senate Bill No. 2090.** A Bill for an Act making an appropriation for defraying expenses of the state park service and declaring an emergency.

Introduction, first reading, 43  
 Referred to Committee on Appropriations  
 Reported back, amended, 382  
 Amendments adopted, 404  
 Engrossed, 413, 1117, 1459  
 Re-engrossed, 1289  
 Second reading, 427, 1289  
 Passed, 427, 1289  
 Emergency carried, 427  
 To House, 455  
 House amendments, 1235  
 Returned to Senate, amended, 1230  
 Conference Committee, 1255, 1280  
 Conference Committee report, 1288  
 Senate adopts, 1289  
 House adopts, 1352  
 Senate does not concur, 1255  
 Enrolled, 1117, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2091 — (Committee on Appropriations)**

**Senate Bill No. 2091.** 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, 43  
 Referred to Committee on Appropriations  
 Reported back, do pass, 205  
 Second reading, 255  
 Passed, 255  
 To House, 272  
 Returned to Senate, 787  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1018  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2092 — (Stroup)**

**Senate Bill No. 2092.** A Bill for an Act to provide additional compensation for certain county officials for the extra effort involved in assessing severed mineral interests.

Introduction, first reading, 43  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 506  
 Committee Report for indefinite postponement, 553 adopted

**Senate Bill No. 2093 — (Stroup)**

**Senate Bill No. 2093.** A Bill for an Act to amend and reenact section 57-24-30 of the North Dakota Century Code, relating to the rights of surface owners when severed coal and mineral interests are sold for nonpayment of taxes.

Introduction, first reading, 44  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 506  
 Amendments adopted, 528  
 Engrossed, 571  
 Re-engrossed, 950  
 Second reading, 598, 950  
 Passed, 599, 951  
 To House, 663  
 House amendments, 937  
 Returned to Senate, amended, 936  
 Senate concurs, 950  
 Signed by President, 1150  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2094 — (Stroup)**

**Senate Bill No. 2094.** A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for the deposit of the proceeds of such tax in a special coal development fund in the state treasury; and to provide a penalty.

Introduction, first reading, 44  
 Referred to Committee on Finance & Taxation  
 Reported back indefinitely postponed, 537  
 Committee report for indefinite postponement, 637 adopted

**Senate Bill No. 2095 — (Stroup)**

**Senate Bill No. 2095.** A Bill for an Act to create and enact section 38-14-02.1 of the North Dakota Century Code, relating to soil surveys, and to amend and reenact sections 38-14-01, 38-14-02, 38-14-03, 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-07, and 38-14-12 of the North Dakota Century Code, relating to policy, definitions, licensing of mining operations, notice of intention to mine, duties of the operator, limitations in granting permits, bond of the operator, and providing a penalty.

Introduction, first reading, 44  
 Referred to Committee on Natural Resources  
 Reported back, amended, 506-508, 646  
 Re-referred to Committee on Appropriations  
 Amendments adopted, 528, 670, 723  
 Engrossed, 571, 694, 1459  
 Re-engrossed, 723, 1348  
 Amended from floor, 723  
 Second reading, 702, 723, 1348  
 Passed, 703, 723, 1348  
 Clincher motion, 703  
 To House, 721  
 House amendments, 1278  
 Returned to Senate, amended, 1278  
 Senate concurs, 1348  
 Reconsidered, 723  
 Enrolled, 1459

Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2096 — (Sands)**

**Senate Bill No. 2096.** A Bill for an Act to amend section 1-03-02 of the North Dakota Century Code, relating to when a day following a holiday shall be a holiday.

Introduction, first reading, 44  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 98  
 Second reading, 167  
 Passed, 167  
 To House, 181  
 Returned to Senate, 811  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1018  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2097 — (L. Christensen)**

**Senate Bill No. 2097.** A Bill for an Act to create and enact chapter 54-55 and sections 4-19-01.1, 4-19-01.2, 20.1-02-03.1, 38-14-02.1, 53-07-01.1, 55-08-03.1, subsections 6 and 7 of section 61-02-02, sections 61-02-02.1, 61-02-76, 61-02-77, 61-02-78, and 61-03-04.1 of the North Dakota Century Code, establishing a department of natural resources; establishing a natural resources policy board; providing for the duties and authority of the commissioner of natural resources, and the department's operation, personnel, powers and duties; establishing divisions of such department with existing agencies; substituting the commissioner of natural resources for the state forester, the state game and fish commissioner, the reclamation division of the public service commission, the state outdoor recreation agency, the director of the state park service, the state engineer, and the state water conservation commission; creating a water management advisory board and providing for meetings, duties, and compensation of the board; to amend and reenact sections 4-19-01, 4-19-02, 4-19-03, 4-19-04, 4-19-05, 4-19-06, 4-19-07, 4-19-08, 4-19-09, 15-11-08, 15-11-14, 20.1-01-02, 20.1-02-14, the initial paragraph of section 20.1-02-15, sections 20.1-02-17, 20.1-02-19, 38-14-02, 38-14-03, the initial paragraph of section 38-14-03.1, sections 38-14-04, 38-14-04.1, 38-14-05, 38-14-05.1, 38-14-06, 38-14-07, 38-14-07.1, 38-14-08, 38-14-09, 38-14-10, 38-14-12, 38-14-13, 53-07-01, 55-08-01, 55-08-03, 55-08-05, 55-08-06, 55-08-06.1, 55-08-07, 55-08-07.1, 55-08-08, 55-08-12, subsection 1 of section 61-02-02, sections 61-02-03, the initial paragraph of section 61-02-14, sections 61-02-15, 61-02-16, 61-02-17, 61-02-18, 61-02-19, 61-02-20, 61-02-21, 61-02-22, 61-02-23, 61-02-24, 61-02-25, 61-02-26, 61-02-27, 61-02-28, 61-02-29, 61-02-30, 61-02-32, 61-02-33, 61-02-34, 61-02-35, 61-02-36, 61-02-37, 61-02-38, 61-02-39, 61-02-40, 61-02-41, 61-02-42, 61-02-43, 61-02-44, 61-02-45, 61-02-46, 61-02-47, 61-02-48, 61-02-50, 61-02-52, 61-02-53, 61-02-55, 61-02-56, 61-02-57, 61-02-59, 61-02-61, 61-02-62, 61-02-63, 61-02-64, 61-02-64.1, 61-02-65, 61-02-66, 61-02-67, 61-02-71, 61-02-72, 61-02-75, 61-03-05, 61-03-06, 61-03-07, 61-03-08, 61-03-09, 61-03-11, 61-03-12, 61-03-15, 61-03-16, 61-03-17, 61-03-18, 61-03-19, 61-03-20, and 61-03-21 of the North Dakota Century Code, relating to the state nursery, and the position,

powers, and duties of the state forester, the duties of the state board of higher education, the personnel, powers, and duties of the game and fish department and the public service commission, the licensing of surface mining 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 the position, powers, and duties of the state engineer; and to repeal sections 15-11-09, 15-11-11, 15-11-12, 15-11-13, 15-11-15, 20.1-02-01, 20.1-02-02, 20.1-02-06, 53-07-03, 61-02-04, 61-02-05, 61-02-06, 61-02-07, 61-02-08, 61-02-09, 61-02-10, 61-02-11, 61-02-12, 61-02-13, 61-02-69, 61-03-01, 61-03-02, 61-03-03, 61-03-04, 61-03-13, and 61-03-14 of the North Dakota Century Code, relating to the duties of the state board of higher education, the position, powers, and duties of the state geologist, the game and fish commissioner, the duties of the state outdoor recreation agency, and the personnel, powers, and duties of the state water conservation commission and the office of the state engineer; providing an effective date; providing an appropriation; and declaring an emergency.

Introduction, first reading, 44  
 Referred to Committee on Natural Resources  
 Reported back, amended, 478-480, 646-647  
 Re-referred to Committee on Appropriations, 480, 499  
 Amendments adopted, 499, 670  
 Engrossed, 694  
 Second reading, 703  
 Passed, 704  
 Clincher motion, 704  
 To House, 721  
 Returned to Senate, indefinitely postponed, 1050

**Senate Bill No. 2098 — (J. Schultz)**

**Senate Bill No. 2098.** 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 an effective date.

Introduction, first reading, 45  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 98  
 Amendments adopted, 122  
 Engrossed, 129  
 Second reading, 151  
 Passed, 151  
 To House, 164  
 Returned to Senate, 307  
 Enrolled, 412  
 Signed by President, 433  
 Sent to House, 433  
 Received from House, 434  
 Message to Governor, 435  
 Approved by Governor, 571

**Senate Bill No. 2099 — (J. Schultz)**

**Senate Bill No. 2099.** A Bill for an Act to create and enact a new subsection to section 57-37-11 of the North Dakota Century Code, to provide an exemption from the estate tax of property of persons who died while missing in action, and to provide an effective date.

Introduction, first reading, 45  
 Referred to Committee on Finance & Taxation

Reported back, indefinitely postponed, 439  
Committee report of indefinite postponement, 465 adopted

**Senate Bill No. 2100 — (Lips)**

**Senate Bill No. 2100.** 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 minimum tax assessable for the business privilege tax.

Introduction, first reading, 45  
Referred to Committee on Finance & Taxation  
Reported back, amended, 585  
Amendments adopted, 616  
Engrossed, 669  
Second reading, 679  
Passed, 680  
Clincher motion, 680  
To House, 721  
Returned to Senate, indefinitely postponed, 1050

**Senate Bill No. 2101 — (Freed)**

**Senate Bill No. 2101.** A Bill for an Act to amend and reenact section 27-05-03.2 of the North Dakota Century Code, relating to retirement pay for disabled judges.

Introduction, first reading, 45  
Referred to Committee on Judiciary  
Reported back, do pass, 343  
Second reading, 371  
Passed, 372  
To House, 396  
Returned to Senate, 860  
Enrolled, 1116  
Signed by President, 1149  
Sent to House, 1149  
Received from House, 1152  
Message to Governor, 1155  
Approved by Governor, 1261

**Senate Bill No. 2102 — (H. Christensen)**

**Senate Bill No. 2102.** A Bill for an Act requiring all beverage containers to be returnable, providing a penalty, and providing an effective date.

Introduction, first reading, 45  
Referred to Committee on Industry, Business & Labor  
Returned to Senate and withdrawn, 133

**Senate Bill No. 2103 — (Solberg)**

**Senate Bill No. 2103.** A Bill for an Act to provide minimum requirements for the construction and equipment of motorcycles.

Introduction, first reading, 45  
Referred to Committee on Transportation  
Reported back, amended, 159  
Amendments adopted, 174  
Engrossed, 183  
Second reading, 192  
Passed, 192  
To House, 202

Returned to Senate, 1095  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2104 — (Committee on State & Federal Government)**

**Senate Bill No. 2104.** A Bill for an Act to amend and reenact subsection 7 of section 55-08-03 of the North Dakota Century Code to allow the director of state parks to lease or exchange lands held by the park service.

Introduction, first reading, 46  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 98  
 Amendments adopted, 122  
 Engrossed, 129, 1293  
 Re-engrossed, 997  
 Second reading, 151, 997  
 Passed, 151, 998  
 To House, 164  
 House amendments, 987  
 Returned to Senate, amended, 987  
 Senate concurs, 997  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2105 — (Committee on State & Federal Government)**

**Senate Bill No. 2105.** A Bill for an Act to amend and reenact section 55-08-06 of the North Dakota Century Code to allow the director of state parks to prescribe the size and character of motor vehicle permits and to increase the fee from four to five dollars.

Introduction, first reading, 46  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 112  
 Second reading, 152  
 Passed, 152  
 To House, 164  
 Returned to Senate, 341  
 Enrolled, 813  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2106 — (Committee on State & Federal Government)**

**Senate Bill No. 2106.** A Bill for an Act to amend and reenact section 55-08-07.1 of the North Dakota Century Code to allow the state park service concession fund to pay for supplies, costs, travel expenses, and repair, replacement, and maintenance.



Introduction, first reading, 46  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 90  
 Second reading, 108  
 Passed, 108  
 To House, 127  
 Returned to Senate, 787  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2107 — (Longmire)**

**Senate Bill No. 2107.** A Bill for an Act to amend and reenact subsection 8 of section 15-29-08 of the North Dakota Century Code, relating to the powers of school boards to make payment for purchases in advance of delivery.

Introduction, first reading, 46  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 62  
 Committee report for indefinite postponement, adopted 69

**Senate Bill No. 2108 — (Stroup)**

**Senate Bill No. 2108.** A Bill for an Act to provide a privilege tax on certain coal development processing plants, to provide for the administration and collection of such tax, to provide duties for the state tax commissioner and the state board of equalization, and to provide a penalty.

Introduction, first reading, 46  
 Referred to Committee on Taxation  
 Reported back, indefinitely postponed, 537  
 Committee report for indefinite postponement, 638 adopted

**Senate Bill No. 2109 — (Longmire, Barth, L. Christensen, Wenstrom)**

**Senate Bill No. 2109.** A Bill for an Act to create and enact three subsections of section 15-65-03; to amend and reenact 15-65-02 of the North Dakota Century Code relating to appointment of members to the North Dakota educational broadcasting council; to amend and reenact subsection 4 of section 15-65-03 of the North Dakota Century Code relating to powers and duties of the North Dakota educational broadcasting council; to repeal section 15-65-04 of the North Dakota Century Code relating to prohibitions placed on the North Dakota educational broadcasting council; and to provide an appropriation.

Introduction, first reading, 46  
 Referred to Committee on Education  
 Reported back, do pass, 99  
 Reported back, amended, 419  
 Referred to Committee on Education, 167  
 Engrossed, 1156  
 Second reading, 152, 167, 448  
 Passed, 449  
 Clincher motion, 1315  
 To House, 474

House amendments, amended, 1279  
 Returned to Senate, amended, 1279  
 Senate does not concur, 1314  
 House amendments laid on table, 1315  
 Reconsidered, 1315

**Senate Bill No. 2110 — (Committee on Appropriations)**

**Senate Bill No. 2110.** A Bill for an Act making an appropriation for defraying expenses of the various departments of the government of the state of North Dakota and declaring an emergency.

Introduction, first reading, 46  
 Referred to Committee on Appropriations  
 Reported back, amended, 224-225  
 Amendments adopted, 235  
 Engrossed, 261  
 Second reading, 267  
 Passed, 268  
 To House, 286  
 Returned to Senate, 397  
 Enrolled, 497  
 Signed by President, 497  
 Sent to House, 497  
 Received from House, 498  
 Message to Governor, 498  
 Approved by Governor, 669

**Senate Bill No. 2111 — Committee on Appropriations)**

**Senate Bill No. 2111.** Personal Property Tax Replacement — A Bill for an Act to provide an appropriation for the replacement of personal property taxes, and the distribution of such moneys, providing an appropriation and declaring an emergency.

Introduction, first reading, 46  
 Referred to Committee on Appropriations  
 Reported back, amended, 343  
 Amendments adopted, 367  
 Engrossed, 379, 1459  
 Re-engrossed, 1174  
 Second reading, 388, 1174  
 Passed 388, 1174  
 To House, 411  
 House amendments, 1018  
 Returned to Senate, amended, 1017  
 Conference Committee, 1027, 1115  
 Conference Committee report, 1174  
 Senate adopts, 1174  
 Senate does not concur, 1027  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2112 — (Lips)**

**Senate Bill No. 2112.** A Bill for an Act to authorize the director of institutions to sell and convey certain land owned by the state of North Dakota upon which there is a right-of-way easement.

Introduction, first reading, 46-47  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 197  
 Committee report for indefinite postponement, 209 adopted

**Senate Bill No. 2113 — (Longmire, Tweten)**

**Senate Bill No. 2113.** A Bill for an Act to create and enact section 15-39.2-04 of the North Dakota Century Code, to provide that beneficiaries of certain deceased teachers may elect certain retirement options, and declaring an emergency.

Introduction, first reading, 47  
 Referred to Committee on Education  
 Reported back, do pass, 310  
 Engrossed, 998, 1293  
 Second reading, 372, 998  
 Passed, 372, 998  
 Emergency carried, 998  
 To House, 396  
 House amendments, 987-988  
 Returned to Senate, amended, 987  
 Senate concurs, 998  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2114 — (Committee on Social Welfare)**

**Senate Bill No. 2114.** A Bill for an Act to amend and reenact section 15-54-08 of the North Dakota Century Code, relating to health certificates.

Introduction, first reading, 47  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 66  
 Engrossed, 387, 911  
 Second reading, 79, 387  
 Passed, 79, 387  
 To House, 95  
 House amendments, 377  
 Returned to Senate, amended, 377  
 Senate concurs, 387  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 940  
 Approved by Governor, 967

**Senate Bill No. 2115 — (Committee on Education)**

**Senate Bill No. 2115.** A Bill for an Act to amend and reenact subsection 1 of section 15-53.1-41 of the North Dakota Century Code, relating to dissolution of school districts.

Introduction, first reading, 47  
 Referred to Committee on Education  
 Reported back, do pass, 99

Engrossed, 871, 1116  
 Second reading, 153, 871  
 Passed 153, 872  
 To House, 164  
 House amendments, 861-862  
 Returned to Senate, amended, 861  
 Senate concurs, 871  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2116 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2116.** A Bill for an Act to amend and reenact section 65-05-25 of the North Dakota Century Code, relating to lump sum settlements.

Introduction, first reading, 47  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 66  
 Engrossed, 80  
 Second reading, 79  
 Amended from floor, 79  
 Passed, 80  
 To House, 95  
 Returned to Senate, indefinitely postponed, 787

**Senate Bill No. 2117 — (Lee, Stroup)**

**Senate Bill No. 2117.** A Bill for an Act to amend and reenact section 11-15-03.1 of the North Dakota Century Code, relating to the salary of county sheriff.

Introduction, first reading, 47  
 Referred to Committee on Political Subdivision  
 Re-referred to Committee on Political Subdivision, 318  
 Reported back, amended, 537  
 Reported back, indefinitely postponed, 288  
 Amendments adopted, 573  
 Engrossed, 651  
 Second reading, 654  
 Passed, 654  
 To House, 721  
 Returned to Senate, failed to pass, 1259

**Senate Bill No. 2118 — (Committee on Industry, Business and Labor)**

**Senate Bill No. 2118.** A Bill for an Act to create and enact a new subsection to section 43-30-04 of the North Dakota Century Code, relating to private detective licensing powers of attorney general; to amend and reenact subsection 5 of section 43-30-05 of the North Dakota Century Code relating to qualifications of applicant; to amend and reenact section 43-30-07 of the North Dakota Century Code, relating to private detective identification card and to amend and reenact section 43-30-09 of the North Dakota Century Code, relating to detective agency license.

Introduction, first reading, 47  
 Referred to Committee on Industry, Business & Labor

Reported back, amended, 129  
 Amendments adopted, 148  
 Engrossed, 161, 1445  
 Re-engrossed, 1121  
 Second reading, 167, 1121  
 Passed, 168, 1121  
 To House, 181  
 House amendments, 1113-1114  
 Returned to Senate, amended, 1113  
 Senate concurs, 1121  
 Enrolled, 1445  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2119 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2119.** A Bill for an Act to amend and reenact subsection 5 of section 43-31-07 of the North Dakota Century Code, relating to examinations for licensing of detection of deception examiners; and to amend and reenact section 43-31-15 of the North Dakota Century Code, relating to exemptions from licensing of detection of deception examiners.

Introduction, first reading, 47  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 66  
 Amendments adopted, 74  
 Engrossed, 85  
 Second reading, 93  
 Passed, 93  
 To House, 109  
 Returned to Senate, 811  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2120 — (Committee on Political Subdivision)**

**Senate Bill No. 2120.** A Bill for an Act to amend and reenact section 23-14-11 of the North Dakota Century Code, relating to the authorizing and disbursing of health district funds.

Introduction, first reading, 47  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 160  
 Amendments adopted, 174  
 Engrossed, 183  
 Second reading, 192  
 Passed, 193  
 To House, 202  
 Returned to Senate, 811  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019

Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2121. — (Committee on State & Federal Government)**

**Senate Bill No. 2121.** A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, relating to holidays.

Introduction, first reading, 48  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 169  
 Amendments adopted, 187  
 Engrossed, 197  
 Re-engrossed, 203  
 Second reading, 203  
 Amended from floor, 203  
 Passed, 203  
 To House, 231  
 Returned to Senate, indefinitely postponed, 787

**Senate Bill No. 2122 — (Committee on Education)**

**Senate Bill No. 2122.** A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, relating to special education.

Introduction, first reading, 48  
 Referred to Committee on Education  
 Returned to Senate and withdrawn, 62

**Senate Bill No. 2123 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2123.** A Bill for an Act to amend and reenact section 43-03-16 of the North Dakota Century Code, relating to architects' certificates of registration, and the duties of the secretary of the board of architecture.

Introduction, first reading, 48  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 66  
 Second reading, 80  
 Passed, 80  
 To House, 95  
 Returned to Senate, 811  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2124 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2124.** A Bill for an Act to provide for the elimination of industrial injury or disease through the proper application of safety and health standards and the charging of additional premium and seeking of injunctive relief against employers who place an unreasonable risk upon the North Dakota workmen's compensation fund by failing to comply with such standards; to amend and reenact section 65-04-01 of the North Dakota Century Code, relating to the charging of additional premium; to amend and reenact section 65-04-27.1 of the North Dakota Century Code, relating to injunctive procedure for safety violations; and to repeal

chapters 65-03 and 65-11 of the North Dakota Century Code, relating to the safety engineer and safety regulations.

Introduction, first reading, 48  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 99  
 Amendments adopted, 122  
 Engrossed, 129  
 Second reading, 153  
 Passed, 153  
 To House, 164  
 Returned to Senate, indefinitely postponed, 812

**Senate Bill No. 2125 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2125.** A Bill for an Act to amend and reenact section 65-05-15 of the North Dakota Century Code, relating to aggravation of a preexisting condition and the benefits paid.

Introduction, first reading, 48  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 99  
 Second reading, 153  
 Lost, 154

**Senate Bill No. 2126 — (Committee on Transportation)**

**Senate Bill No. 2126.** A Bill for an Act to provide for uniformity and control of traffic control devices, including markings, signs, and signals, used on all streets and highways, in accordance with national standards; to prohibit the manufacture or sale of nonconforming devices; and to repeal sections 24-01-08, 24-01-09, 24-01-09.1, 24-01-09.2, and 39-13-02 of the North Dakota Century Code.

Introduction, first reading, 48  
 Referred to Committee on Transportation  
 Reported back, amended, 90  
 Amendments adopted, 100, 154  
 Engrossed, 111  
 Re-engrossed, 154  
 Second reading, 154  
 Amended from floor, 154  
 Passed, 155  
 To House, 164  
 Returned to Senate, 1145  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2127 — (Committee on Transportation)**

**Senate Bill No. 2127.** A Bill for an Act to amend and reenact section 24-03-12 of the North Dakota Century Code, relating to the authority to acquire material, equipment and supplies.

Introduction, first reading, 48  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 90  
 Committee report for indefinite postponement, 100 adopted

**Senate Bill No. 2128 — (Committee on State & Federal Government)**

**Senate Bill No. 2128.** A Bill for an Act to amend and reenact section 24-02-19 of the North Dakota Century Code, relating to the advertisement for the request for bids

Introduction, first reading, 48  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 90  
 Committee report for indefinite postponement, 100 adopted

**Senate Bill No. 2129 — (Lips)**

**Senate Bill No. 2129.** A Bill for an Act to amend and reenact section 15-39.2-01 of the North Dakota Century Code, relating to teacher retirement options, to require the adjustment of certain annuities calculated pursuant to chapter 15-39.2, and declaring an emergency.

Introduction, first reading, 49  
 Referred to Committee on Education  
 Reported back, do pass, 310  
 Second reading, 372  
 Passed, 372  
 Emergency carried, 372  
 To House, 396  
 Returned to Senate, 987  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2130 — (J. Schultz)**

**Senate Bill No. 2130.** A Bill for an Act to provide for the deduction of contributions to certain retirement plans for state income tax purposes in the same amount as permitted for federal income tax purposes, to provide an effective date, and declaring an emergency.

Introduction, first reading, 49  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 66  
 Amendments adopted, 74  
 Engrossed, 85, 1445  
 Re-engrossed, 1121  
 Second reading, 94, 1121  
 Passed, 94, 1121  
 Emergency carried, 94  
 To House, 127  
 House amendments, 1114  
 Returned to Senate, amended, 1113  
 Senate concurs, 1121  
 Enrolled, 1445  
 Signed by President, 1445  
 Sent to House, 1446  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2131 — (H. Christensen)**



**Senate Bill No. 2131.** A Bill for an Act to amend and reenact subsection 5 of section 20.1-01-05 of the North Dakota Century Code, relating to unauthorized methods of taking game birds and game animals.

Introduction, first reading, 49  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 74  
 Engrossed, 793, 985  
 Second reading, 95, 793  
 Passed, 95, 793  
 To House, 127  
 House amendments, 787  
 Returned to Senate, amended, 787  
 Senate concurs, 793  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2132 — (Freed)**

**Senate Bill No. 2132.** A Bill for an Act to amend and reenact section 37-01-34 and 37-01-36 of the North Dakota Century Code, relating to the recording and availability of veterans of the armed forces.

Introduction, first reading, 49  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 90-91  
 Amendments adopted, 100  
 Engrossed 111, 911  
 Re-engrossed, 387  
 Second reading, 155, 387  
 Passed, 155, 388  
 To House, 164  
 House amendments, 377  
 Returned to Senate, amended, 377  
 Senate concurs, 387  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 940  
 Approved by Governor, 967

**Senate Bill No. 2133 — (Freed)**

**Senate Bill No. 2133.** A Bill for an Act to amend and reenact sections 51-07-01, 51-07-02, and 51-07-03 of the North Dakota Century Code, relating to price recovery by implement dealers, car dealers, or motorcycle dealers upon discontinuance of contract, relating to the determination of prices, and relating to liability for failure to pay a specified sum upon cancellation of a contract.

Introduction, first reading, 49  
 Referred to Committee on Judiciary  
 Reported back, do pass, 62  
 Second reading, 70  
 Lost, 71

**Senate Bill No. 2134 — (Stroup)**

**Senate Bill No. 2134.** A Bill for an Act to amend and reenact section 38-14-04 of the North Dakota Century Code, relating to obtaining a permit to strip mine land for the purpose of obtaining the minerals thereunder.

Introduction, first reading, 49  
 Referred to Committee on Natural Resources, returned to Senate, 464  
 Request for withdrawal denied, 464  
 Returned to Committee on Natural Resources, 464  
 Reported back, indefinitely postponed, 480  
 Committee report for indefinite postponement, 501 adopted

**Senate Bill No. 2135 — (Stroup)**

**Senate Bill No. 2135.** A Bill for an Act to amend and reenact section 38-14-04 of the North Dakota Century Code, relating to obtaining a permit to strip mine land for the purpose of obtaining the minerals thereunder.

Introduction, first reading, 49  
 Referred to Committee on Natural Resources  
 Reported back, indefinitely postponed, 144  
 Committee Report for indefinite postponement, adopted 163

**Senate Bill No. 2136 — (Strand, Tweten)**

**Senate Bill No. 2136.** A Bill for an Act to amend and reenact subdivision d of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide an additional adjustment for adopted children for state income tax purposes.

Introduction, first reading, 49  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 439-440  
 Amendments adopted, 464  
 Engrossed, 477, 1459  
 Re-engrossed, 1106  
 Second reading, 486, 1106  
 Passed, 487, 1106  
 To House, 521  
 House amendments, 862  
 Returned to Senate, amended, 861  
 Conference Committee, 899, 964  
 Conference Committee report, 1106, 1320  
 Senate adopts, 1106, 1320  
 Senate does not concur, 899  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2137 — (Longmire, Homuth, Thane)**

**Senate Bill No. 2137.** A Bill for an Act to amend and reenact section 40-38-04 of the North Dakota Century Code, relating to powers and duties of public library boards.

Introduction, first reading, 49  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 74

Second reading, 95  
Passed, 95  
To House, 127  
Returned to Senate, 341  
Enrolled, 813  
Signed by President, 813  
Sent to House, 813  
Received from House, 814  
Message to Governor, 814  
Approved by Governor, 833

**Senate Bill No. 2138 — (Lashkowitz)**

**Senate Bill No. 2138.** A Bill for an Act to create and enact three new sections to chapter 12.1-30 as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to the operation of business establishments on veterans' day, and providing a penalty.

Introduction, first reading, 50  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, indefinitely postponed, 205  
Committee Report for indefinite postponement, 229 adopted

**Senate Bill No. 2139 — (Lips)**

**Senate Bill No. 2139.** A Bill for an Act to create and enact a new subsection to section 50-01-09, a new section to chapter 50-03, and a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the administration and financing of the food stamp program in North Dakota and relating to the powers and duties of the county welfare board and the social service board of North Dakota.

Introduction, first reading, 50  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, do pass, 129  
Engrossed, 920, 1116  
Second reading, 155, 920  
Passed, 155, 920  
To House, 164  
House amendments, 912  
Returned to Senate, amended, 912  
Senate concurs, 920  
Enrolled, 1116  
Signed by President, 1149  
Sent to House, 1149  
Received from House, 1152  
Message to Governor, 1155  
Approved by Governor, 1261

**Senate Bill No. 2140 — (J. Schultz)**

**Senate Bill No. 2140.** A Bill for an Act to amend and reenact subsection 2 of section 57-39.2-10 of the North Dakota Century Code, relating to required sales tax records and providing for the removal of the good faith requirement whenever a retailer accepts a resale certificate.

Introduction, first reading, 50  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 66  
Second reading, 80  
Passed, 80

To House, 95  
 Returned to Senate, 811  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2141 — (Lips)**

**Senate Bill No. 2141.** A Bill for an Act to amend and reenact section 40-22-37 of the North Dakota Century Code, relating to investment of retainage on municipal construction contract payments.

Introduction, first reading, 50  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 144  
 Second reading, 168  
 Passed, 168  
 To House, 181  
 Returned to Senate, 787  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2142 — (Committee on Transportation)**

**Senate Bill No. 2142.** A Bill for an Act to amend and reenact subsection 42 of section 24-01-01.1, sections 24-01-01.2, 24-01-02, 24-01-05 and 24-02-08 of the North Dakota Century Code, relating to the definition, mileage, and designation of the state and county road systems and the coordination of systems.

Introduction, first reading, 50  
 Referred to Committee on Transportation  
 Reported back, amended, 160  
 Amendments adopted, 174  
 Engrossed, 183  
 Second reading, 193  
 Passed, 193  
 To House, 202  
 Returned to Senate, 912  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2143 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2143.** A Bill for an Act to amend and reenact section 65-01-11 of the North Dakota Century Code, relating to burden of proof in compensation matters, and official death certificates; to amend and reenact section 65-02-08 of the North Dakota Century Code, relating to the rule-making power of the workmen's compensation bureau; to amend

and reenact section 65-02-11 of the North Dakota Century Code, relating to rules of evidence, investigations, and examination of witnesses, and the cost of expert witnesses; to amend and reenact section 65-02-12 of the North Dakota Century Code, relating to hearings by one member of the workmen's compensation bureau and approval by majority of the bureau; to amend and reenact section 65-04-22 of the North Dakota Century Code, relating to time when premium is in default; to amend and reenact section 65-04-23 of the North Dakota Century Code, relating to penalties for default in premium; to amend and reenact section 65-04-24 of the North Dakota Century Code, relating to collection of premium; to amend and reenact section 65-04-25 of the North Dakota Century Code, relating to collection of premium from a nonresident employer; to amend and reenact section 65-04-31 of the North Dakota Century Code, relating to the investment of the fund; to amend and reenact section 65-05-12 of the North Dakota Century Code, relating to permanent partial disability; to amend and reenact section 65-05-14 of the North Dakota Century Code, relating to compensation paid for the loss of use of a member; to amend and reenact section 65-09-02 of the North Dakota Century Code, relating to application for compensation, hearing, and time for filing; and to amend and reenact section 65-09-03 of the North Dakota Century Code, relating to awards, notice to interested parties, and judgment.

Introduction, first reading, 50  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 585  
 Engrossed, 655, 1459  
 Re-engrossed, 1303  
 Second reading, 655, 1304  
 Amended from floor, 655  
 Passed, 656, 1304  
 To House, 721, 1318  
 House amendments, 1146  
 Returned to Senate, amended, 1145  
 Conference Committee, 1205, 1239  
 Conference Committee report, 1303  
 Senate adopts, 1303  
 House adopts, 1352  
 Senate does not concur, 1205  
 Enrolled, 1459  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2144 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2144.** A Bill for an Act to amend and reenact section 65-12-02 of the North Dakota Century Code, relating to qualifications of the chief boiler inspector and deputy inspectors; to amend and reenact section 65-12-06 of the North Dakota Century Code, relating to certificates of inspection; to amend and reenact section 65-12-08 of the North Dakota Century Code, relating to rules and regulations regarding the installation, use, operation, and inspection of boilers and the penalty for violation; to amend and reenact section 65-12-11 of the North Dakota Century Code, relating to inspection fees; and to amend and reenact section 65-12-12 of the North Dakota Century Code, relating to disposition of funds.

Introduction, first reading, 51  
 Referred to Committee on Industry, Business & Labor

Reported back, do pass, 144  
 Second reading, 175  
 Passed, 176  
 To House, 195  
 Returned to Senate, 1095  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2145 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2145.** A Bill for an Act to provide for the health and welfare by ensuring workmen's compensation claimants services necessary to assist the claimant and the claimant's family in the adjustments required by the injury to the end that the claimant may receive comprehensive rehabilitation services; to amend and reenact sections 65-05-07 and 65-05-28 of the North Dakota Century Code, relating to services and articles furnished for rehabilitation and failure to cooperate; and to repeal section 65-02-14 of the North Dakota Century Code, relating to allowance during rehabilitation.

Introduction, first reading, 51  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 129  
 Amendments adopted, 176  
 Engrossed, 176  
 Second reading, 156, 176  
 Re-engrossed, 176  
 Amended from floor, 176  
 Passed, 177  
 To House, 195  
 Returned to Senate, 1112  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2146 — (H. Christensen)**

**Senate Bill No. 2146.** A Bill for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 and section 39-08-20 of the North Dakota Century Code, relating to point deduction for the offense of driving a motor vehicle without liability insurance and to driving a motor vehicle without liability insurance.

Introduction, first reading, 51  
 Referred to Committee on Transportation  
 Reported back, amended, 233  
 Amendments adopted, 263  
 Engrossed, 275  
 Second reading, 284  
 Passed, 284  
 To House, 306  
 Returned to Senate, 1145  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447

Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2147 — (Stroup)**

**Senate Bill No. 2147.** A Bill for an Act to create and enact chapter 38-12.1 of the North Dakota Century Code, relating to filing basic exploration data with the state geologist; providing for injunctive relief; and providing a penalty.

Introduction, first reading, 51  
 Referred to Committee on Agriculture  
 Reported back, amended, 288-289  
 Amendments adopted, 315  
 Engrossed, 329  
 Second reading, 338  
 Passed, 339  
 To House, 360  
 Returned to Senate, 912  
 Enrolled, 1117  
 Signed by President, 1150  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2148 — (Committee on Natural Resources)**

**Senate Bill No. 2148.** A Bill for an Act to provide for a declaration of policy and purpose, relating to boating safety and uniformity of boating laws, a boating safety program, the termination of unsafe use of vessels, and the display of labels evidencing compliance with state or federal regulations; to create and enact five new subsections to section 20.1-01-02 and a new subsection to section 20.1-13-03 of the North Dakota Century Code, relating to definitions and numbering and licensing of motorboats; to amend and reenact section 20.1-13-02, subsection 1 of section 20.1-13-03, subsection 9 of section 20.1-13-03, and section 20.1-13-08 of the North Dakota Century Code, relating to the operation of unnumbered and unlicensed motorboats, numbering and licensing of motorboats, reporting of theft and recovery of motorboats, filing of descriptions of collisions or accidents, and liability of persons involved in collisions or accidents; and to repeal subsection 1, subsection 2 and subsection 3 of section 20.1-13-05 of the North Dakota Century Code, relating to boat safety equipment.

Introduction, first reading, 51  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 276  
 Second reading, 299  
 Passed, 300  
 To House, 327  
 Returned to Senate, 936  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1262

**Senate Bill No. 2149** — (Committee on State & Federal Government)

**Senate Bill No. 2149.** A Bill for an Act to amend and reenact section 15-01-02.1 of the North Dakota Century Code, relating to setting and establishing fees by the board of university and school lands and the collection thereof.

Introduction, first reading, 52  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 169  
 Second reading, 193  
 Passed, 193  
 To House, 202  
 Returned to Senate, 811  
 Enrolled, 985  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2150** — (Committee on Natural Resources)

**Senate Bill No. 2150.** A Bill for an Act to amend and reenact sections 15-05-01 and 15-05-04 of the North Dakota Century Code, relating to leasing coal lands or coal in tracts under the control of the board of university and school lands for coal mining purposes and pasturage and meadow purposes; and to repeal sections 15-05-02 and 15-05-03, relating to rental for coal lands and regulations governing and the provision that the lease for coal mining purposes is not to interfere with the right to lease for pasture.

Introduction, first reading, 52  
 Referred to Committee on Agriculture  
 Reported back, do pass, 537  
 Engrossed, 1269, 1460  
 Second reading, 599, 1269  
 Passed, 599, 1269  
 To House, 663  
 House amendments, 1235  
 Returned to Senate, amended, 1230  
 Senate concurs, 1269  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1462  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2151** — (Committee on State & Federal Government)

**Senate Bill No. 2151.** A Bill for an Act to amend and reenact section 26-01-04 of the North Dakota Century Code, relating to fees chargeable by the commissioner of insurance.

Introduction, first reading, 52  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 160  
 Reported back, amended, 276-278  
 Re-referred to Committee on State & Federal Government, 187  
 Amendments adopted, 292, 321  
 Engrossed, 309  
 Re-engrossed, 321



Second reading, 177, 321  
 Amended from floor, 321  
 Passed, 321  
 Lost, 177  
 Reconsidered, 187  
 To House, 342  
 Returned to Senate, 811  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2152 — (Committee on State & Federal Government)**

**Senate Bill No. 2152.** A Bill for an Act to provide for authority for the board of university and school lands to invest permanent funds of the common schools in the construction of an office building; to establish the location of the office building; to provide a grant of land; to provide for the advertising and letting of construction bids; to provide for the rental of space to state agencies; to provide for a method of amortizing the capitol investment; and to provide for incidental authority in the board of university and school lands necessary to accomplish the purpose of this Act.

Introduction, first reading, 52  
 Referred to Committee on State & Federal Government  
 Reported back without recommendation, 538  
 Second reading, 599  
 Lost, 601

**Senate Bill No. 2153 — (Committee on State & Federal Government)**

**Senate Bill No. 2153.** A Bill for an Act to amend and reenact sections 38-09-17, 38-09-18, and 38-11-02 of the North Dakota Century Code, relating to the bidding or offers of bonus for leases; terms of an oil and gas lease and the unit of operation and providing for a minimum delay rental of twenty-five cents per acre; the leasing of certain mineral rights in state lands and providing that rentals shall not be deducted from royalties.

Introduction, first reading, 52  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 184  
 Amendments adopted, 199-200  
 Engrossed, 205  
 Re-engrossed, 209  
 Second reading, 209  
 Amended from floor, 209  
 Passed, 210  
 To House, 231  
 Returned to Senate, 811  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2154 — (Committee on Natural Resources)**

**Senate Bill No. 2154.** A Bill for an Act to create and enact two new subsections to section 20.1-01-02 of the North Dakota Century Code, relating to definitions of agricultural operator and farmstead unit; and to amend and reenact section 20.1-03-11 and section 20.1-08-04 of the North Dakota Century Code, relating to issuance of special deer hunting permits and lottery issuance of big game licenses.

Introduction, first reading, 53  
 Referred to Committee on Natural Resources  
 Reported back, amended, 289  
 Amendments adopted, 315  
 Engrossed, 329  
 Second reading, 339  
 Passed, 339  
 To House, 360  
 Returned to Senate, indefinitely postponed, 1344

**Senate Bill No. 2155 — (Committee on Transportation)**

**Senate Bill No. 2155.** A Bill for an Act to amend and reenact section 39-12-11 of the North Dakota Century Code, relating to the impoundment of overweight vehicles.

Introduction, first reading, 53  
 Referred to Committee on Transportation  
 Reported back, do pass, 197  
 Second reading, 210  
 Passed, 210  
 To House, 231  
 Returned to Senate, 912  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1262

**Senate Bill No. 2156 — (Committee on Transportation)**

**Senate Bill No. 2156.** A Bill for an Act to require that easements specifically describe the rights acquired and the area covered and to prohibit the acquisition of an easement interest exclusively for the storage, use or maintenance of surface water within one hundred feet of a rural public highway.

Introduction, first reading, 53  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 480  
 Committee report for indefinite postment, 501 adopted

**Senate Bill No. 2157 — (Committee on Transportation)**

**Senate Bill No. 2157.** A Bill for an Act to amend and reenact subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to driver's licenses issued to operators.

Introduction, first reading, 53  
 Referred to Committee on Transportation  
 Reported back, amended, 383  
 Amendments adopted, 423  
 Engrossed, 435, 1460  
 Re-engrossed, 1216

Second reading, 449, 1216  
Passed, 449, 1216  
To House, 474  
House amendments, 1197  
Returned to Senate, amended, 1190  
Senate concurs, 1216  
Enrolled, 1460  
Signed by President, 1462  
Sent to House, 1463  
Received from House, 1466  
Message to Governor, 1475

**Senate Bill No. 2158 — (Lashkowitz)**

**Senate Bill No. 2158.** A Bill for an Act to amend and reenact section 16-17-06 of the North Dakota Century Code, relating to the number of votes required to elect a precinct committeeman.

Introduction, first reading, 53  
Referred to Committee on Judiciary  
Reported back, indefinitely postponed, 508  
Committee report for indefinite postponement, 554 adopted

**Senate Bill No. 2159 — (Lashkowitz)**

**Senate Bill No. 2159.** A Bill for an Act to amend and reenact section 48-02-19 of the North Dakota Century Code, relating to public buildings and facilities accessible to the physically handicapped.

Introduction, first reading, 53  
Referred to Committee on Political Subdivision  
Reported back, amended, 234, 438  
Amendments adopted, 263, 573  
Engrossed, 275  
Re-engrossed, 651  
Second reading, 284, 656  
Passed, 284, 656  
To House, 306, 721  
Returned to Senate, 987  
Senate requests return, 374  
Returned from House, 386  
Reconsidered, 386  
Re-referred to Committee on Appropriations, 386  
Enrolled, 1293  
Signed by President, 1318  
Sent to House, 1319  
Received from House, 1331  
Message to Governor, 1343  
Approved by Governor, 1433

**Senate Bill No. 2160 — (Lashkowitz)**

**Senate Bill No. 2160.** A Bill for an Act to amend and reenact section 15-10.1-04 of the North Dakota Century Code, relating to limitations on reciprocal agreements entered into by the board of higher education, and providing a statement of legislative intent.

Introduction, first reading, 53  
Referred to Committee on Education  
Reported back, do pass, 310  
Engrossed, 998, 1293

Second reading, 339, 999  
 Passed, 339, 999  
 To House, 360  
 House amendments, 988  
 Returned to Senate, amended, 987  
 Senate concurs, 998  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343

**Senate Bill No. 2161 — (Lashkowitz, Homuth)**

**Senate Bill No. 2161.** A Bill for an Act to provide that consideration be given to the number of potential voters and the time in the voting booth in determining the number of voting machines used in any precinct.

Introduction, first reading, 53  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 508  
 Committee report for indefinite postponement, 554 adopted

**Senate Bill No. 2162 — (Lashkowitz, Homuth)**

**Senate Bill No. 2162.** A Bill for an Act to amend and reenact section 16-01-02 of the North Dakota Century Code, relating to the opening and closing of polls at all primary, general, and special elections.

Introduction, first reading, 53  
 Referred to Committee on Judiciary  
 Reported back, amended, 508  
 Amendments adopted, 528  
 Engrossed, 571  
 Second reading, 601  
 Passed, 601  
 To House, 663  
 House amendments, 812  
 Returned to Senate, amended, 812  
 Conference Committee, 825, 887  
 Conference Committee report, 973, 1344  
 Senate adopts, 973  
 House adopts, 1344  
 Senate does not concur, 825  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2163 — (Lashkowitz, Homuth)**

**Senate Bill No. 2163.** A Bill for an Act to amend and reenact sections 16-01-16, 16-10-01, and 16-10-17 of the North Dakota Century Code, relating to election information distributed by the attorney general, qualifications of members of board of elections, and instructions by the state's attorney to members of boards of elections.

Introduction, first reading, 54  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 538  
 Committee report for indefinite postponement, 575 adopted

**Senate Bill No. 2164 — (Lashkowitz, Homuth, Schuster)**

**Senate Bill No. 2164.** A Bill for an Act to amend and reenact section 27-05-01 of the North Dakota Century Code to create two additional district judgeships; to assign one additional district judge to the first judicial district and the other to the fourth, fifth, and sixth judicial districts; and to provide for the appointment and chambers of such additional judges.

Introduction, first reading, 54  
Referred to Committee on Judiciary  
Reported back, indefinitely postponed, 585  
Committee report for indefinite postponement, 619 adopted

**Senate Bill No. 2165 — (Committee on Political Subdivision)**

**Senate Bill No. 2165.** A Bill for an Act to amend and reenact section 12-44-06 of the North Dakota Century Code, relating to the filing of jail rules in the Secretary of States office.

Introduction, first reading, 54  
Referred to Committee on Political Subdivision  
Reported back, do pass, 205  
Second reading, 255  
Passed, 255  
To House, 272  
Returned to Senate, 787  
Enrolled, 986  
Signed by President, 1014  
Sent to House, 1015  
Received from House, 1019  
Message to Governor, 1022  
Approved by Governor, 1077

**Senate Bill No. 2166 — (Committee on Natural Resources)**

**Senate Bill No. 2166.** A Bill for an Act to create and enact six new subsections to section 20.1-01-02 of the North Dakota Century Code, relating to definitions; to amend and reenact subsection 9 of section 20.1-01-02 and subsection 16 of section 20.1-02-05 of the North Dakota Century Code, relating to a definition, the power of the state game and fish commissioner to protect endangered species, and the creation of a penalty; and to repeal subsection 29 of section 20.1-01-02 of the North Dakota Century Code, relating to a definition.

Introduction, first reading, 54  
Referred to Committee on Natural Resources  
Reported back, do pass, 343  
Second reading, 373  
Passed, 373  
To House, 396  
Returned to Senate, 912 (failed to pass)

**Senate Bill No. 2167 — (Committee on judiciary)**

**Senate Bill No. 2167.** A Bill for an Act to create and enact a new section of chapter 10-24 of the North Dakota Century Code, relating to the right of nonprofit corporations to restate their articles of incorporation and amend and reenact section 10-28-01 of the North Dakota Century Code, relating to filing fees for nonprofit corporations.

Introduction, first reading, 54  
Referred to Committee on Judiciary

Reported back, do pass, 99  
 Engrossed, 1283, 1460  
 Second reading, 156, 1283  
 Passed 156, 1283  
 To House, 164  
 House amendments, 988  
 Returned to Senate, amended, 987  
 Conference Committee, 999, 1050  
 Conference Committee report, 1282  
 Senate adopts, 1282  
 House adopts, 1352  
 Senate does not concur, 999  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2168 — (Committee on Agriculture)**

**Senate Bill No. 2168.** A Bill for an Act to amend and reenact section 19-14-02 of the North Dakota Century Code, relating to registration of livestock medicine.

Introduction, first reading, 54  
 Referred to Committee on Agriculture  
 Reported back, do pass, 130  
 Second reading, 156  
 Passed, 156  
 To House, 165  
 Returned to Senate, 860  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2169 — (Committee on State & Federal Government)**

**Senate Bill No. 2169.** A Bill for an Act to amend and reenact section 19-16.1-03 of the North Dakota Century Code, relating to registration of antifreeze.

Introduction, first reading, 54  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 160  
 Second reading, 177  
 Passed, 177  
 To House, 195  
 Returned to Senate, 341  
 Enrolled, 813  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2170 — (Committee on Agriculture)**

**Senate Bill No. 2170.** A Bill for an Act to amend and reenact section 19-13.1-06 of the North Dakota Century Code, relating to registration of commercial feed products.

Introduction, first reading, 54  
 Referred to Committee on Agriculture  
 Reported back, do pass, 144  
 Second reading, 177  
 Passed, 177  
 To House, 195  
 Returned to Senate, 860  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2171 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2171.** A Bill for an Act to amend and reenact section 49-03-01 of the North Dakota Century Code, relating to certificates of public convenience and necessity.

Introduction, first reading, 54  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 184-185  
 Amendments adopted, 200  
 Engrossed, 205  
 Second reading, 210  
 Passed, 210  
 Bill reprinted, 211  
 To House, 231  
 Returned to Senate, indefinitely postponed, 887

**Senate Bill No. 2172 — (Committee on Transportation)**

**Senate Bill No. 2172.** A Bill for an Act to amend and reenact section 49-18-21 of the North Dakota Century Code, relating to substituting the word permit in reference to certificates.

Introduction, first reading, 55  
 Referred to Committee on Transportation  
 Reported back, amended, 197  
 Amendments adopted, 208  
 Engrossed, 223  
 Second reading, 255  
 Passed, 256  
 To House, 272  
 Returned to Senate, 987  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2173 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2173.** A Bill for an Act to create and enact chapter 51-05.1 of the North Dakota Century Code relating to auctioneers and auction

sales and the licensing of auctioneers and clerks, and providing for a penalty; and to repeal chapter 51-05 of the North Dakota Century Code.

Introduction, first reading, 55  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 185  
 Amendments adopted, 200  
 Engrossed, 205, 1460  
 Re-engrossed, 1304, 1416  
 Second reading, 211, 1304, 1416  
 Passed, 211, 1305, 1416  
 Clincher motion, 1416  
 To House, 231  
 House amendments, 988  
 Returned to Senate, amended, 987  
 Conference Committee, 999, 1050, 1404, 1415  
 Conference Committee report, 1304, 1415-1416  
 Senate adopts, 1304, 1416  
 House does not adopt, 1404  
 House adopts, 1426  
 Senate does not concur, 999  
 Enrolled, 1460  
 Sent to House, 1318, 1416  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2174 — (Homuth, Lashkowitz)**

**Senate Bill No. 2174.** A Bill for an Act to provide that in precincts using voting machines official ballots shall be available for use by electors who request such ballots.

Introduction, first reading, 55  
 Referred to Committee on judiciary  
 Reported back, indefinitely postponed, 508  
 Committee report for indefinite postponement, 555 adopted

**Senate Bill No. 2175 — (Melland)**

**Senate Bill No. 2175.** A Bill for an Act creating and enacting three new sections to chapter 54-35 of the North Dakota Century Code, relating to the powers and duties of the legislative council.

Introduction, first reading, 55  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 160  
 Second reading, 178, 1263  
 Passed, 178  
 Passed over Governor's veto, 1263  
 To House, 195, 1286  
 Returned to Senate, 860  
 Returned to Senate, House did not pass over Governor's veto, 1318  
 Enrolled, 1117  
 Signed by President, 1150  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Vetoed by Governor, 1184



Motion to override veto, 1184  
 Delivered to Secretary of State, 1367

**Senate Bill No. 2176 — (Committee on State & Federal Government)**

**Senate Bill No. 2176.** A Bill for an Act to amend and reenact section 26-01-01 of the North Dakota Century Code, relating to the term of office of the commissioner of insurance.

Introduction, first reading, 60  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 333  
 Second reading, 349  
 Passed, 349  
 To House, 377  
 Returned to Senate, 811  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2177 — (Committee on Transportation)**

**Senate Bill No. 2177.** A Bill for an Act to create and enact section 39-06-34.1 of the North Dakota Century Code, relating to re-examination by the court.

Introduction, first reading, 60  
 Referred to Committee on Transportation  
 Reported back, amended, 383  
 Amendments adopted, 404  
 Engrossed, 413  
 Second reading, 427  
 Passed, 427  
 To House, 455  
 House amendments, 912  
 Returned to Senate, amended, 912  
 Conference Committee, 920, 964  
 Conference Committee report, 1174, 1344  
 Senate adopts, 1175, 1344  
 Senate does not concur, 920  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1463  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2178 — (Committee on Agriculture)**

**Senate Bill No. 2178.** A Bill for an Act to create and enact section 15-01-02.2 of the North Dakota Century Code to provide for the classification or reclassification of all state land on a multiple use basis under the control of the board of university and school lands and to maintain records on such classification or reclassification; and to amend and reenact subsection 1 of section 15-01-02 of the North Dakota Century Code to provide a guiding rule and principle in the selection, appraisal, rental, sale, disposal and management of common school and institutional land controlled by the board of university and school lands.

Introduction, first reading, 60  
 Referred to Committee on Agriculture  
 Reported back, indefinitely postponed, 289  
 Committee report for indefinite postponement, 318 adopted

**Senate Bill No. 2179 — (Committee on State and Federal Government)**

**Senate Bill No. 2179.** A Bill for an Act to amend and reenact section 54-12-06 and 54-12-07 of the North Dakota Century Code, relating to assistant attorneys general and their salary.

Introduction, first reading, 61  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 333  
 Second reading, 349  
 Passed, 350  
 To House, 377  
 Returned to Senate, 811  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2180 — (Walsh)**

**Senate Bill No. 2180.** A Bill for an Act to create and enact a new subsection to section 39-24-09 of the North Dakota Century Code, relating to the rules for the operation of snowmobiles.

Introduction, first reading, 61  
 Referred to Committee on Transportation  
 Reported back, indefinite postponement, 459  
 Committee report for indefinite postponement, 482 adopted

**Senate Bill No. 2181 — (Iszler)**

**Senate Bill No. 2181.** A Bill for an Act to amend and reenact section 57-39.2-04.1 and 57-40.2-04.1 of the North Dakota Century Code, to provide for the exemption from the sales and use tax of food and food products consumed on the premises where sold.

Introduction, first reading, 67  
 Referred to Committee on Taxation  
 Reported back, indefinitely postponed, 225  
 Committee report for indefinite postponement, 252 adopted

**Senate Bill No. 2182 — (Hoffner, Ringsak)**

**Senate Bill No. 2182.** A Bill for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to the sheriff's mileage; and declaring an emergency.

Introduction, first reading, 67  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 278  
 Amendments adopted, 293  
 Engrossed, 309, 1460  
 Re-engrossed, 1170

Second reading, 321, 1170  
 Passed, 322, 1170  
 Emergency carried, 322  
 To House, 342  
 House amendments, 1146  
 Returned to Senate, amended, 1145  
 Senate concurs, 1170  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1466  
 Message to Governor, 1475

**Senate Bill No. 2183 — (Committee on State & Federal Government)**

**Senate Bill No. 2183.** A Bill for an Act to amend and reenact section 19-01-02, 21-10-01, and 39-03A-03 of the North Dakota Century Code, relating to the membership of the governor or his representative on certain boards and commissions.

Introduction, first reading, 67  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 99  
 Amendments adopted, 178  
 Second reading, 178, 179  
 Amended from floor, 178  
 Lost, 179

**Senate Bill No. 2184 — (Committee on Transportation)**

**Senate Bill No. 2184.** A Bill for an Act to create and enact section 39-06.1-14 of the North Dakota Century Code, relating to the failure to surrender licenses; to amend and reenact subsection 5 of section 39-06.1-10, sections 39-06-35, 39-06.1-11, and 39-06-37 of the North Dakota Century Code, relating to the suspension, revocation, and cancellation of driver's licenses and permits, temporary restricted licenses, the period of suspension, and the surrender and return of license or permit; and declaring an emergency.

Introduction, first reading, 67  
 Referred to Committee on Transportation  
 Reported back, do pass, 206, 289  
 Referred to Committee on Transportation, 268  
 Engrossed, 268, 275  
 Second reading, 256, 268, 322  
 Amended from floor, 268  
 Passed, 322  
 Emergency carried, 322  
 To House, 342  
 Returned to Senate, 912  
 Enrolled, 941  
 Signed by President, 961  
 Sent to House, 961  
 Received from House, 962  
 Message to Governor, 962  
 Approved by Governor, 967

**Senate Bill No. 2185 — (Committee on Appropriations)**

**Senate Bill No. 2185.** A Bill for an Act to repeal section 24-02-39 of the North Dakota Century Code, relating to building limitation by the Highway Department.

Introduction, first reading, 67  
 Referred to Committee on Appropriations  
 Reported back, do pass, 185  
 Second reading, 203  
 Passed, 203  
 To House, 231  
 Returned to Senate, 860  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2186 — (Committee on Judiciary)**

**Senate Bill No. 2186.** A Bill for an Act to amend and reenact section 12-61-03 of the North Dakota Century Code, relating to the powers and duties of the North Dakota Combined Law Enforcement Council.

Introduction, first reading, 68  
 Referred to Committee on Judiciary  
 Reported back, amended, 225  
 Referred to Committee on Appropriations, 235  
 Placed on Calendar without recommendation, 399  
 Amendments adopted, 235  
 Engrossed, 261  
 Second reading, 427  
 Passed, 428  
 To House, 455  
 Returned to Senate, 1112  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2187 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2187.** A Bill for an Act to create and enact two new sections to chapter 43-18 of the North Dakota Century Code, relating to injunctions and reciprocity regarding plumbers; and to amend and reenact sections 43-18-01, 43-18-02, 43-18-03, 43-18-04, 43-18-05, 43-18-08(3), 43-18-10, 43-18-11, 43-18-13, 43-18-15, 43-18-16, 43-18-17, 43-18-21, 43-18-23, and 43-18-24 of the North Dakota Century Code, relating to the plumbing board.

Introduction, first reading, 68  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 458-459  
 Amendments adopted, 478  
 Amendments reconsidered, 657  
 Engrossed, 661  
 Second reading, 657, 662  
 Amended from floor, 657-661  
 Passed, 662  
 To House, 721

Returned to Senate, 1095  
Enrolled, 1446  
Signed by President, 1446  
Sent to House, 1447  
Received from House, 1458  
Message to Governor, 1458

**Senate Bill No. 2188 — (Committee on Appropriations)**

**Senate Bill No. 2188.** A Bill for an Act to establish a minimum fixed asset reporting value for financial statement purposes.

Introduction, first reading, 68  
Referred to Committee on State & Federal Government  
Reported back, do pass, 160  
Second reading, 179  
Passed, 179  
To House, 195  
Returned to Senate, 341  
Enrolled, 813  
Signed by President, 813  
Sent to House, 813  
Received from House, 814  
Message to Governor, 814  
Approved by Governor, 833

**Senate Bill No. 2189 — (Committee on Transportation)**

**Senate Bill No. 2189.** A Bill for an Act to amend and reenact subdivision a of subsection 1 of section 39-21-42 of the North Dakota Century Code, relating to types of warning devices carried in motor vehicles.

Introduction, first reading, 68  
Referred to Committee on Transportation  
Reported back, do pass, 197  
Second reading, 212  
Passed, 212  
To House, 231  
Returned to Senate, 912  
Enrolled, 1116  
Signed by President, 1149  
Sent to House, 1149  
Received from House, 1152  
Message to Governor, 1155  
Approved by Governor, 1261

**Senate Bill No. 2190 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2190.** A Bill for an Act to amend and reenact section 40-57-10 of the North Dakota Century Code, relating to the sale of revenue bonds.

Introduction, first reading, 68  
Referred to Committee on Industry, Business & Labor  
Reported back, indefinitely postponed, 225  
Committee report for indefinite postponement, 252 adopted

**Senate Bill No. 2191 — (Nothing)**

**Senate Bill No. 2191.** A Bill for an Act to amend and reenact section 54-21-06 of the North Dakota Century Code, relating to the appointment of the director of institutions.

Introduction, first reading, 68  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 130  
 Second reading, 179  
 Passed, 180  
 To House, 195  
 Returned to Senate, 341  
 Enrolled, 813  
 Signed by President, 813  
 Sent to House, 813  
 Received from House, 814  
 Message to Governor, 814  
 Approved by Governor, 833

**Senate Bill No. 2192 — (Committee on State & Federal Government)**

**Senate Bill No. 2192.** A Bill for an Act to amend and reenact section 50-06-04 of the North Dakota Century Code, relating to the compensation paid to the members of the social service board.

Introduction, first reading, 68  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 169  
 Amendments adopted, 187  
 Engrossed, 197  
 Second reading, 213  
 Passed, 213  
 To House, 231  
 Returned to Senate, 860  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1152  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2193 — (Committee on Judiciary)**

**Senate Bill No. 2193.** A Bill for an Act to repeal sections 46-05-08 of the North Dakota Century Code, relating to property notices.

Introduction, first reading, 68  
 Referred to Committee on Judiciary  
 Reported back, amended, 310-1311  
 Amendments adopted, 335, 350  
 Engrossed, 350, 1460  
 Re-engrossed, 1283  
 Second reading, 350, 1283  
 Amended from floor, 350  
 Passed, 350, 1284  
 To House, 377  
 House amendments, 1197  
 Returned to Senate, amended, 1190  
 Conference Committee, 1205, 1239  
 Conference Committee report, 1283  
 Senate adopts, 1283  
 House adopts, 1352  
 Senate does not concur, 1205  
 Reconsidered, 350  
 Enrolled, 1460  
 Signed by President, 1462

Sent to House, 1464  
Received from House, 1466  
Message to Governor, 1475

**Senate Bill No. 2194 — (Committee on State & Federal Government)**

**Senate Bill No. 2194.** 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.

Introduction, first reading, 68  
Referred to Committee on State & Federal Government  
Reported back, do pass, 225  
Second reading, 256  
Lost, 256

**Senate Bill No. 2195 — (Committee on Agriculture)**

**Senate Bill No. 2195.** A Bill for an Act to amend and reenact section 60-02-17 of the 1973 Supplement to the North Dakota Century Code, relating to storage, receiving, and redelivery charges for grain, and declaring an emergency.

Introduction, first reading, 68  
Referred to Committee on Agriculture  
Amendments adopted, 437  
Engrossed, 457  
Second reading, 472  
Passed, 473  
Emergency carried, 473  
To House, 496  
House amendments, 937  
Returned to Senate, amended, 936  
Conference Committee, 951, 1017  
Conference Committee report, 1175, 1344  
Senate adopts, 1175, 1344  
Senate does not concur, 951  
Enrolled, 1460  
Signed by President, 1462  
Sent to House, 1464  
Received from House, 1467  
Message to Governor, 1475

**Senate Bill No. 2196 — (Committee on Transportation)**

**Senate Bill No. 2196.** A Bill for an Act to amend and reenact section 49-18-26 of the 1973 Supplement to the North Dakota Century Code, relative to certificates or permits.

Introduction, first reading, 69  
Reported back, do pass, 197  
Second reading, 213  
Passed, 213  
To House, 231  
Returned to Senate, 811  
Enrolled, 986  
Signed by President, 1014  
Sent to House, 1015  
Received from House, 1019  
Message to Governor, 1022  
Approved by Governor, 1077

**Senate Bill No. 2197 — (Wenstrom)**

**Senate Bill No. 2197.** A Bill for an Act to create and enact a new section to chapter 15-39.2, and to amend and reenact section 15-39.2-01 of the North Dakota Century Code, relating to the membership of college teachers in the teachers' fund for retirement, and declaring an emergency.

Introduction, first reading, 74  
 Referred to Committee on Education  
 Reported back, do pass, 311  
 Engrossed, 999, 2193  
 Second reading, 373, 1000  
 Passed, 373, 1000  
 Emergency carried, 1000  
 To House, 396  
 House amendments, 988-989  
 Returned to Senate, amended, 987  
 Senate concurs, 999  
 Enrolled, 2193  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2198 — (Committee on Natural Resources)**

**Senate Bill No. 2198.** A Bill for an Act to provide for scenic easements upon lands adjacent to and within two hundred yards of any state park, state recreation area, state campground, or state reserve.

Introduction, first reading, 74  
 Referred to Committee on Natural Resources  
 Reported back, indefinitely postponed, 344  
 Committee report for indefinite postponement, 367 adopted

**Senate Bill No. 2199 — (J. Schultz, Lee)**

**Senate Bill No. 2199.** A Bill for an Act to amend and reenact section 36-21.1-06 of the North Dakota Century Code, relating to care of abused animals and providing notice and hearing prior to sale of such animals to discharge a lien for their care.

Introduction, first reading, 75  
 Referred to Committee on Judiciary  
 Returned to Senate, 164  
 Reported back, amended, 419  
 Referred to Committee on Agriculture, 164  
 Amendments adopted, 437  
 Engrossed, 457  
 Second reading, 473  
 Passed, 473  
 To House, 496  
 Returned to Senate, indefinitely postponed, 1147

**Senate Bill No. 2200 — (Stroup)**

**Senate Bill No. 2200.** A Bill for an Act to provide for the allocation of moneys deposited in the coal development fund to impacted school districts, counties, cities, and state agencies; to provide for the creation



of a coal development impact office in the office of the governor; to provide for a legislative council coal development review committee to approve or disapprove impact grants; and providing an appropriation.

Introduction, first reading, 75  
 Referred to Committee on Finance and Taxation  
 Reported back, indefinitely postponed, 538  
 Committee report for indefinite postponement, 638 adopted

**Senate Bill No. 2201 — (Barth)**

**Senate Bill No. 2201.** A Bill for an Act to amend and reenact subsection 4 of section 20.1-03-04 of the North Dakota Century Code, relating to exemptions from fishing license requirements.

Introduction, first reading, 75  
 Referred to Committee on Natural Resources  
 Reported back, amended, 278  
 Amendments adopted, 293  
 Engrossed, 309  
 Re-engrossed, 323  
 Second reading, 322  
 Amended from floor, 323  
 Passed, 323  
 To House, 342  
 Returned to Senate, 787  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2202 — (Lashkowitz)**

**Senate Bill No. 2202.** A Bill for an Act to amend and reenact section 20.1-03-26 of the North Dakota Century Code, relating to nonresident taking and transporting of game birds.

Introduction, first reading, 75  
 Referred to Committee on Natural Resources  
 Withdrawn, 379  
 Reported back, indefinitely postponed, 365

**Senate Bill No. 2203 — (Lashkowitz)**

**Senate Bill No. 2203.** A Bill for an Act to require a majority vote for election to congress from the state and to provide for a special runoff election where a majority vote is not received by one candidate.

Introduction, first reading, 75  
 Referred to Committee on Judiciary  
 Returned to Senate and withdrawn, 180

**Senate Bill No. 2204 — (Tweten, Longmire, Strand, L. Christensen)**

**Senate Bill No. 2204.** A Bill for an Act to amend and reenact Section 15-47-38 of the North Dakota Century Code, providing for expansion of rights for teachers in connection with discharge or failure to renew a teacher's contract.

Introduction, first reading, 75

Referred to Committee on Education  
 Reported back, amended, 585-586  
 Amendments adopted, 616  
 Engrossed, 669, 1460  
 Re-engrossed, 1286  
 Second reading, 680, 1286  
 Passed, 680, 1287  
 Clincher motion, 680  
 To House, 721  
 House amendments, 1259  
 Returned to Senate, amended, 1259  
 Senate concurs, 1286  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2205 — (J. Schultz)**

**Senate Bill No. 2205.** A Bill for an Act to authorize school boards to provide transportation services at cost to pupils whose parents or guardians petition for such services.

Introduction, first reading, 75  
 Referred to Committee on Education  
 Returned to Senate & withdrawn, 280

**Senate Bill No. 2206 — (Schuster, Lashkowitz)**

**Senate Bill No. 2206.** A Bill for an Act to provide an appropriation for the payment of additional compensation to North Dakota state employees, and declaring an emergency.

Introduction, first reading, 85  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 225  
 Committee report for indefinite postponement, 252 adopted

**Senate Bill No. 2207 — (Committee on Agriculture)**

**Senate Bill No. 2207.** A Bill for an Act to create and enact sections 4-33-09, 4-33-10, and 4-33-11 of the North Dakota Century Code, relating to compensation for not planting host crops, to authorize political subdivisions to adopt and enforce regulations and to finance local pest control programs; to amend and reenact subsection 2 of section 4-33-01 of the North Dakota Century Code relating to definition of a "pest"; and to repeal chapter 4-31 of the North Dakota Century Code, relating to grasshopper control.

Introduction, first reading, 85  
 Referred to Committee on Agriculture  
 Reported back, do pass, 198  
 Engrossed, 1122, 1445  
 Second reading, 213, 1122  
 Passed, 214, 1122  
 To House, 231  
 House amendments, 1114  
 Returned to Senate, amended, 1113

Senate concurs, 1122  
 Enrolled, 1445  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2208 — (Committee on Transportation)**

**Senate Bill No. 2208.** A Bill for an Act to amend and reenact subsection 2 of section 39-12-05.1 of the North Dakota Century Code, relating to weight limitations for vehicles on designated highways; and declaring an emergency.

Introduction, first reading, 85  
 Referred to Committee on Transportation  
 Reported back, do pass, 234  
 Engrossed, 872, 941  
 Second reading, 269, 872  
 Passed, 269, 872  
 Emergency carried, 269  
 To House, 286  
 House amendments, 862  
 Returned to Senate, 787  
 Returned to Senate, amended, 861  
 House requests return, 812  
 Returned, 835  
 Senate concurs, 872  
 Enrolled, 941  
 Signed by President, 961  
 Sent to House, 961  
 Received from House, 962  
 Message to Governor, 962  
 Approved by Governor, 967

**Senate Bill No. 2209 — (Committee on Agriculture)**

**Senate Bill No. 2209.** A Bill for an Act to amend and reenact section 4-21.1-13 and 4-21.1-14 of the North Dakota Century Code, relating to filing of nonresident nursery certificates and exemptions of nursery stock.

Introduction, first reading, 85  
 Referred to Committee on Agriculture  
 Reported back, do pass, 198  
 Second reading, 214  
 Passed, 214  
 To House, 231  
 Returned to Senate, 861  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2210 — (Committee on Natural Resources)**

**Senate Bill No. 2210.** A Bill for an Act relating to designation of a big horn sheep hunting season, providing that recipients of a big horn sheep hunting license shall not be eligible to apply for another such license and providing that the provisions of this Act shall be temporary.

Introduction, first reading, 86  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 206  
 Engrossed, 972, 1117  
 Second reading, 257, 972  
 Passed, 257, 972  
 To House, 272  
 House amendments, 937  
 Returned to Senate, amended, 936  
 Senate concurs, 971  
 Enrolled, 1117  
 Signed by President, 1150  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2211 — (Committee on State & Federal Government)**

**Senate Bill No. 2211.** A Bill for an Act to amend and reenact section 10-15-54, section 10-23-04, section 10-23-05, section 10-23-06, section 10-28-01, section 10-28-02, subsection 2 of section 45-10-02, and subsection 1 of section 54-09-04 of the North Dakota Century Code, relating to filing fees for various documents and increasing such fees.

Introduction, first reading, 86  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 198  
 Second reading, 214  
 Passed, 214  
 To House, 231  
 Returned to Senate, 811  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2212 — (Committee on Appropriations)**

**Senate Bill No. 2212.** A Bill for an Act to provide for an actuarial study of the teachers' fund for retirement and to provide an appropriation for unfunded liability of the fund.

Introduction, first reading, 86  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 419  
 Committee report for indefinite postponement, 445 adopted

**Senate Bill No. 2213 — (Committee on Agriculture)**

**Senate Bill No. 2213.** A Bill for an Act to amend and reenact sections 4-09-03, 4-09-05, and 4-09-07 of the North Dakota Century Code, relating to the state seed commission and the appointment of state seed commissioner.

Introduction, first reading, 86  
 Referred to Committee on Agriculture  
 Reported back, amended, 311

Amendments adopted, 335  
 Engrossed, 343  
 Second reading, 351  
 Passed, 351  
 To House, 377  
 Returned to Senate, 861  
 Enrolled, 1117  
 Signed by President, 1151  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2214 — (Freed)**

**Senate Bill No. 2214.** A Bill for an Act to amend and reenact section 57-51-02 and subsection 1 of section 57-51-15 of the North Dakota Century Code, relating to the rate and distribution of the oil and gas gross production tax.

Introduction, first reading, 86  
 Referred to Committee on Finance & Taxation  
 Returned to Senate, 235  
 Withdrawn, 236

**Senate Bill No. 2215 — (Committee on State & Federal Government)**

**Senate Bill No. 2215.** A Bill for an Act to amend and reenact sections 54-03-20.2 and 54-03-20.3 of the North Dakota Century Code, relating to a legislative standards commission, setting forth its powers and duties; and providing an effective date.

Introduction, first reading, 86  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 198  
 Committee report for indefinite postponement, 209 adopted

**Senate Bill No. 2216 — Committee on Finance & Taxation**

**Senate Bill No. 2216.** A Bill for an act to amend and reenact a subsection 6 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions.

Introduction, first reading, 86  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 160  
 Engrossed, 1000, 1293  
 Second reading, 180, 1000  
 Passed, 180, 1000  
 To House, 195  
 House amendments, 989  
 Returned to Senate, amended, 987  
 Senate concurs, 1000  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1318  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2217 — (Nothing)**

**Senate Bill No. 2217.** A Bill for an Act to amend and reenact section 40-05-06 of the North Dakota Century Code, relating to the penalty which a city may impose for a violation of its ordinances relating to vandalism or shoplifting.

Introduction, first reading, 101  
 Referred to Committee on Judiciary  
 Reported back, amended, 170  
 Amendments adopted, 187  
 Engrossed, 197  
 Second reading, 214  
 Passed, 215  
 To House, 231  
 Returned to Senate 811  
 Enrolled 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2218 — (Nothing)**

**Senate Bill No. 2218.** A Bill for an Act to prohibit the publication of the name of a child convicted of a delinquent act, and requiring the juvenile court to order publication of the name of a child upon the child's second conviction for criminal mischief or theft of property.

Introduction, first reading, 101  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 170  
 Committee report for indefinite postponement, 188 adopted

**Senate Bill No. 2219 — (Nothing)**

**Senate Bill No. 2219.** A Bill for an Act to amend and reenact section 32-03-39 of the North Dakota Century Code, to increase the liability of a parent of a minor who maliciously or willfully destroys property of another.

Introduction, first reading, 101  
 Referred to Committee on Judiciary  
 Reported back, do pass, 170  
 Second reading, 194  
 Passed, 194  
 To House, 202  
 Returned to Senate, 836  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2220 — (Nothing)**

**Senate Bill No. 2220.** A Bill for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota, requiring mandatory sentences for persons convicted of criminal mischief.

Introduction, first reading, 101  
 Referred to Committee on Judiciary  
 Reported back, do pass, 344  
 Second reading, 373  
 Passed, 374  
 To House, 396  
 Returned to Senate, 836  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2221 — (Nothing)**

**Senate Bill No. 2221.** A Bill for an Act relating to the appointment of auxiliary peace officers.

Introduction, first reading, 101  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 311  
 Committee report for indefinite postponement, 336 adopted

**Senate Bill No. 2222 — (Hoffner, Nothing)**

**Senate Bill No. 2222.** A Bill for an Act to require health insurance coverage for persons suffering from mental illness, alcoholism, and drug addiction.

Introduction, first reading, 101  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 440, 586  
 Re-referred to Committee on Industry, Business & Labor, 486  
 Amendments adopted, 465, 616  
 Engrossed, 477  
 Re-engrossed, 670  
 Second reading, 680  
 Passed, 681  
 Clincher motion, 681  
 To House, 721  
 Returned to Senate, failed to pass, 1259

**Senate Bill No. 2223 — (Jones)**

**Senate Bill No. 2223.** A Bill for an Act to provide for income averaging for state income tax purposes; and to provide an effective date.

Introduction, first reading, 102  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 225  
 Amendments adopted, 235  
 Engrossed, 261  
 Second reading, 270  
 Passed, 270  
 To House, 286  
 Returned to Senate, 1095  
 Enrolled, 1365  
 Signed by President, 1365  
 Sent to House, 1366  
 Received from House, 1381

Message to Governor, 1394  
 Approved by Governor, 1433

**Senate Bill No. 2224 — (Jones)**

**Senate Bill No. 2224.** A Bill for an Act to create and enact two new sections to chapter 23-13 of the North Dakota Century Code, to require a handrail in certain public toilets, and to provide certain other facilities for physically handicapped persons in public toilets in buildings or facilities constructed or remodeled after the effective date of the bill.

Introduction, first reading, 102  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 508  
 Reported back, indefinitely postponed, 399  
 Re-referred to Committee on State & Federal Government, 423  
 Amendments adopted, 528  
 Engrossed, 571, 1460  
 Re-engrossed, 1267  
 Second reading, 601, 1267  
 Passed, 602, 1267  
 To House, 663, 1286  
 House amendments, 1114  
 Returned to Senate, amended, 1113  
 Conference Committee, 1116, 1150  
 Conference Committee report, 1266-1267, 1344  
 Senate adopts, 1267, 1344  
 Senate does not concur, 1116  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2225 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2225.** A Bill for an Act to create and enact a new section to the North Dakota Century Code relating to the increase of base premium; and to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to payment and determination of premium and mailing of certificates.

Introduction, first reading, 102  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 586  
 Committee report for indefinite postponement, 640 adopted

**Senate Bill No. 2226 — (Committee on Finance & Taxation)**

**Senate Bill No. 2226.** A Bill for an Act to amend and reenact subsection 4 of section 57-37-11 of the North Dakota Century Code, relating to the determination of the net estate and providing that debts must be paid to be deducted from the gross estate.

Introduction, first reading, 102  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 185  
 Second reading, 215  
 Passed, 215  
 To House, 231  
 Returned to Senate indefinitely postponed, 1050



**Senate Bill No. 2227 — (Committee on Social Welfare)**

**Senate Bill No. 2227.** A Bill for an Act to create and enact two new subsections of section 61-28-02, two new subsections of section 61-28-04 and one new subsection of section 61-28-06 of the North Dakota Century Code, relating to definitions, powers and duties of the state department of health and prohibitions; amending and reenacting subsections 1 and 2 of section 61-28-02, relating to definitions, and subsections 12 and 16 of section 61-28-04 of the North Dakota Century Code, relating to powers and duties of the state department of health.

Introduction, first reading, 102  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 206  
 Second reading, 257  
 Passed, 258  
 To House, 272  
 Returned to Senate, 861  
 Enrolled, 1117  
 Signed by President, 1151  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2228 — (Committee on Finance & Taxation)**

**Senate Bill No. 2228.** A Bill for an Act to amend and reenact subsection 2 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption for transportation services.

Introduction, first reading, 102  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 185  
 Second reading, 215, 258  
 Passed, 258  
 To House, 272  
 Returned to Senate, 811  
 Enrolled, 986  
 Signed by President, 1014  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2229 — (Committee on Finance & Taxation)**

**Senate Bill No. 2229.** A Bill for an Act to amend and reenact section 43-07-11 of the North Dakota Century Code, relating to bond requirements for contractors.

Introduction, first reading, 102  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 185  
 Second reading, 215  
 Passed, 215  
 To House, 232  
 Returned to Senate, 861  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149

Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2230 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2230.** A Bill for an Act to amend and reenact section 43-11-17 of the North Dakota Century Code, relating to the certificates of registration issued to schools of hairdressing, cosmetology and shops, and the fee for annual registration.

Introduction, first reading, 102  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 226  
 Second reading, 258  
 Passed, 259  
 To House, 272  
 Returned to Senate, 1095  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2231 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2231.** A Bill for an Act to amend and reenact section 52-04-11 of the North Dakota Century Code, relating to interest and penalties for failure to pay contributions and file reports for unemployment compensation.

Introduction, first reading, 103  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 586  
 Amendments adopted, 616  
 Engrossed, 669, 1460  
 Re-engrossed, 1284  
 Second reading, 681, 1284  
 Passed, 681, 1285  
 Clincher motion, 681  
 To House, 721  
 House amendments, 1146-1147  
 Returned to Senate, amended, 1145  
 Conference Committee, 1206, 1239  
 Conference Committee report, 1284  
 Senate adopts, 1284  
 House adopts, 1352  
 Senate does not concur, 1206  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2232 — (Committee on State & Federal Government)**

**Senate Bill No. 2232.** A Bill for an Act to amend and reenact sections 36-06-05, 36-06-06, 64-02-05, 64-02-06, 64-02-07, 64-02-08, 64-02-09, 64-02-10, 64-02-13, 64-02-14, 64-02-15, and 64-02-20 of the North Dakota Century Code, relating to changing chief inspector to director of weights and

measures; and to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to the fee schedule for inspection of weighing and measuring devices.

Introduction, first reading, 103  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 198  
 Engrossed, 1001, 1445  
 Second reading, 216, 1001  
 Passed, 216, 1001  
 To House, 232  
 House amendments, 989  
 Returned to Senate, amended, 987  
 Senate concurs, 1001  
 Enrolled, 1445  
 Signed by President, 1446  
 Sent to House, 1446  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2233 — (Conlin)**

**Senate Bill No. 2233.** A Bill for an Act to create and enact a new subsection to each of sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code, to provide retail sales tax and use tax exemptions for clothing and wearing apparel, including fabrics and other items to be incorporated directly therein.

Introduction, first reading, 103  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 586-587  
 Amendments adopted, 616  
 Engrossed, 669  
 Second reading, 681  
 Lost, 682  
 Clincher motion, 682

**Senate Bill No. 2234 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2234.** A Bill for an Act to amend and reenact subsection 4 of section 52-01-01 of the North Dakota Century Code, relating to definition of disqualification for unemployment compensation benefits.

Introduction, first reading, 103  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 587  
 Second reading, 662  
 Passed, 662  
 To House, 721  
 Returned to Senate, 1095  
 Enrolled, 1365  
 Signed by President, 1365  
 Sent to House, 1366  
 Received from House, 1381  
 Message to Governor, 1394  
 Approved by Governor, 1433

**Senate Bill No. 2235 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2235.** A Bill for an Act to create and enact subdivision j of subsection 11 of section 52-01-01, a new subsection of section 52-01-01,

and section 52-01-02.1 of the North Dakota Century Code, relating to definition of employer, agricultural labor and keeping records by agricultural employing units for farm unemployment compensation coverage, and to amend and reenact subsection 12 of section 52-01-01 and subdivision a of subsection 15 of section 52-01-01 of the North Dakota Century Code, relating to the unemployment compensation definition of employee and exclusion from employment for farm coverage purposes.

Introduction, first reading, 103

Referred to Committee on Industry, Business & Labor

Reported back, do pass, 587

Second reading, 662

Lost, 663

**Senate Bill No. 2236 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2236.** A Bill for an Act to amend and reenact subdivision e of subsection 15 of section 52-01-01 of the North Dakota Century Code, relating to an exclusion from the definition of "Employment" of services performed by a child in the employ of his father or mother for unemployment compensation purposes, and declaring an emergency.

Introduction, first reading, 103

Referred to Committee on Industry, Business & Labor

Reported back, do pass, 587

Engrossed, 1028, 1293

Second reading, 682, 1028

Passed, 682, 1028

Emergency carried, 682, 1028

Clincher motion, 682

To House, 721

House amendments, 989

Returned to Senate, amended, 989

Senate concurs, 1028

Enrolled, 1293

Signed by President, 1318

Sent to House, 1319

Received from House, 1331

Message to Governor, 1343

Approved by Governor, 1403

**Senate Bill No. 2237 — (Committee on State & Federal Government)**

**Senate Bill No. 2237.** A Bill for an Act to amend and reenact section 57-01-03 of the North Dakota Century Code, relating to the office of the Tax Commissioner and office hours of that office.

Introduction, first reading, 103

Referred to Committee on State & Federal Government

Reported back, do pass, 198

Engrossed, 899, 1116

Second reading, 216, 899

Passed, 216, 899

To House, 232

House amendments, 836

Returned to Senate, amended, 836

Senate concurs, 899

Enrolled, 1116

Signed by President, 1149

Sent to House, 1149

Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2238 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2238.** A Bill for an Act to amend and reenact section 52-04-05, subsection 1 of section 52-04-06, and subsection 3 of section 52-04-06 of the North Dakota Century Code, relating to the standard rate of contributions, to variations in the rate of contributions and the rate of contributions of deficit accounts, for unemployment compensation, to repeal subsection 4 of section 52-04-06 of the North Dakota Century Code, relating to the unemployment compensation rate of an employer with a variable payroll, to amend and reenact subsection 2 of section 52-05-03 of the North Dakota Century Code, relating to the unemployment compensation contributions rate for voluntary coverage, to amend and reenact subdivision b of subsection 1 of section 52-06-04 of the North Dakota Century Code, relating to schedule of unemployment compensation benefits.

Introduction, first reading, 103-104  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 587  
 Second reading, 682  
 Clincher motion, 683  
 Passed, 683  
 To House, 721  
 Returned to Senate, 936  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2239 — (Lips)**

**Senate Bill No. 2239.** A Bill for an Act to amend and reenact subsection 3 of section 57-39.2-01 and subsection 3 of section 57-40.2-01 of the North Dakota Century Code, relating to the sales and use tax on items consumed or destroyed in the process of manufacturing.

Introduction, first reading, 104  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 419  
 Committee report for indefinite postponement, 445 adopted

**Senate Bill No. 2240 — (Lips, Lashkowitz, J. Schultz)**

**Senate Bill No. 2240.** A Bill for an Act to amend and reenact sections 18-04-04 and 18-04-05 of the North Dakota Century Code, relating to reporting fire insurance policy premium collections and the allocation of payment to fire protection districts, fire departments, or rural fire departments or districts.

Introduction, first reading, 104  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 311  
 Second reading, 340  
 Passed, 340  
 To House, 360  
 Returned to Senate, 1095

Enrolled, 1365  
 Signed by President, 1365  
 Sent to House, 1366  
 Received from House, 1381  
 Message to Governor, 1394  
 Approved by Governor, 1433

**Senate Bill No. 2241 — (Melland)**

**Senate Bill No. 2241.** A Bill for an Act authorizing the social service board to make seasonal adjustments in payments to AFDC recipients, and declaring an emergency.

Introduction, first reading, 104  
 Referred to Committee on Appropriations  
 Reported back, do pass, 144  
 Amendments adopted, 180  
 Engrossed, 180  
 Second reading, 180  
 Amended from floor, 180  
 Passed, 181  
 Emergency carried, 181  
 To House, 195  
 Returned to Senate, 787  
 Enrolled, 833  
 Signed by President, 833  
 Sent to House, 833  
 Received from House, 834  
 Message to Governor, 834  
 Approved by Governor, 885

**Senate Bill No. 2242 — (Committee on Transportation)**

**Senate Bill No. 2242.** A Bill for an Act to amend and reenact subsection 1 and subdivisions e and j of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to the registration of a motor vehicle.

Introduction, first reading, 104  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 289  
 Committee report for indefinite postponement, 319 adopted

**Senate Bill No. 2243 — (Committee on Industry, Business & Labor)**

**Senate Bill No. 2243.** A Bill for an Act to create and enact a new section to the North Dakota Century Code relating to the increase of base premium; and to amend and reenact section 65-04-04 of the North Dakota Century Code, relating to payment and determination of premium and mailing of certificates.

Introduction, first reading, 104  
 Referred to Committee on Industry, Business & Labor  
 Returned to Senate and withdrawn, 147

**Senate Bill No. 2244 — (Committee on Political Subdivision)**

**Senate Bill No. 2244.** A Bill for an Act to create the office of district attorney; to establish districts, qualifications, powers and duties, methods of selection, and tenure; and to provide for an appropriation for employees' salaries and retirement.

Introduction, first reading, 104  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 587  
 Committee report for indefinite postponement, 640 adopted

**Senate Bill No. 2245 — (Committee on Judiciary)**

**Senate Bill No. 2245.** A Bill for an Act relating to the identification of parents and constituting the Uniform Parentage Act; to provide substantive legal equality for all children; and to repeal chapter 32-36 of the North Dakota Century Code.

Introduction, first reading, 104-105  
 Referred to Committee on Judiciary  
 Reported back, amended, 278  
 Amendments adopted, 293  
 Engrossed, 309, 1460  
 Re-engrossed, 1175  
 Second reading, 323, 1175  
 Amended from floor, 323  
 Passed, 324, 1175  
 To House, 342  
 House amendments, 937-938  
 Returned to Senate, amended, 936  
 Conference Committee, 951, 1050  
 Conference Committee Report, 1175, 1344  
 Senate adopts, 1175, 1344  
 Senate does not concur, 951  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2246 — (Committee on Transportation)**

**Senate Bill No. 2246.** A Bill for an Act to amend and reenact section 39-04-05 of the North Dakota Century Code, relating to the registration and titling of motor vehicles.

Introduction, first reading, 105  
 Referred to Committee on Transportation  
 Reported back, amended, 289-290  
 Amendments adopted, 315  
 Engrossed, 329  
 Second reading, 340  
 Passed, 340  
 To House, 360  
 Returned to Senate, 812  
 Enrolled, 986  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2247 — (Committee on Transportation)**

**Senate Bill No. 2247.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to registration of motor vehicles.

Introduction, first reading, 105  
 Referred to Committee on Transportation  
 Reported back, do pass, 278  
 Engrossed, 1242, 1460  
 Second reading, 300, 1242  
 Passed, 300, 1242  
 To House, 327  
 House amendments, 1197-1198  
 Returned to Senate, amended, 1190  
 Senate concurs, 1242  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2248 — (Committee on Transportation)**

**Senate Bill No. 2248.** A Bill for an Act to amend and reenact subsections 8 and 9 of section 57-40.3-01 and to create and enact new subsections to section 57-40.3-04 of the North Dakota Century Code, relating to exemptions and providing that said exemptions are found within section 57-40.3-04 of the North Dakota Century Code.

Introduction, first reading, 105  
 Referred to Committee on Transportation  
 Reported back, do pass, 279  
 Engrossed, 1242, 1460  
 Second reading, 300, 1243  
 Passed, 300, 1243  
 To House, 327  
 House amendments, 1198  
 Returned to Senate, amended, 1190  
 Senate concurs, 1242  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2249 — (Committee on Social Welfare)**

**Senate Bill No. 2249.** A Bill for an Act to create and enact new subsections to section 27-20-45 of the North Dakota Century Code, relating to procedures by which the court may ascertain the identity of the parents of a child born out of wedlock; to amend and reenact subsection 2 of section 27-20-45 of the North Dakota Century Code, relating to efforts to identify the parents of a child born out of wedlock.

Introduction, first reading, 105  
 Referred to Committee on Social Welfare  
 Reported back, do pass, 206  
 Second reading, 259  
 Passed, 259  
 To House, 272  
 Returned to Senate, 936  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1153



Message to Governor, 1155  
Approved by Governor, 1262

**Senate Bill No. 2250 — (Hoffner)**

**Senate Bill No. 2250.** A Bill for an Act to amend and reenact the entire language of section 12.1-32-04 of the North Dakota Century Code, as contained in section 31 of chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to factors to be considered in sentencing decisions.

Introduction, first reading, 112  
Referred to Committee on Judiciary  
Reported back, indefinitely postponed, 279  
Committee report for indefinite postponement, 293 adopted

**Senate Bill No. 2251 — (Hoffner)**

**Senate Bill No. 2251.** A Bill for an Act to amend and reenact section 12-53-11 of the North Dakota Century Code, relating to revocation of suspension of sentence and termination of probation.

Introduction, first reading, 112  
Referred to Committee on Judiciary  
Reported back, amended, 279  
Amendments adopted, 293  
Engrossed, 309  
Second reading, 324  
Passed, 324  
To House, 342  
Returned to Senate, indefinitely postponed, 1147

**Senate Bill No. 2252 — (Hoffner)**

**Senate Bill No. 2252.** A Bill for an Act to amend and reenact subsection 2 of section 28-32-01 of the North Dakota Century Code, relating to the definitions of rules and regulations under the Administrative Agencies Practice Act.

Introduction, first reading, 112  
Referred to Committee on Judiciary  
Reported back, do pass, 279  
Second reading, 300  
Passed, 301  
To House, 327  
Returned to Senate, indefinitely postponed, 837

**Senate Bill No. 2253 — (Stroup, Freed)**

**Senate Bill No. 2253.** A Bill for an Act making an appropriation to the North Dakota state water commission for the purpose of the investigation, design, and development of a plan for staged development of the water resources of southwestern North Dakota, including the Missouri River waters.

Introduction, first reading, 112  
Referred to Committee on Appropriations  
Reported back, amended, 290, 419-420  
Re-referred to Committee on Appropriations, 374  
Amendments adopted, 315, 437  
Engrossed, 329  
Re-engrossed, 457

Second reading, 473  
 Passed, 474  
 To House, 496  
 Returned to Senate, failed to pass, 1259

**Senate Bill No. 2254 — (Stroup, Freed, Lee)**

**Senate Bill No. 2254.** A Bill for an Act to amend and reenact section 30.1-10-01 of the North Dakota Century Code, as contained in chapter 257 of the 1973 Session Laws of the state of North Dakota, relating to renunciation of property acquired by devise or descent.

Introduction, first reading, 112  
 Referred to Committee on Judiciary  
 Returned to Senate and withdrawn, 553  
 Reported back, indefinitely postponed, 279  
 Re-referred to Committee on Judiciary, 293

**Senate Bill No. 2255 — (Morgan, Thane)**

**Senate Bill No. 2255.** A Bill for an Act to amend and reenact sections 16-10-16 and 16-13-16 of the North Dakota Century Code, relating to the compensation paid to election board members and to the expense allowance paid to canvassing board members.

Introduction, first reading, 112  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 509  
 Committee report for indefinite postponement, 555 adopted

**Senate Bill No. 2256 — (Solberg, Iszler)**

**Senate Bill No. 2256.** A Bill for an Act to amend and reenact subdivision b of subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to motor vehicle registration.

Introduction, first reading, 113  
 Referred to Committee on Transportation  
 Reported back, amended, 459  
 Amendments adopted, 478  
 Engrossed, 497  
 Second reading, 517  
 Passed, 518  
 To House, 568  
 Returned to Senate, 1095  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2257 — (Lips)**

**Senate Bill No. 2257.** A Bill for an Act to amend and reenact section 26-08-10 of the North Dakota Century Code, relating to the authorization required for investment of funds with loans of a domestic insurance company, and prohibited investment practices.

Introduction, first reading, 113  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 226

Second reading, 270  
 Passed, 270  
 To House, 286  
 Returned to Senate, 836  
 Enrolled, 986  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2258 — (Lips)**

**Senate Bill No. 2258.** A Bill for an Act to amend and reenact subsection 1 of section 26-11-10 of the North Dakota Century Code, relating to the salaries and expenses of officers and agents of domestic life insurance companies.

Introduction, first reading, 113  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 226  
 Amendments not adopted, 235  
 Second reading, 270  
 Passed, 271  
 To House, 286  
 Returned to Senate, 836  
 Enrolled, 986  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2259 — (Longmire, Reiten, Barth)**

**Senate Bill No. 2259.** A Bill for an Act to create and enact section 6-06-38 of the North Dakota Century Code, relating to destruction of records by credit unions; to amend and reenact subsection 1 of section 6-06-12 of the North Dakota Century Code to increase the number of membership officers permissible for credit unions; to amend and reenact section 6-06-14 of the North Dakota Century Code relating to the limitations and types of loans that the credit union can make; to amend and reenact section 6-06-20 of the North Dakota Century Code to increase the ceiling on loans to officers and to permit officers to guarantee loans.

Introduction, first reading, 113  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 333  
 Amendments adopted, 347, 374  
 Engrossed, 363  
 Second reading, 374  
 Re-engrossed, 374  
 Amended from floor, 374  
 Passed, 375  
 To House, 396  
 Returned to Senate, 987  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331

Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2260 — (Barth, Reiten, Longmire)**

**Senate Bill No. 2260.** A Bill for an Act to amend and reenact section 6-06-18 of the North Dakota Century Code, relating to an increase in interest rates.

Introduction, first reading, 113  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 311  
 Second reading, 340, 375  
 Passed, 341, 375  
 Reconsidered, 348  
 To House, 396  
 Returned to Senate, 987  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2261 — (Nasset)**

**Senate Bill No. 2261.** A Bill for an Act to amend and reenact section 15-62.2-01 of the North Dakota Century Code, relating to participation in an undergraduate student financial assistance program.

Introduction, first reading, 113  
 Referred to Committee on Education  
 Reported back, do pass, 234  
 Engrossed, 287, 793, 985  
 Second reading, 271, 793  
 Passed, 271, 794  
 To House, 286  
 House amendments, 787  
 Returned to Senate, amended, 787  
 Senate concurs, 793  
 Enrolled, 989  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2262 — (Mutch)**

**Senate Bill No. 2262.** A Bill for an Act to amend and reenact sections 25-04-04, 25-04-05, 25-09-02, 25-09-02.2, 25-09-03, 25-09-04, 25-09-04.1, 25-09-05, 25-09-06, subsection 1 of section 25-09-07, and section 25-09-10 of the North Dakota Century Code, relating to provisions for the charging of expenses for care and treatment of patients of the Grafton state school against the patients; and to repeal sections 25-09-03.1 and 25-09-11.1 of the North Dakota Century Code, relating to claims against estates of resident responsible relatives and reduction of claims against responsible relatives.

Introduction, first reading, 113  
 Referred to Committee on Social Welfare & Veterans Affairs

Reported back, amended, 538-541  
 Reported back, indefinitely postponed, 646  
 Committee report for indefinite postponement, 671 failed  
 Placed on Calendar, 671  
 Re-referred to Committee on Appropriations, 581  
 Amendments adopted, 573  
 Engrossed, 669  
 Second reading, 683  
 Lost, 684  
 Clincher motion, 684

**Senate Bill No. 2263 — (J. Schultz, Ringsak)**

**Senate Bill No. 2263.** A Bill for an Act to amend and reenact section 1-03-02 of the North Dakota Century Code, to provide that when November 11 falls on a Sunday, the following Monday is a holiday.

Introduction, first reading, 114  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 198  
 Engrossed, 872, 1116  
 Second reading, 217, 872  
 Passed, 217, 873  
 To House, 232  
 House amendments, 836  
 Returned to Senate, amended, 836  
 Senate concurs, 872  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1149  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1262

**Senate Bill No. 2264 — (Longmire)**

**Senate Bill No. 2264.** A Bill for an Act to amend and reenact sections 35-27-02, 35-27-03, 35-27-05, 35-27-09, 35-27-11, 35-27-17, 35-27-18, and 35-27-21 of the North Dakota Century Code, relating to entitlement to a mechanic's lien, when a lien attaches, intention to claim lien, withholding payment to contractors, itemized account and demand for payment, proportioning amount of claim, mechanic's lien on railway contracts, and a lien on an independent building.

Introduction, first reading, 114  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 261  
 Amendments adopted, 280  
 Second reading, 301  
 Passed, 301  
 To House, 327  
 Returned to Senate, 861  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2265 — (H. Christensen)**

**Senate Bill No. 2265.** A Bill for an Act to amend and reenact sections 20.1-03-04, 20.1-03-11, and 20.1-08-04 of the North Dakota Century Code, relating to the requirement of hunting licenses for residents, to licenses to hunt big game and special permits to hunt deer, and to the contents of the governor's proclamation.

Introduction, first reading, 114  
 Referred to Committee on Natural Resources  
 Reported back, amended, 290, 440  
 Re-referred to Committee on Natural Resources, 347  
 Amendments adopted, 315, 465  
 Engrossed, 329, 1117  
 Re-engrossed, 477, 972  
 Second reading, 487, 972  
 Passed, 487, 973  
 To House, 521  
 House amendments, 938  
 Returned to Senate, amended, 936  
 Senate concurs, 972  
 Enrolled, 1117  
 Signed by President, 1151  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2266** — (J. Schultz)

**Senate Bill No. 2266.** A Bill for an Act to amend and reenact the introductory clause of section 23-02-13 of the North Dakota Century Code, relating to the contents of a birth certificate.

Introduction, first reading, 114  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, indefinitely postponed, 206  
 Committee report on Indefinite postponement, 229 adopted

**Senate Bill No. 2267** — (Stroup)

**Senate Bill No. 2267.** A Bill for an Act to repeal chapter 38-04 of the North Dakota Century Code, relating to the licensing of coal mines.

Introduction, first reading, 114  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 279  
 Second reading, 301  
 Passed, 302  
 To House, 327  
 Returned to Senate, 1240  
 Enrolled, 1460  
 Signed by president, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2268** — (Iszler)

**Senate Bill No. 2268.** A Bill for an Act to provide that alcoholic beverages which have been confiscated may be ordered forfeited by the court, and providing a procedure for the sheriff to dispose of such alcoholic beverages.

Introduction, first reading, 130  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 226  
 Committee report for indefinite postponement, 253 adopted

**Senate Bill No. 2269 — (Jones, Lips)**

• **Senate Bill No. 2269.** A Bill for an Act to regulate the practice of public accounting in the public interest; to create a state board of accountancy and to prescribe its powers and duties; and to provide penalties for violations of the provisions of this Act; and to repeal Chapter 43-02 of the North Dakota Century Code.

Introduction, first reading, 130  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 198  
 Engrossed, 454, 911  
 Second reading, 217, 454  
 Passed, 217, 455  
 To House, 232  
 House amendments, 434  
 Returned to Senate, amended, 434  
 Senate concurs, 454  
 Enrolled, 911  
 Signed by President, 933  
 Sent to House, 934  
 Received from House, 939  
 Message to Governor, 940  
 Approved by Governor, 967

**Senate Bill No. 2270 — (Erman, Barth, Conlin, Stroup, Wright)**

**Senate Bill No. 2270.** A Bill for an Act to amend and reenact subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to bond issues by counties.

Introduction, first reading, 130  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 365  
 Engrossed, 825, 985  
 Second reading, 388, 825  
 Passed, 389, 826  
 To House, 411  
 House amendments, 787  
 Returned to Senate, amended, 787  
 Senate concurs, 825  
 Enrolled, 985  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2271 — (Reiten, Sands)**

**Senate Bill No. 2271.** A Bill for an Act to amend and reenact subsection 5 of section 11-10-10 of the North Dakota Century Code, relating to the expenses of county commissioners.

Introduction, first reading, 130  
 Referred to Committee on Political Subdivision

Reported back, do pass, 365  
 Second reading, 389  
 Passed, 389  
 To House, 411, 1363  
 House amendments, 1271  
 Returned to Senate, 1095  
 Returned to Senate, amended, 1270  
 Conference Committee, 1312, 1332  
 Conference Committee report, 1346  
 Senate adopts, 1346  
 House adopts, 1395  
 Senate does not concur, 1312  
 House requests return, 1102  
 Returned to House, 1120  
 Enrolled, 1461  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2272 — (Smykowski)**

**Senate Bill No. 2272.** A Bill for an Act to amend and reenact section 57-15-20 of the North Dakota Century Code, relating to the maximum mill levy in townships.

Introduction, first reading, 130  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 365  
 Second reading, 389  
 Passed, 389  
 To House, 411  
 Returned to Senate, 912 (failed to pass)

**Senate Bill No. 2273 — (Freed)**

**Senate Bill No. 2273.** A Bill for an Act to amend and reenact sections 13-03-22 and 57-50-08 of the North Dakota Century Code, providing criminal penalties for violation of certain statutory provisions.

Introduction, first reading, 130  
 Referred to Committee on Judiciary  
 Reported back, do pass, 311  
 Engrossed, 873, 1116  
 Second reading, 351, 873  
 Passed, 351, 873  
 To House, 377  
 House amendments, 862  
 Returned to Senate, amended, 861  
 Senate concurs, 873  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1150  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2274 — (Longmire, Freed)**

**Senate Bill No. 2274.** A Bill for an Act to create and enact a new subsection to section 14-08-07 of the 1973 Supplement to the North Dakota



Century Code, relating to the custody and disbursement of non-support payments made to the clerk of district court.

Introduction, first reading, 130  
 Referred to Committee on Judiciary  
 Reported back, do pass, 344  
 Second reading, 375  
 Passed, 375  
 To House, 396  
 Returned to Senate, 861  
 Enrolled, 1117  
 Signed by President, 1151  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

Senate Bill No. 2275 — (Longmire, Freed)

Senate Bill No. 2275. A Bill for an Act to provide for the creation of a commission on judicial qualifications for the discipline, censure, removal, and retirement of judges; to amend and reenact section 44-11-01 of the North Dakota Century Code, relating to the removal of certain officers by the governor; providing penalties; and providing an appropriation.

Introduction, first reading, 131  
 Referred to Committee on Judiciary  
 Reported back, do pass, 646  
 Reported back, amended, 541-542  
 Re-referred to Committee on Appropriations, 542, 573  
 Amendments adopted, 573  
 Engrossed, 669, 1445  
 Second reading, 684, 1123  
 Re-engrossed, 1123  
 Passed, 684, 1123  
 Clincher motion, 684  
 To House, 721  
 House amendments, 1114  
 Returned to Senate, amended, 1113  
 Senate concurs, 1123  
 Enrolled, 1445  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

Senate Bill No. 2276 — (Homuth, Nasset, Redlin, Tweten)

Senate Bill No. 2276. A Bill for an Act to amend and reenact section 15-10-19 of the North Dakota Century Code, relating to definitions for resident and nonresident students for tuition purposes.

Introduction, first reading, 131  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 279  
 Committee report for indefinite postponement, 293 adopted

Senate Bill No. 2277 — (Stroup)

**Senate Bill No. 2277.** A Bill for an Act to authorize counties to provide for improvements by the special assessment method and to provide a means for counties to assess the benefit conferred upon property by the use of a special assessment commission.

Introduction, first reading, 131  
 Referred to Committee on Political Subdivision  
 Returned to Senate and withdrawn, 516

**Senate Bill No. 2278 — (Goodman, Freed, Melland)**

**Senate Bill No. 2278.** A Bill for an Act to create and enact chapter 57-37.1 of the North Dakota Century Code, relating to an estate tax; to provide an effective date; and to repeal chapter 57-37 of the North Dakota Century Code, relating to an estate tax.

Introduction, first reading, 131  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 353-354  
 Amendments adopted, 371 —  
 Engrossed, 379  
 Second reading, 394  
 Passed, 394  
 To House, 411  
 Returned to Senate, 987  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2279 — (Committee on Appropriations)**

**Senate Bill No. 2279.** A Bill for an Act making an appropriation to the public service commission utility valuation fund out of the general fund for the purposes of defraying the expenses of the commission.

Introduction, first reading, 131  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 226  
 Committee report for indefinite postponement, 253 adopted

**Senate Bill No. 2280 — (Lashkowitz, Ringsak)**

**Senate Bill No. 2280.** A Bill for an Act to amend and reenact section 57-15-56 of the North Dakota Century Code, relating to programs and activities for senior citizens.

Introduction, first reading, 131  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 290  
 Reported back, amended, 420  
 Re-referred to Committee on Appropriations, 290  
 Amendments adopted, 437  
 Engrossed, 457, 487  
 Second reading, 487  
 Amended from floor, 487  
 Passed, 488  
 To House, 521  
 Returned to Senate, indefinitely postponed, 1147

**Senate Bill No. 2281 — (Hoffner, Longmire)**

**Senate Bill No. 2281.** A Bill for an Act to establish an institute for local government as a division of the bureau of governmental affairs at the university of North Dakota; relating to the compensation of officials of political subdivisions; and providing an appropriation.

Introduction, first reading, 145

Referred to Committee on Political Subdivision

Reported back, indefinitely postponed, 459

Committee report for indefinite postponement, 502 adopted

**Senate Bill No. 2282 — (Freed)**

**Senate Bill No. 2282.** A Bill for an Act requiring driver education programs; providing for an appropriation; and providing effective dates.

Introduction, first reading, 145

Referred to Committee on Education

Reported back, indefinitely postponed, 441

Committee report for indefinite postponement, 466 adopted

**Senate Bill No. 2283 — (L. Christensen, Fritzell)**

**Senate Bill No. 2283.** A Bill for an Act to create a state department of health and environment from the existing divisions and offices of the health department; to amend the provisions relating to the membership of the health council, to rename it the health and environment council and amend its powers and duties accordingly; to allow the state health and environment officer to be an environmental or sanitary engineer; to create the division of health, division of environment, and division of mental health and retardation within the department of health and environment from the existing divisions and offices of the department of health, and to establish various offices within the health division; to amend references to the health department, health council, and health officer, and to make other appropriate amendments to sections 15-52-03, 23-01-01, 23-01-02, 23-01-03, 23-01-04, 23-01-05, 23-01-06, 23-01-07, 23-01-08, 23-01-09, 23-01-10, 23-01-11, 23-01-12, 23-01-13, 23-01-14, 23-01-15, 23-01-16, 23-01-17, 23-01-18, 23-01-19, 23-02-01, 23-02-02, 23-02-04(5), 23-02-27, 23-03-07(1), 23-03-07(13), 23-03-09, 23-03-10, 23-03-11, 23-04-01, 23-04-02, 23-04-05, 23-04-09, 23-05-02, 23-05-09, 23-06-04, 23-06-07, 23-06-20, 23-06-21(4) (5), 23-06-22, 23-06-23, 23-07-01, 23-07-01.1, 23-07-02, 23-07-03, 23-07-05, 23-07-07, 23-07-07.1, 23-07-07.2, 23-07-15, 23-14-01, 23-14-03, 23-14-07, 23-16-01, 23-16-03, 23-16-04, 23-16-05, 23-16-06, 23-16-09, 23-16-10, 23-16-12, 23-17-1-02, 23-17-1-03, 23-17-1-04, 23-17-1-05, 23-17-1-06, 23-17-1-07, 23-17-2-02, 23-17-2-04, 23-17-2-05, 23-17-2-06, 23-17-2-07, 23-17-2-08, 23-17-2-09, 23-17-2-10, 23-17-2-11, 23-17-2-13, 23-17-2-15, 23-19-02, 23-19-03, 23-19-05, 23-19-06, 23-19-07, 23-20-03, 23-20-04, 23-20-05, 23-20-1-01(4), 23-20-1-02, 23-20-1-06, 23-21-16, 23-21.1-02.1, 23-21.1-03, 23-22-01, 23-23-03, 23-24-01(3), 23-24-02, 23-24-05, 23-24-06, 23-25-02, 23-25-08, 23-25-09, 23-26-02(1), 23-26-02(3), 23-26-03, 23-26-04, 23-26-05, 23-26-06, 23-26-07, 23-27-01, 23-27-03, 23-27-04(4), 23-27-05, 25-01-01(13), 25-01-02.1, 25-03-15, 25-05-35, 25-10-01, 25-10-04, 25-12-04(1), 25-14-02, 25-16-07, 25-16-10, 25-16-11, 25-16-12, 25-17-01, 25-17-02, 25-17-04, 43-10-02, 43-11-11, 43-18-02, 43-18-09, 43-34-01(3), 43-34-02(1), 54-07-01.2(1) (n), 54-27-15.3, 54-36-01, 54-38-01(2), 54-38-02, 54-38-05(6), 54-42-06, 54-42-07, 54-42-08, 61-02-15, 61-28-02(8), 61-28-03, and 61-28-04 of the North Dakota Century Code; and to repeal sections 23-12-01 and 23-12-02 of the North Dakota Century Code, relating to disinfecting second-hand goods.

Introduction, first reading, 145

Referred to Committee on State & Federal Government

Reported back, indefinitely postponed, 399  
Committee report ofr indefinite postponement, 424 adopted

**Senate Bill No. 2284 — (Solberg, Berube)**

**Senate Bill No. 2284.** A Bill for an Act to create and enact section 15-59.1-03.1 of the North Dakota Century Code, relating to the payment of county special education taxes to multicounty school districts.

Introduction, first reading, 145  
Referred to Committee on Education  
Returned to Senate and withdrawn, 452

**Senate Bill No. 2285 — (C. Schultz, Sands, Iszler, Strinden, Reiten)**

**Senate Bill No. 2285.** A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code, relating to individual income taxation rates.

Introduction, first reading, 146  
Referred to Committee on Finance & Taxation  
Reported back, indefinitely postponed, 509  
Committee report for indefinite postponement, 556 adopted

**Senate Bill No. 2286 — (Ringsak, Vosper, Larson, Jones, Freed)**

**Senate Bill No. 2286.** A Bill for an Act to provide an appropriation for the construction of a new administration building at the Grafton state school.

Introduction, first reading, 146  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, do pass, 206  
Placed on Calendar without recommendation, 647  
Referred to Committee on Appropriations, 206  
Second reading, 684  
Passed, 685  
Clincher motion, 685  
To House, 721  
Returned to Senate, indefinite postponement, 1404

**Senate Bill No. 2287 — (Solberg, Berube)**

**Senate Bill No. 2287.** A Bill for an Act to amend and reenact section 15-29-05 of the North Dakota Century Code relating to compensation of school board members.

Introduction, first reading, 146  
Referred to Committee on Education  
Reported back, do pass, 311  
Second reading, 351  
Passed, 352  
To House, 377  
House amendments, 836  
Returned to Senate, amended, 836  
Conference Committee, 841, 887  
Conference Committee report, 973  
House adopts, 1344  
Senate adopts, 974  
Senate does not concur, 841  
Enrolled, 1461  
Signed by President, 1462

Sent to House, 1464  
Received from House, 1467  
Message to Governor, 1475

**Senate Bill No. 2288 — (Lips)**

**Senate Bill No. 2288.** A Bill for an Act to amend and reenact section 48-02-07 of the North Dakota Century Code, relating to investment of retainage on public building construction contract payments.

Introduction, first reading, 146  
Referred to Committee on Political Subdivision  
Reported back, do pass, 383  
Second reading, 410  
Passed, 410  
To House, 434  
Returned to Senate, 787  
Enrolled, 986  
Signed by President, 1015  
Sent to House, 1015  
Received from House, 1019  
Message to Governor, 1022  
Approved by Governor, 1077

**Senate Bill No. 2289 — (Thane, Naaden, Erdman, Reiten)**

**Senate Bill No. 2289.** A Bill for an Act to establish a state-financed program of reparations to persons who suffer personal injury and to dependents of those who are killed by criminally injurious conduct or in attempts to prevent criminal conduct or apprehend criminals; providing a penalty; and providing an appropriation.

Introduction, first reading, 146  
Referred to Committee on judiciary  
Reported back, amended, 542-549  
Placed on Calendar without recommendation, 647  
Re-referred to Committee on Appropriation, 549, 573  
Amendments adopted, 573  
Engrossed, 669, 1445  
Re-engrossed, 1103  
Second reading, 685, 1104  
Passed, 685, 1104  
Clincher motion, 685  
To House, 721  
House amendments, 1096  
Returned to Senate, amended, 1095  
Senate concurs, 1103  
Enrolled, 1445  
Signed by President, 1446  
Sent to House, 1447  
Received from House, 1458  
Message to Governor, 1458

**Senate Bill No. 2290 — (Barth, Wright, Redlin)**

**Senate Bill No. 2290.** A Bill for an Act to amend and reenact subsection 1 of section 15-03-04 of the North Dakota Century Code, relating to the investment of permanent school lands funds.

Introduction, first reading, 146  
Referred to Committee on Education

Reported back, do pass, 311  
 Second reading, 352  
 Passed, 352  
 To House, 377  
 Returned to Senate, 812  
 Enrolled 986  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2291 — (Conlin)**

**Senate Bill No. 2291.** A Bill for an Act to amend and reenact subsection 10 of section 28-22-02 of the North Dakota Century Code, relating to property absolutely exempt from process, levy, or sale.

Introduction, first reading, 146  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 226  
 Second reading, 271  
 Passed, 271  
 To House, 286  
 Returned to Senate, 861  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1150  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2292 — (Lips)**

**Senate Bill No. 2292.** A Bill for an Act to provide for a park district construction fund levy.

Introduction, first reading, 146  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 365  
 Committee report for indefinite postponement, 380 adopted

**Senate Bill No. 2293 — (Schuster, Lashkowitz)**

**Senate Bill No. 2293.** A Bill for an Act to require banking institutions and building and loan associations to pay interest on certain escrow accounts.

Introduction, first reading, 146  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 261  
 Committee report for indefinite postponement, 281 adopted

**Senate Bill No. 2294 — (Naaden)**

**Senate Bill No. 2294.** A Bill for an Act to amend and reenact subsections 3 and 7 of section 10-13-03 and subsections 4 and 10 of section 32-15-02 of the North Dakota Century Code, relating to the powers of electric cooperatives and to the public uses for which the right of eminent domain may be exercised, and providing for application to eminent domain proceedings.

Introduction, first reading, 146  
Referred to Committee on State & Federal Government  
Reported back, indefinitely postponed, 226  
Committee report for indefinite postponement, 254 adopted

**Senate Bill No. 2295 — (Lashkowitz, Ringsak, Redlin)**

**Senate Bill No. 2295.** A Bill for an Act to create and enact a new section to chapter 40-33 of the North Dakota Century Code, relating to the requirements to be met in order to discontinue a water supply for non-payment of water rents.

Introduction, first reading, 147  
Referred to Committee on Political Subdivision  
Reported back, indefinitely postponed, 290  
Committee report for indefinite postponement, 319 adopted

**Senate Bill No. 2296 — (Naaden, Barth, Lips, Iszler, J. Schultz)**

**Senate Bill No. 2296.** A Bill for an Act making an appropriation to the North Dakota state water commission for the purpose of conducting a study of the feasibility of providing supplementary water supplies to the Apple Creek unit of the Pick-Sloan Missouri River Basin plan and its tributaries in North Dakota.

Introduction, first reading, 147  
Referred to Committee on Appropriations  
Reported back, do pass, 344  
Second reading, 376  
Passed, 376  
To House, 396  
Returned to Senate, 1247  
Enrolled, 1461  
Signed by President, 1462  
Sent to House, 1464  
Received from House, 1467  
Message to Governor, 1475

**Senate Bill No. 2297 — (Nothing)**

**Senate Bill No. 2297.** A Bill for an Act to amend and reenact sections 27-08.1-01 and 27-08.1-03 of the North Dakota Century Code, relating to the jurisdictional limits on the small claims court.

Introduction, first reading, 161  
Referred to Committee on Judiciary  
Reported back, do pass, 344  
Re-referred to Committee on Judiciary, 376  
Returned to Senate and withdrawn, 416

**Senate Bill No. 2298 — (J. Schultz)**

**Senate Bill No. 2298.** A Bill for an Act to amend and reenact sections 44-08-04.2, 44-08-05, 44-08-05.1, and 54-06-09 of the North Dakota Century Code, relating to the payment of travel expenses to state employees.

Introduction, first reading, 161  
Referred to Committee on State & Federal Government  
Reported back, indefinitely postponed, 234  
Committee report for indefinite postponement, 264 adopted

**Senate Bill No. 2299 — (Nasset)**

**Senate Bill No. 2299.** A Bill for an Act to repeal section 15-38-13 of the North Dakota Century Code, relating to the power of a teacher to suspend a student for not more than five days for insubordination, habitual disobedience, or disorderly conduct.

Introduction, first reading, 161  
 Referred to Committee on Education  
 Reported back, do pass, 234  
 Second reading, 271  
 Passed, 272  
 To House, 286  
 Returned to Senate, failed to pass, 787

**Senate Bill No. 2300 — (Nasset)**

**Senate Bill No. 2300.** A Bill for an Act to create and enact a new subsection to section 15-29-08 of the North Dakota Century Code, relating to the powers and duties of school boards.

Introduction, first reading, 161  
 Referred to Committee on Education  
 Reported back, amended, 365  
 Amendments adopted, 379  
 Engrossed, 399  
 Second reading, 410  
 Passed, 411  
 To House, 434  
 Returned to Senate, 987  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1150  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2301 — (Nothing)**

**Senate Bill No. 2301.** A Bill for an Act to amend and reenact section 15-47-26 of the North Dakota Century Code, to extend the definition of teacher to include section 15-47-38.

Introduction, first reading, 161  
 Referred to Committee on Education  
 Reported back, amended, 509  
 Amendments adopted, 528  
 Engrossed, 571  
 Second reading, 602  
 Passed, 602  
 To House, 663  
 Returned to Senate, 1095  
 Enrolled, 1365  
 Signed by President, 1365  
 Sent to House, 1366  
 Received from House, 1381  
 Message to Governor, 1394  
 Approved by Governor, 1433

**Senate Bill No. 2302 — (Solberg)**

**Senate Bill No. 2302.** A Bill for an Act to amend and reenact subsection 10 of section 15-29-08 of the North Dakota Century Code, relating to teacher contracts.



Introduction, first reading, 161  
 Referred to Committee on Education  
 Returned to Senate and withdrawn, 338

**Senate Bill No. 2303 — (Freed)**

**Senate Bill No. 2303.** A Bill for an Act to create and enact section 31-01-16.2 of the North Dakota Century Code, relating to compensation of municipal court witnesses; and to amend and reenact sections 31-01-16 and 31-01-16.1 of the North Dakota Century Code, relating to compensation and mileage of witnesses and witness fees and mileage of municipal police officers.

Introduction, first reading, 161  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 312  
 Amendments adopted, 335  
 Engrossed, 343, 1460  
 Re-engrossed, 1281  
 Second reading, 352, 1281  
 Passed, 351, 1282  
 To House, 377  
 House amendments, 1096  
 Returned to Senate, amended, 1095  
 Conference Committee, 1104  
 Conference Committee report, 1281  
 Senate does not concur, 1104  
 Senate adopts, 1281  
 House adopts, 1352  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2304 — (Thane, Ringsak, Lashkowitz, Pyle, Barth, Wenstrom)**

**Senate Bill No. 2304.** A Bill for an Act to provide a North Dakota no-fault motor vehicle reparations Act, to provide for basic required insurance, to provide for the administration of this Act, to provide for an effective date, and to provide for an appropriation.

Introduction, first reading, 170  
 Referred to Committee on Industry, Business and Labor  
 Reported back, do pass, 647  
 Reported back, amended, 587-588  
 Referred to Committee on Appropriations, 597  
 Amendments adopted, 597  
 Engrossed, 669  
 Second reading, 685  
 Passed, 686  
 To House, 721  
 Returned to Senate, indefinitely postponed, 990  
 Clincher motion, 686

**Senate Bill No. 2305 — (Thane, Strinden, Morgan, Homuth)**

**Senate Bill No. 2305.** A Bill for an Act to create and enact a new subsection to section 19-02.1-10 of the North Dakota Century Code, relating to

when food is deemed to be misbranded under the North Dakota Food, Drug, and Cosmetic Act.

Introduction, first reading, 170  
 Referred to Committee on Agriculture  
 Reported back, indefinitely postponed, 420  
 Committee report for indefinite postponement, 445 adopted

**Senate Bill No. 2306 — (Homuth, Solberg)**

**Senate Bill No. 2306.** A Bill for an Act to amend and reenact sections 47-10-07 and 47-19-05 of the North Dakota Century Code, relating to the content of deeds granting interests in real property.

Introduction, first reading, 170  
 Referred to Committee on Judiciary  
 Reported back, amended, 333-334  
 Amendments adopted, 347  
 Engrossed, 363, 1460  
 Re-engrossed, 1170  
 Second reading, 389, 1171  
 Passed, 390, 1171  
 To House, 411  
 House amendments, 1147  
 Returned to Senate, amended, 1145  
 Senate concurs, 1170  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2307 — (Ringsak, Thane, Morgan, Jones, Strand)**

**Senate Bill No. 2307.** A Bill for an Act to amend and reenact section 23-01-10 of the North Dakota Century Code, relating to the location of the state department of health.

Introduction, first reading, 170  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 575-576, 647  
 Reported back, indefinitely postponed, 549  
 Re-referred to Committee on Appropriations, 576  
 Amendments adopted, 576, 670  
 Engrossed, 694  
 Second reading, 705  
 Lost, 706  
 Clincher motion, 706

**Senate Bill No. 2308 — (Fritzell, Wright)**

**Senate Bill No. 2308.** A Bill for an Act to provide for an acceleration and extension of the program by soil conservation districts for control of soil erosion and sediment damage resulting from land-disturbing activities within the state, adoption of a comprehensive statewide soil erosion and sediment control program and guidelines by the state soil conservation committee, and adoption of soil erosion and sediment control programs consistent with the statewide program and guidelines by soil conservation districts; to require the filing and approval of plans for the control of soil erosion and sediment damage in connection with land-disturbing activities; to provide for inspections, reports, administration,

and enforcement; to provide for financial and other assistance to districts and the state soil conservation committee; and providing a penalty.

Introduction, first reading, 171

Referred to Committee on Agriculture

Reported back, do pass, 420

Reported back, indefinitely postponed, 509

Committee report for indefinite postponement, adopted, 557

Re-referred to Committee on Appropriations, 420

Senate Bill No. 2309 — (Freed)

Senate Bill No. 2309. A Bill for an Act to provide for a county severance tax on coal; to provide for the imposition, collection, and administration of such tax; and to provide a penalty.

Introduction, first reading, 171

Referred to Committee on Finance and Taxation

Reported back, indefinitely postponed, 549

Committee report for indefinite postponement, adopted, 638

Senate Bill No. 2310 — (J. Schultz, Kautzman)

Senate Bill No. 2310. A Bill for an Act to repeal section 46-02-16 of the North Dakota Century Code, relating to vouchers for public printing and declaring an emergency.

Introduction, first reading, 171

Referred to Committee on State & Federal Government

Reported back, indefinitely postponed, 234

Committee report for indefinite postponement, adopted, 264

Senate Bill No. 2311 — (Melland)

Senate Bill No. 2311. A Bill for an Act to amend and reenact section 48-02-02 of the North Dakota Century Code, relating to prerequisites for building or repairing public buildings.

Introduction, first reading, 171

Referred to Committee on State & Federal Government

Reported back, amended, 279-280

Amendments adopted, 293

Engrossed, 309

Second reading, 324

Passed, 325

To House, 342

Returned to Senate, 812

Enrolled, 986

Signed by President, 1015

Sent to House, 1015

Received from House, 1019

Message to Governor, 1022

Approved by Governor, 1077

Senate Bill No. 2312 — (Reiten)

Senate Bill No. 2312. A Bill for an Act to amend and reenact section 43-10-05 of the North Dakota Century Code, relating to the powers of the state board of embalmers to require rules reasonably designed to disclose the cost of merchandise and services for funerals.

Introduction, first reading, 186

Referred to Committee on Industry, Business & Labor

Reported back, amended, 261-262  
 Amendments adopted, 280  
 Engrossed, 287  
 Second reading, 302  
 Passed, 302  
 To House, 327  
 Returned to Senate, 987  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1150  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2313** — (Lashkowitz, Longmire, Jones, Ringsak, Lips, Schuster)

**Senate Bill No. 2313.** A Bill for an Act to amend and reenact sections 27-02-02 and 27-05-03 of the North Dakota Century Code, relating to salaries of the judges of the supreme and district courts, and to repeal section 27-02-02.1 relating to additional compensation for the supreme and district court judges; providing an appropriation; and declaring an emergency.

Introduction, first reading, 186  
 Referred to Committee on Judiciary  
 Reported back, amended, 588-589, 647  
 Referred to Committee on Appropriations, 597  
 Amendments adopted, 597, 670, 671, 707  
 Amended from floor, 670  
 Engrossed, 694, 1460  
 Re-engrossed, 706, 1346, 1370  
 Second reading, 706, 707, 1370  
 Amended from floor 706  
 Lost, 706  
 Passed, 707, 1370  
 Clincher motion, 707, 1370  
 Emergency carried, 707, 1370  
 To House, 721, 1370  
 House amendments, 1235-1236  
 Returned to Senate, amended, 1235  
 Conference committee, 1241, 1280, 1346  
 Conference Committee, dissolved, 1346  
 Conference Committee report, 1346, 1369  
 Senate adopts, 1346, 1370  
 Senate does not concur, 1241, 1346  
 House adopts, 1403  
 Reconsidered, 706, 1346  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2314** — (Lashkowitz, Longmire, Jones, Ringsak, Lips, Schuster)

**Senate Bill No. 2314.** A Bill for an Act to amend and reenact section 27-02-02.1 of the North Dakota Century Code, relating to additional compensation of supreme and district court judges from January 1, 1975 to

June 30, 1975; providing an appropriation thereto; and declaring an emergency.

Introduction, first reading, 186  
 Referred to Committee on Judiciary  
 Reported back, amended, 589  
 Reported back, indefinitely postponed, 648  
 Committee report for indefinite postponement, adopted, 671  
 Referred to Committee on Appropriations, 597  
 Amendments adopted, 597

**Senate Bill No. 2315 — (Conlin)**

**Senate Bill No. 2315.** A Bill for an Act to require that a statement of full consideration be filed with certain deeds or with the state tax commissioner; and providing a penalty.

Introduction, first reading, 186  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 589  
 Committee report for indefinite postponement, adopted, 640

**Senate Bill No. 2316 — (Longmire)**

**Senate Bill No. 2316.** A Bill for an Act relating to the size of juries; and to amend and reenact sections 28-14-05, 29-17-09, 29-17-12, and 33-12-19, relating to the size of juries and challenges to jury members.

Introduction, first reading, 186  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 399  
 Committee report for indefinite postponement, adopted, 424

**Senate Bill No. 2317 — (Thane, Iszler, Strinden, Naaden)**

**Senate Bill No. 2317.** A Bill for an Act relating to the game and fish fund.

Introduction, first reading, 186  
 Referred to Committee on Natural Resources  
 Reported back, indefinitely postponed, 365  
 Committee report for indefinite postponement, adopted, 380

**Senate Bill No. 2318 — (Nothing, Melland)**

**Senate Bill No. 2318.** A Bill for an Act to authorize the state health officer of the state department of health to sell and convey certain land owned by the state of North Dakota, which land was used by the North Dakota state hospital.

Introduction, first reading, 186  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 262  
 Re-referred to Committee on Appropriations, 262  
 Returned to Senate and placed on calendar, 306  
 Engrossed, 1079, 1112  
 Second reading, 325, 1079  
 Passed, 325, 1079  
 To House, 342  
 House amendments, 1078  
 Returned to Senate, amended, 1077  
 Senate Concurs, 1079  
 Enrolled, 1112

Signed by President, 1112  
 Sent to House, 1112  
 Received from House, 1112  
 Message to Governor, 1117  
 Approved by Governor, 1156

**Senate Bill No. 2319 — (Barth, L. Christensen)**

**Senate Bill No. 2319.** A Bill for an Act to require compulsory retirement of all full-time state employees at the age of sixty-five, and providing exceptions.

Introduction, first reading, 186  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 234-235  
 Amendments adopted, 263  
 Engrossed, 275  
 Second reading, 284  
 Lost, 284

**Senate Bill No. 2320 — (Lips, Goodman)**

**Senate Bill No. 2320.** A Bill for an Act to amend and reenact section 54-17.1-12 of the North Dakota Century Code, relating to taxes, appropriations, and transfers for purposes of repaying the Vietnam veterans adjusted compensation bonds; to repeal section 57-38-30.2 of the North Dakota Century Code, relating to the Vietnam veteran surtax; to provide an appropriation; stating legislative intent concerning the authority of the industrial commission; to provide an effective date; and to declare an emergency.

Introduction, first reading, 186  
 Referred to Committee on Appropriations  
 Reported back, amended, 262  
 Amendments adopted, 280, 302  
 Engrossed, 287  
 Re-engrossed, 302, 309  
 Second reading, 302, 325  
 Amended from floor, 302  
 Passed, 325  
 Emergency carried, 325  
 To House, 342  
 Returned to Senate, 1279  
 Enrolled, 1461  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2321 — (Lips, J. Schultz)**

**Senate Bill No. 2321.** A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code, relating to individual income tax rates.

Introduction, first reading, 187  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 509  
 Committee report for indefinite postponement, 557 adopted

**Senate Bill No. 2322 — (Barth, Wright)**

**Senate Bill No. 2322.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to the formation of county weed control boards; and to repeal chapter 63-01.1 of the North Dakota Century Code, relating to noxious weed control.

Introduction, first reading, 186

Referred to Committee on Agriculture

Reported back, indefinitely postponed, 480

Committee report for indefinite postponement, 502, adopted

**Senate Bill No. 2323 — (Morgan, Homuth, Redlin, J. Schultz)**

**Senate Bill No. 2323.** A Bill for an Act to amend and reenact sections 62-01-04, 62-01-05, 62-01-07, 62-01-08, 62-01-20, and 62-03-01 of the North Dakota Century Code, relating to the possession of pistols, licenses to carry pistols; and to provide a penalty.

Introduction, first reading, 187

Referred to Committee on Judiciary

Reported back, indefinitely postponed, 344

Committee report for indefinite postponement, 368, adopted

**Senate Bill No. 2324 — (Lips, Solberg, J. Schultz, Melland, Nothing)**

**Senate Bill No. 2324.** A Bill for an Act relating to income tax credits for charitable contributions to nonprofit private institutions of higher education.

Introduction, first reading, 187

Referred to Committee on Finance & Taxation

Reported back, do pass, 420

Second reading, 449

Passed, 450

To House, 474

Returned to Senate, 1095

Enrolled, 1293

Signed by President, 1318

Sent to House, 1319

Received from House, 1331

Message to Governor, 1343

Approved by Governor, 1403

**Senate Bill No. 2325 — (Lips)**

**Senate Bill No. 2325.** A Bill for an Act to amend and reenact subsection 1 of section 52-04-07, the initial paragraph of subsection 1 of section 52-04-18, subdivisions a and b of subsection 2 of section 52-04-18, the initial paragraph of subsection 4 of section 52-04-18, and subdivision a of subsection 11 of section 52-07.1-03 of the North Dakota Century Code, relating to unemployment compensation benefits payable to former employees of nonprofit organizations subject to the unemployment compensation law.

Introduction, first reading, 187

Referred to Committee on Industry, Business & Labor

Returned to Senate and withdrawn, 236

**Senate Bill No. 2326 — (Goodman, J. Schultz, Ringsak, Strinden)**

**Senate Bill No. 2326.** 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 sales tax exemptions for all sales to nursing homes and intermediate care facilities licensed by the state health department.

Introduction, first reading, 200  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 549  
 Engrossed, 1123, 1445  
 Second reading, 602, 1123  
 Passed, 602, 1123  
 To House, 663  
 House amendments, 1114  
 Returned to Senate, amended, 1113  
 Senate concurs, 1123  
 Enrolled, 1445  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1458

**Senate Bill No. 2327 — (Barth, Solberg, Hoffner)**

**Senate Bill No. 2327.** A Bill for an Act to amend and reenact section 54-52.1-06 and to repeal section 54-52.1-07 of the North Dakota Century Code, relating to state contribution and optional coverage for employee's family, and to provide for an appropriation.

Introduction, first reading, 200  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 290  
 Committee report for indefinite postponement, 319 adopted

**Senate Bill No. 2328 — (Ringsak, Vosper, Shablow, Lashkowitz, Morgan)**

**Senate Bill No. 2328.** A Bill for an Act to provide for a mental retardation coordinating committee and its powers and duties; and to amend sections 25-10-01, 25-10-02, 25-10-04, 25-12-01, 25-12-02, 25-12-03, 25-12-04, subsection 2 of section 25-16-01, section 25-16-02, the initial paragraph of section 25-16-03, section 25-16-04, 25-16-06, the initial paragraph of section 25-16-08, sections 25-16-09, 25-16-10, 25-16-11, and 25-16-12 of the North Dakota Century Code, relating to mental retardation services performed by the state health department and mental health and retardation service units.

Introduction, first reading, 200  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Returned to Senate and withdrawn, 495

**Senate Bill No. 2329 — (Smykowski, Thane, Conlin)**

**Senate Bill No. 2329.** A Bill for an Act to amend and reenact section 53-01-18 of the North Dakota Century Code, relating to exemptions granted boxing, sparring, and wrestling exhibitions in educational institutions.

Introduction, first reading, 200  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 344  
 Engrossed, 842, 1116  
 Second reading, 390, 842  
 Passed, 390, 842  
 To House, 411  
 House amendments, 836  
 Returned to Senate, amended, 836  
 Senate concurs, 842  
 Enrolled, 1116



Signed by President, 1149  
 Sent to House, 1150  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2330 — (Homuth, Lee)**

**Senate Bill No. 2330.** A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to expenses and allowances for public officials and employees while attending meetings or performing duties away from their normal working or living residences.

Introduction, first reading, 200  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 262  
 Second reading, 285  
 Lost, 285

**Senate Bill No. 2331 — (Holand, Conlin, Schuster, Redlin, Walsh)**

**Senate Bill No. 2331.** A Bill for an Act to establish a legislative sub-districting committee to provide for the subdistricting of legislative districts with more than one senator and two representatives.

Introduction, first reading, 200  
 Referred to Committee on Judiciary  
 Returned to Senate, 516  
 Re-referred to Joint Standing Committee on Reapportionment, 516  
 Returned to Senate and withdrawn, 1156

**Senate Bill No. 2332 — (Hoffner)**

**Senate Bill No. 2332.** A Bill for an Act to amend and reenact sections 12-53-01, 12-53-06, 12-53-07, 12-53-10, 12-53-11 and 12-53-12 of the North Dakota Century Code, relating to when a sentence for a misdemeanor or felony may be suspended, to placing a defendant on probation when a felony sentence is suspended, to the duty of the clerk of court when a felony sentence is suspended, to arrest of a person under suspended sentence for breach of probation conditions, to revocation of suspension and termination of probation after hearing, and to release from probation.

Introduction, first reading, 201  
 Referred to Committee on Judiciary  
 Reported back, amended, 441  
 Amendments adopted, 465  
 Engrossed, 477, 1446  
 Re-engrossed, 1124  
 Second reading, 488, 1124  
 Passed, 488, 1124  
 To House, 521  
 House amendments, 1114  
 Returned to Senate, amended, 1113  
 Senate concurs, 1124  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2333 — (Hoffner)**

**Senate Bill No. 2333.** A Bill for an Act to amend and reenact sections 12-47-27, 12-47-28, 12-47-29, and 12-59-14 of the North Dakota Century Code, relating to transfer of penitentiary inmates to state hospital, written orders of commitment, disposition of mentally ill persons upon recovery or expiration of prison sentence, and psychiatric evaluation and transfer to state hospital of parolees.

Introduction, first reading, 201  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 441  
 Committee report for indefinite postponement, 468 adopted

**Senate Bill No. 2334 — (Hoffner)**

**Senate Bill No. 2334.** A Bill for an Act to provide for the establishment of judicial sentencing councils.

Introduction, first reading, 201  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 441  
 Committee report for indefinite postponement, 468 adopted

**Senate Bill No. 2335 — (Morgan)**

**Senate Bill No. 2335.** A Bill for an Act to repeal sections 15-53.1-37 and 15-53.1-38 of the North Dakota Century Code, relating to proportionate tax rates in reorganized school districts and for the alteration of proportionate rates; and to provide that such repeal shall be effective on districts with proportionate tax rates.

Introduction, first reading, 201  
 Referred to Committee on Education  
 Reported back, do pass, 509  
 Second reading, 568  
 Passed, 568  
 To House, 663  
 Returned to Senate, 1189  
 Enrolled, 1461  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2336 — (Kautzmann)**

**Senate Bill No. 2336.** A Bill for an Act to amend and reenact section 6-09-12 of the North Dakota Century Code, relating to interest rates fixed by commission, time deposits, and limitations; and declaring an emergency.

Introduction, first reading, 201  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 262  
 Second reading, 302  
 Passed, 302  
 Emergency carried, 302  
 To House, 327  
 Returned to Senate, 812  
 Enrolled, 941

Signed by President, 961  
 Sent to House, 961  
 Received from House, 962  
 Message to Governor, 962  
 Approved by Governor, 967

**Senate Bill No. 2337 — (Morgan, Thane, Smykowski)**

**Senate Bill No. 2337.** A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to commitment and discharge of a prisoner when there is no jail in a county.

Introduction, first reading, 201  
 Referred to Committee on Judiciary  
 Reported back, do pass, 344  
 Second reading, 390  
 Passed, 390  
 To House, 411  
 Returned to Senate, indefinitely postponed, 812

**Senate Bill No. 2338 — (Barth, Solberg, Hoffner)**

**Senate Bill No. 2338.** A Bill for an Act to create and enact section 54-06-14.1 of the North Dakota Century Code, relating to compensation for accumulated sick leave.

Introduction, first reading, 206  
 Referred to Committee on State and Federal Government  
 Reported back without recommendation, 509  
 Reported back, amended, 334  
 Referred to Committee on Appropriations, 334  
 Amendments adopted, 347  
 Engrossed, 363  
 Returned to Senate and re-referred to Committee on State & Federal Government, 416  
 Second reading, 602  
 Passed, 603  
 To House, 663  
 Returned to Senate, 1017, failed to pass

**Senate Bill No. 2339 — (Thane, Ringsak, Naaden)**

**Senate Bill No. 2339.** A Bill for an Act to amend and reenact sections 15-61-05 and 24-03-15 of the North Dakota Century Code, relating to disposition or exchange of state surplus property and to the sale of obsolescent highway equipment.

Introduction, first reading, 207  
 Referred to Committee on Transportation  
 Reported back, amended, 509-510  
 Amendments adopted, 528  
 Engrossed, 571, 1446  
 Re-engrossed, 1104  
 Second reading, 603, 1104  
 Passed, 603, 1105  
 To House, 663  
 House amendments, 1096  
 Returned to Senate, amended, 1095  
 Senate concurs, 1104  
 Enrolled, 1446  
 Signed by President, 1446

Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2340 — (Stroup)**

**Senate Bill No. 2340.** A Bill for an Act to amend and reenact section 47-18-01 of the North Dakota Century Code, relating to homestead exemption from judgments and execution.

Introduction, first reading, 207  
 Referred to Committee on Finance & Taxation  
 Returned to Senate, 371  
 Re-referred to Committee on Judiciary, 371  
 Reported back without recommendation, 510  
 Second reading, 603  
 Lost, 603

**Senate Bill No. 2341 — (Freed)**

**Senate Bill No. 2341.** A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of the proceeds of such tax; to provide for the exemption of coal and electricity from sales and use taxes; to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to gross receipts from the sale of coal and electricity; to amend and reenact subsections 2, 3, and 5 of section 57-39.2-01, subsection 2 of section 57-39.2-02, subsection 2 of section 57-39.2-03, subsection 2 of section 57-39.2-03.1, subsection 2 of section 57-39.2-18, and subdivision a of subsection 6 of section 57-40.2-01 of the North Dakota Century Code, relating to the exemption of electricity from sales and use taxes; and to provide a penalty.

Introduction, first reading, 207  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 549  
 Committee report for indefinite postponement, 639 adopted

**Senate Bill No. 2342 — (Hoffner)**

**Senate Bill No. 2342.** A Bill for an Act to create and enact sections 26-03A-12, 26-26-22, 26-27-23, 26-27.1-27, and 26-27.2-26 of the North Dakota Century Code, relating to continued insurance coverage of an insured prisoner while incarcerated.

Introduction, first reading, 207  
 Referred to Committee on Judiciary  
 Reported back, do pass, 420  
 Second reading, 450  
 Passed, 450  
 To House, 474  
 Returned to Senate, 1112  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2343 — (Reiten)**

**Senate Bill No. 2343.** A Bill for an Act to amend and reenact subsection 2 of section 40-22-01 of the North Dakota Century Code, relating to the power of municipalities to defray expense of improvements by special assessments.

Introduction, first reading, 207  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 459  
 Second reading, 488  
 Passed, 489  
 To House, 521  
 Returned to Senate, failed to pass, 936

**Senate Bill No. 2344 — (Reiten)**

**Senate Bill No. 2344.** A Bill for an Act to amend and reenact subsection 4 of section 21-03-07 of the North Dakota Century Code, relating to a municipality's share of a federal aid highway project.

Introduction, first reading, 207  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 480  
 Amendments adopted, 499  
 Engrossed, 527  
 Second reading, 604  
 Passed, 604  
 To House, 663  
 Returned to Senate, 1189  
 Enrolled, 1461  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1475

**Senate Bill No. 2345 — (Morgan, J. Schultz)**

**Senate Bill No. 2345.** A Bill for an Act to provide a method for distribution of funds derived from automobile liability insurance premium taxes for police services.

Introduction, first reading, 207  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 459  
 Committee report for indefinite postponement, 483 adopted

**Senate Bill No. 2346 — (L. Christensen)**

**Senate Bill No. 2346.** A Bill for an Act relating to the use of rental-purchase-type agreements in the acquisition of certain office equipment.

Introduction, first reading, 207  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 344  
 Second reading, 390  
 Passed, 391  
 To House, 411  
 Returned to Senate, 987  
 Enrolled, 1116  
 Signed by President, 1149  
 Sent to House, 1150

Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2347 — (L. Christensen)**

**Senate Bill No. 2347.** A Bill for an Act to amend and reenact section 11-33-04 of the North Dakota Century Code, relating to the membership of the county planning commissions.

Introduction, first reading, 208  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 459  
 Second reading, 489  
 Passed, 489  
 To House, 521  
 Returned to Senate indefinitely postponed, 887

**Senate Bill No. 2348 — (H. Christensen)**

**Senate Bill No. 2348.** 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, 208  
 Referred to Committee on Judiciary  
 Reported back, do pass, 399  
 Engrossed, 1171, 1460  
 Second reading, 428, 1171  
 Passed, 428, 1171  
 To House, 455  
 House amendments, 1147  
 Returned to Senate, amended, 1145  
 Senate concurs, 1171  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2349 — (H. Christensen)**

**Senate Bill No. 2349.** 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, 208  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 420  
 Committee report for indefinite postponement, not adopted, 446  
 Second reading, 489  
 Passed, 490  
 To House, 521  
 Returned to Senate, 1112  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2350 — (H. Christensen)**

**Senate Bill No. 2350.** A Bill for an Act abolishing the collateral source rule of evidence relating to personal injury or wrongful death.

Introduction, first reading, 208  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 421  
 Committee report for indefinite postponement, 447 adopted

**Senate Bill No. 2351 — (Lips)**

**Senate Bill No. 2351.** A Bill for an Act to create and enact a new section to chapter 6-03, a new section to chapter 6-06, and a new section to chapter 7-02 of the North Dakota Century Code, relating to the use of drawings, contests, gifts, or premiums by banking institutions, credit unions, and building and loan associations.

Introduction, first reading, 208  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 354  
 Second reading, 394  
 Passed, 395  
 To House, 411  
 Returned to Senate, indefinitely postponed, 990

**Senate Bill No. 2352 — (Lee, Stroup)**

**Senate Bill No. 2352.** A Bill for an Act to amend and reenact subsection 8 of section 38-14-05 of the North Dakota Century Code, relating to the duties of a surface mine operator.

Introduction, first reading, 226  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 459  
 Amendments adopted, 490  
 Engrossed, 490  
 Second reading, 490  
 Amended from floor, 490  
 Passed, 490  
 To House, 521  
 Returned to Senate indefinitely postponed, 1344

**Senate Bill No. 2353 — (Hoffner)**

**Senate Bill No. 2353.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 12.1-32-02 of the North Dakota Century Code, as contained in section 31 of chapter 116 of the 1973 Session Laws of the state of North Dakota, relating to sentencing alternatives.

Introduction, first reading, 227  
 Referred to Committee on Judiciary  
 Reported back, do pass, 421  
 Second reading, 450  
 Passed, 450  
 To House, 474  
 Returned to Senate, 1017  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331

Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2354** — (Holand, Wenstrom, Melland, Lips, L. Christensen)

**Senate Bill No. 2354.** A Bill for an Act to create a constitutional revision commission and set forth its membership, powers, and duties; to provide an appropriation; and declaring an emergency.

Introduction, first reading, 227  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 334, 510  
 Re-referred to Committee on Appropriations, 334  
 Second reading, 604  
 Passed, 604  
 Emergency carried, 604  
 To House, 663  
 Returned to Senate, indefinitely postponed, 990

**Senate Bill No. 2355** — (Sandness, Solberg, Nasset)

**Senate Bill No. 2355.** A Bill for an Act to amend and reenact subsection 4 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county officers.

Introduction, first reading, 227  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 589  
 Committee report for indefinite postponement, 641 adopted

**Senate Bill No. 2356** — (Stroup)

**Senate Bill No. 2356.** A Bill for an Act to provide for the prepayment of taxes by certain large coal development or conversion plants; to provide for the administration and collection of prepaid taxes; to provide that prepaid taxes may be claimed as a credit against certain taxes; and to provide a penalty on delinquent payments.

Introduction, first reading, 227  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 549  
 Committee report for indefinite postponement, 639 adopted

**Senate Bill No. 2357** — (Schuster)

**Senate Bill No. 2357.** A Bill for an Act to repeal section 27-05-18 of the North Dakota Century Code, relating to prohibiting of district judges from holding consecutive jury terms in certain counties.

Introduction, first reading, 227  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 344-345  
 Committee report for indefinite postponement, 368 adopted

**Senate Bill No. 2358** — (Ringsak, Schuster, Iszler, Lashkowitz)

**Senate Bill No. 2358.** A Bill for an Act to amend and reenact section 27-06-02 of the North Dakota Century Code, relating to salary and expenses of court reporter.

Introduction, first reading, 227



Referred to Committee on Judiciary  
 Reported back, amended, 421  
 Amendments adopted, 438  
 Engrossed, 457  
 Second reading, 490  
 Passed, 491  
 To House, 521  
 Returned to Senate, 861  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2359** — (Ringsak, Schuster, Iszler, Lashkowitz)

**Senate Bill No. 2359.** A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for transcripts.

Introduction, first reading, 227  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 421  
 Committee report for indefinite postponement, 447 adopted

**Senate Bill No. 2360** — (Lips, J. Schultz)

**Senate Bill No. 2360.** A Bill for an Act to amend and reenact sections 11-10.1-01 and 11-10.1-05 of the North Dakota Century Code, relating to qualifications, duties, and terms of office of county director of tax equalization and city assessor.

Introduction, first reading, 227  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 510, 648  
 Re-referred to Committee on Appropriations, 510, 528  
 Amendments adopted, 528, 671, 708  
 Engrossed, 571  
 Re-engrossed, 694, 708  
 Second reading, 707, 708  
 Amended from floor, 708  
 Lost, 708  
 Clincher motion, 708

**Senate Bill No. 2361** — (Lashkowitz, Schuster, J. Schultz)

**Senate Bill No. 2361.** A Bill for an Act to amend and reenact sections 54-52.1-06 and 54-52.1-07 of the North Dakota Century Code, relating to the state contribution for the group insurance program and to optional coverage for employees' families.

Introduction, first reading, 227  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 354  
 Committee report for indefinite postponement, 371 adopted

**Senate Bill No. 2362** — (Lashkowitz, Schuster, J. Schultz)

**Senate Bill No. 2362.** A Bill for an Act to amend and reenact section 54-06-14 of the North Dakota Century Code, relating to annual leave and sick leave of state employees.

Introduction, first reading, 228  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 334  
 Committee report for indefinite postponement, 347 adopted

**Senate Bill No. 2363 — (Jones)**

**Senate Bill No. 2363.** A Bill for an Act to amend and reenact section 60-02-35 of the North Dakota Century Code, relating to insurance on grain by warehouseman.

Introduction, first reading, 228  
 Referred to Committee on Agriculture  
 Reported back, do pass, 421  
 Second reading, 450  
 Passed, 451  
 To House, 474  
 Returned to Senate, 861  
 Enrolled, 1117  
 Signed by President, 1151  
 Sent to House, 1151  
 Received from House, 1153  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2364 — (Barth, Solberg, Hoffner)**

**Senate Bill No. 2364.** A Bill for an Act to create and enact subsection 8 of section 54-52-04 of the North Dakota Century Code, relating to board authority; to amend and reenact sections 54-52-06 and 54-52-11 of the North Dakota Century Code, relating to employer's contribution, and vesting schedule of agency, county, city or school district contribution.

Introduction, first reading, 228  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 480-481, 648  
 Re-referred to Committee on Appropriations, 499  
 Amendments adopted, 499, 671  
 Engrossed, 527  
 Second reading, 708  
 Re-engrossed, 694  
 Passed, 709  
 Clincher motion, 709  
 To House, 721  
 Returned to Senate, 1247  
 Enrolled, 1461  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2365 — (Nothing, Melland)**

**Senate Bill No. 2365.** A Bill for an Act to amend and reenact section 11-28-06 of the North Dakota Century Code, relating to the tax levy for county parks and recreation areas.

Introduction, first reading, 228  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 460  
 Amendments adopted, 491

Engrossed, 491  
 Second reading, 491  
 Amended from floor, 491  
 Passed, 491  
 To House, 521  
 Returned to Senate, 936  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2366 — (Walsh)**

**Senate Bill No. 2366.** A Bill for an Act to amend and reenact section 20.1-01-21 of the North Dakota Century Code, relating to hunting near an occupied building without permission.

Introduction, first reading, 228  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 383  
 Second reading, 428  
 Passed, 428  
 To House, 455  
 Returned to Senate, 787  
 Enrolled, 986  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2367 — (Homuth)**

**Senate Bill No. 2367.** A Bill for an Act to create and enact subsection 4 of section 55-10-02 and section 55-10-12 of the North Dakota Century Code, relating to the definition of a state historic sites registry and to the authority of the state historical society superintendent to mark state historic sites; and to amend and reenact sections 55-10-07 and 55-10-08 of the North Dakota Century Code, relating to notice to the state historical society of land acquisition and to duties of governmental subdivisions in regard to state historic sites.

Introduction, first reading, 228  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 345  
 Second reading, 391  
 Passed, 391  
 To House, 411  
 Returned to Senate, 812  
 Enrolled, 986  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1022  
 Approved by Governor, 1077

**Senate Bill No. 2368 — (Holand, Fritzell, Barth)**

**Senate Bill No. 2368.** A Bill for an Act to provide for registration as a

lobbyist; to provide for the reporting by lobbyists; to provide for a penalty; and to repeal chapter 54-05 of the North Dakota Century Code, relating to legislative lobbying.

Introduction, first reading, 236  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 549-550  
 Amendments adopted, 574  
 Engrossed, 669, 1460  
 Re-engrossed, 686, 1227  
 Second reading, 686, 1227  
 Amended from floor, 686  
 Passed, 686, 1227  
 Clincher motion, 686  
 To House, 721  
 House amendments, 1236  
 Returned to Senate, amended, 1235  
 Senate concurs, 1227  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2369 — (Naaden, Thane)**

**Senate Bill No. 2369.** A Bill for an Act to provide owners and occupiers of land subject to power transmission line easements acquired through eminent domain proceedings the right to negotiate for additional compensation and damages with holders of the easements every ten years, to provide limitations on the right to negotiate, and to provide for payment of additional compensation and damages annually; to create and enact section 32-15-25.1 of the North Dakota Century Code, relating to annual payments for power transmission line easements; and to amend and reenact sections 32-15-23 and 32-15-25 of the North Dakota Century Code, relating to the time damages accrued and judgments are paid.

Introduction, first reading, 236  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 510  
 Committee report for indefinite postponement, 558 adopted

**Senate Bill No. 2370 — (Naaden, Mutch)**

**Senate Bill No. 2370.** A Bill for an Act to provide for state legislative apportionment, and to repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code and chapter 338 of the North Dakota Session Laws of 1965, relating to state legislative apportionment.

Introduction, first reading, 236  
 Referred to Committee on State & Federal Government  
 Returned to Senate, 516  
 Re-referred to Joint Standing Committee on Reapportionment, 516  
 Returned to Senate and withdrawn, 1156

**Senate Bill No. 2371 — (Barth, Strand)**

**Senate Bill No. 2371.** A Bill for an Act to amend and reenact section 43-15-35 of the North Dakota Century Code, relating to the restriction on the ownership of a pharmacy.

Introduction, first reading, 236  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 441  
 Committee report for indefinite postponement, 469 adopted

**Senate Bill No. 2372** — (J. Schultz, Lee, Wenstrom)

**Senate Bill No. 2372.** A Bill for an Act to create and enact new sections of chapters 26-13 and 26-27 of the North Dakota Century Code, relating to discrimination against doctors of podiatry and to participation by doctors of podiatry in nonprofit medical service corporations.

Introduction, first reading, 236  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back without recommendation, 383  
 Second reading, 428  
 Lost, 429

**Senate Bill No. 2373** — (Rait)

**Senate Bill No. 2373.** A Bill for an Act to create and enact a new section of the North Dakota Century Code, relating to the governing of activity in proximity to electric transmission lines and providing a penalty.

Introduction, first reading, 236  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 510  
 Committee report for indefinite postponement, 558 adopted

**Senate Bill No. 2374** — (Kautzmann, Wenstrom, Redlin)

**Senate Bill No. 2374.** A Bill for an Act to amend and reenact section 6-07-20 of the North Dakota Century Code, relating to compensation of a bank receiver; and declaring an emergency.

Introduction, first reading, 237  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 354  
 Second reading, 395  
 Passed, 395  
 Emergency carried, 395  
 To House, 411  
 Returned to Senate, 936  
 Enrolled, 1117  
 Signed by President, 1151  
 Sent to House, 1151  
 Received from House, 1154  
 Message to Governor, 1155  
 Approved by Governor, 1261

**Senate Bill No. 2375** — (Lashkowitz, Stroup, L. Christensen, Wenstrom, Thane)

**Senate Bill No. 2375.** A Bill for an Act to provide for state and regional planning, the creation, organization, powers, and duties of regional planning councils, state funding for the use of regional planning councils, supervision of the activities of regional planning councils.

Introduction, first reading, 237  
 Referred to Committee on State & Federal Government  
 Returned to Senate, 292

Reported back, indefinitely postponed, 589  
 Committee report for indefinite postponement, 619 adopted  
 Amended from floor, 618  
 Re-referred to Committee on Political Subdivision, 292  
 Re-engrossed, 618

**Senate Bill No. 2376 — (Reiten)**

**Senate Bill No. 2376.** A Bill for an Act to create and enact subsection 7 of section 21-03-07 of the North Dakota Century Code, providing for dedication of authorized mill levies by sections 57-15-42 and 57-15-44 towards the purchase, construction, reconstruction, or repair of public buildings or fire stations.

Introduction, first reading, 237  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 589  
 Engrossed, 1172, 1460  
 Second reading, 687, 1172  
 Passed, 687, 1172  
 Clincher motion 687  
 To House, 721  
 House amendments, 1115  
 Returned to Senate, amended, 1113  
 Senate concurs, 1171  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2377 — (Shablow)**

**Senate Bill No. 2377.** A Bill for an Act to amend and reenact subdivision i of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide limitations on the adjustment to taxable income for individuals for dividends from domestic corporations, and providing an effective date.

Introduction, first reading, 237  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 589  
 Engrossed, 1289, 1460  
 Second reading, 687, 1290  
 Passed, 687, 1290  
 Clincher motion, 687  
 To House, 721  
 House amendments, 1147  
 Returned to Senate, amended, 1145  
 Conference Committee, 1172, 1239  
 Conference Committee report, 1289  
 Senate adopts, 1289  
 House adopts, 1352  
 Senate does not concur, 1172  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2378 — (Nothing, Melland)**

**Senate Bill No. 2378.** A Bill for an Act to provide for the leasing of certain property by the city of Jamestown for the creation and operation of a sanitary landfill.

Introduction, first reading, 237  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 400  
 Committee report for indefinite postponement, 424 adopted

**Senate Bill No. 2379 — (Nothing, Thane)**

**Senate Bill No. 2379.** A Bill for an Act to provide for nonresident waterfowl hunting licenses; to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code, relating to definition of waterfowl; and to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a fee for a nonresident waterfowl hunting license.

Introduction, first reading, 237  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 366  
 Engrossed, 1299, 1460  
 Second reading, 391, 1299  
 Passed, 392, 1300  
 To House, 411  
 House amendments, 1278-1279  
 Returned to Senate, amended, 1278  
 Senate concurs, 1299  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2380 — (Shablow)**

**Senate Bill No. 2380.** A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 and subdivision c of subsection 1 of section 57-38-01.3 of the North Dakota Century Code, to provide for limitations on the adjustment to taxable income for individuals and corporations for federal income taxes, and providing an effective date.

Introduction, first reading, 237  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 589  
 Second reading, 687  
 Lost, 688  
 Clincher motion, 688

**Senate Bill No. 2381 — (J. Schultz, Homuth, Barth, Stroup)**

**Senate Bill No. 2381.** A Bill for an Act to amend and reenact subsection 1 of section 5 of chapter 36 of the 1973 Session Laws of North Dakota, relating to the issuance of revenue bonds by the state laboratories commission.

Introduction, first reading, 237  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 334, 441  
 Re-referred to Committee on Appropriations, 334

Second reading, 491  
Lost, 492

**Senate Bill No. 2382 — (Melland)**

**Senate Bill No. 2382.** A Bill for an Act to provide for an actuarial study of the teachers' fund for retirement; to provide for an appropriation for the unfunded liability of the fund; and declaring an emergency.

Introduction, first reading, 238  
Referred to Committee on Appropriations  
Reported back, indefinitely postponed, 421  
Committee report for indefinite postponement, 448 adopted

**Senate Bill No. 2383 — (Conlin, Homuth)**

**Senate Bill No. 2383.** A Bill for an Act making an appropriation for the development and distribution of Indian education curriculum.

Introduction, first reading, 238  
Referred to Committee on Appropriations  
Reported back, indefinitely postponed, 384  
Committee report for indefinite postponement, 404-405 adopted

**Senate Bill No. 2384 — (Homuth)**

**Senate Bill No. 2384.** A Bill for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the disposal of alcoholic beverages on certain days, and providing a penalty.

Introduction, first reading, 238  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, indefinitely postponed, 384  
Committee report for indefinite postponement, 405 adopted

**Senate Bill No. 2385 — (Thane, Strinden)**

**Senate Bill No. 2385.** A Bill for an Act making an appropriation on a matching basis to the cities of Valley City and Wahpeton to provide navigational aid facilities at their municipal airports.

Introduction, first reading, 238  
Referred to Committee on Appropriations  
Returned to Senate, 280  
Re-referred to Committee on Transportation, 280  
Reported back, indefinitely postponed, 481  
Committee report for indefinite postponement, 502 adopted

**Senate Bill No. 2386 — (Thane, Strinden)**

**Senate Bill No. 2386.** A Bill for an Act to amend and reenact subsection 4 of section 19-03.1-22 of the North Dakota Century Code, relating to the requirements of a prescription for dispensing certain controlled substances.

Introduction, first reading, 238  
Referred to Committee on Industry, Business, & Labor  
Reported back, do pass, 421  
Engrossed, 842, 1078  
Second reading, 451, 842  
Passed, 451, 843  
To House, 474



House amendments, 836  
 Returned to Senate, amended, 836  
 Senate concurs, 842  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2387 — (Freed)**

**Senate Bill No. 2387.** A Bill for an Act to repeal section 11-11-40 of the North Dakota Century Code, relating to an appeal from a decision by the board of county commissioners.

Introduction, first reading, 238  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 460  
 Second reading, 492  
 Passed, 492  
 To House, 521  
 Returned to Senate, 887  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1078  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2388 — (Schuster)**

**Senate Bill No. 2388.** A Bill for an Act to amend and reenact subsection 1 of section 41-02-90, and sections 41-02-93 and 41-02-94 of the North Dakota Century Code, relating to buyer's remedies in general, buyer's damages for breach in regard to accepted goods, and buyer's incidental and consequential damages under the sales provisions of the Uniform Commercial Code.

Introduction, first reading, 238  
 Referred to Committee on Judiciary  
 Reported back, do pass, 400  
 Second reading, 429  
 Passed, 429  
 To House, 455  
 Returned to Senate, indefinitely postponed, 1147

**Senate Bill No. 2389 — (Sands)**

**Senate Bill No. 2389.** A Bill for an Act to create and enact a new section to chapter 40-01 of the North Dakota Century Code, relating to summary removal of members of a city appointive agency, board, or commission acting in an advisory or policy decisionmaking capacity.

Introduction, first reading, 238  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 589-590  
 Amendments adopted, 616  
 Engrossed, 669, 1460  
 Re-engrossed, 1206  
 Second reading, 688, 1206

Passed, 688, 1206  
 Clincher motion, 688  
 To House, 721  
 House amendments, 1198  
 Returned to Senate, amended, 1190  
 Senate concurs, 1206  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2390 -- (Pyle)**

**Senate Bill No. 2390.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 21-03-06 of the North Dakota Century Code, relating to counties issuing bonds to provide funds for solid waste disposal facilities; and to amend and reenact subsection 14 of section 11-11-14 of the North Dakota Century Code, relating to establishing a county garbage and trash collection system.

Introduction, first reading, 238  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 551  
 Second reading, 604  
 Passed, 605  
 To House, 663  
 Returned to Senate, 1017  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2391 -- (Lips)**

**Senate Bill No. 2391.** A Bill for an Act to provide for the sharing of state income and sales and use tax revenues with county and municipal governments, and to provide that the provisions of this Act shall be temporary.

Introduction, first reading, 239  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 590  
 Reported back, indefinitely postponed, 649  
 Committee report for indefinite postponement, 672 failed  
 Placed on calendar, 672  
 Referred to Committee on Appropriations, 597  
 Amendments adopted, 597  
 Engrossed, 669  
 Re-engrossed, 689  
 Second reading, 688, 689  
 Amended from floor, 689  
 Passed, 689  
 Clincher motion, 689  
 To House, 721  
 Returned to Senate, indefinitely postponed, 1147

**Senate Bill No. 2392 -- (Lips)**

**Senate Bill No. 2392.** A Bill for an Act to create and enact section 40-57-21 of the North Dakota Century Code, to provide an alternative form of procedures and transactions in order to accomplish the financing of projects which need not be owned by municipalities.

Introduction, first reading, 239  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 590  
 Second reading, 689  
 Passed, 689  
 Clincher motion, 689  
 To House, 721  
 Returned to Senate, indefinitely postponed, 1147

**Senate Bill No. 2393 — (Lips)**

**Senate Bill No. 2393.** A Bill for an Act appropriating funds to the division of vocational rehabilitation for the construction and maintenance of a rehabilitation facility for handicapped persons in the Bismarck-Mandan area, and declaring an emergency.

Introduction, first reading, 239  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 441  
 Committee report for indefinite postponement, 469 adopted

**Senate Bill No. 2394 — (Committee on Appropriations)**

**Senate Bill No. 2394.** A Bill for an Act requiring the state tax commissioner to submit budget estimates on the personal property tax replacement.

Introduction, first reading, 239  
 Referred to Committee on Appropriations  
 Reported back, do pass, 291  
 Second reading, 325  
 Passed, 326  
 To House, 342  
 Returned to Senate, 861  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2395 — (Fritzell)**

**Senate Bill No. 2395.** A Bill for an Act to create and enact a new section to chapter 40-47 of the North Dakota Century Code, relating to the authority of a city to enact zoning regulation; and to amend and reenact sections 11-33-20, 40-47-06, 40-48-03, and 40-48-18 of the North Dakota Century Code, relating to the authority of a county to enact zoning regulations within certain limits and the authority of a city to enact subdivision regulations.

Introduction, first reading, 239  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 590-591  
 Amendments adopted, 616  
 Engrossed, 669, 1460

Re-engrossed, 1323  
 Second reading, 690, 1323  
 Passed, 690, 1323  
 Clincher motion, 690  
 To House, 721, 1342  
 House amendments, 1260-1261  
 Returned to Senate, amended, 1259  
 Conference Committee, 1285, 1307  
 Conference Committee report, 1321-1323  
 Senate adopts, 1323  
 House adopts, 1352  
 Senate does not concur, 1285  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2396 — (Fritzell)**

**Senate Bill No. 2396.** A Bill for an Act to provide for the continuation of township zoning regulations; to amend and reenact sections 11-33-20, 11-35-01, and 11-35-02 of the North Dakota Century Code, relating to the authority of counties and cities to enact zoning regulations; and to repeal sections 58-03-11, 58-03-12, 58-03-13, 58-03-14, and 58-03-15 of the North Dakota Century Code, relating to the authority of townships to establish zoning regulations.

Introduction, first reading, 239  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 591  
 Committee report for indefinite postponement, 641 adopted

**Senate Bill No. 2397 — (Lashkowitz)**

**Senate Bill No. 2397.** A Bill for an Act to create and enact three new sections to chapter 12.1-30 as contained in chapter 116 of the 1973 Session Laws of the state of North Dakota relating to the operation of business establishments on memorial day, and providing a penalty.

Introduction, first reading, 239  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 384  
 Second reading, 429  
 Lost, 429

**Senate Bill No. 2398 — (Nothing)**

**Senate Bill No. 2398.** A Bill for an Act to amend and reenact sections 6-09.2-01, 6-09.2-02, subsections 2, 4, and 6 of section 6-09.2-03, subsections 1, 3, 4, and 6 of section 6-09.2-04, section 6-09.2-05, subsection 1 of section 6-09.2-06, and the initial language of section 6-09.2-07 of the North Dakota Century Code, relating to an agricultural development mortgage insurance program in the Bank of North Dakota.

Introduction, first reading, 240  
 Referred to Committee on Agriculture  
 Returned to Senate, 335  
 Re-referred to Committee on Industry, Business & Labor, 335  
 Reported back, do pass, 591  
 Second reading, 690

Passed, 690  
 Clincher motion, 690  
 To House, 721  
 Returned to Senate, 1095  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2399 — (Schuster)**

**Senate Bill No. 2399.** A Bill for an Act to authorize the electorate of home rule cities to approve the conduct of business or labor on Sunday, and to amend and reenact section 12.1-01-05 as contained in section 3 of Senate Bill No. 2040 of the forty-fourth legislative assembly, relating to the authority of home rule cities to supersede certain state laws.

Introduction, first reading, 240  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, indefinitely postponed, 384  
 Committee report for indefinite postponement, 405 adopted

**Senate Bill No. 2400 — (Schuster)**

**Senate Bill No. 2400.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to adjustments to North Dakota taxable income for individuals and allowing an additional seven hundred fifty dollars for each exemption claimed.

Introduction, first reading, 240  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 510  
 Committee report for indefinite postponement, 559 adopted

**Senate Bill No. 2401 — (Lashkowitz, Schuster)**

**Senate Bill No. 2401.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code to provide for the exemption of military retirement pay from the state income tax.

Introduction, first reading, 240  
 Referred to Committee on Finance & Taxation  
 Returned to Senate and withdrawn, 452

**Senate Bill No. 2402 — (Lashkowitz, Barth)**

**Senate Bill No. 2402.** A Bill for an Act to amend and reenact subsection 4 of section 52-04-06 of the North Dakota Century Code, relating to a variation in the standard rate of unemployment compensation contributions by an employer.

Introduction, first reading, 240  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 591  
 Committee report for indefinite postponement, 641 adopted

**Senate Bill No. 2403 — (Tveten, Longmire)**

**Senate Bill No. 2403.** A Bill for an Act to amend and reenact section 15-

55-02.1 of the North Dakota Century Code relating to the issuance of refunding bonds by the board of higher education.

Introduction, first reading, 240  
 Referred to Committee on Education  
 Reported back, do pass, 511  
 Second reading, 605  
 Passed, 605  
 To House, 663  
 Returned to Senate, 1112  
 Enrolled, 1446  
 Signed by President, 1446  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2404 — (Lashkowitz, Homuth)**

**Senate Bill No. 2404.** A Bill for an Act to create and enact a new chapter to the North Dakota Century Code, relating to issuing revenue bonds and setting up a special fund to finance housing for low-income families, low-income elderly persons, low-income disabled veterans, and low-income handicapped persons to be administered through cities, counties, and city and county housing authorities, and establishing an advisory board to approve such financing.

Introduction, first reading, 240  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 576-580  
 Reported back, indefinitely postponed, 511  
 Committee report for indefinite postponement, 576-580 adopted  
 Amendments adopted, 580  
 Engrossed, 580

**Senate Bill No. 2405 — (Naaden)**

**Senate Bill No. 2405.** A Bill for an Act to amend and reenact section 4-30-55 of the North Dakota Century Code, relating to the sale of raw milk or milk products.

Introduction, first reading, 240  
 Referred to Committee on Agriculture  
 Reported back, indefinitely postponed, 384  
 Committee report for indefinite postponement, 405-406 adopted

**Senate Bill No. 2406 — (Longmire)**

**Senate Bill No. 2406.** A Bill for an Act to create and enact section 15-39.1-25.1, and to amend and reenact section 15-39.1-27 of the North Dakota Century Code, relating to teaching credit for part-time teaching for purposes of computing teachers' retirement benefits.

Introduction, first reading, 241  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 511  
 Committee report for indefinite postponement, 559 adopted

**Senate Bill No. 2407 — (Longmire)**

**Senate Bill No. 2407.** A Bill for an Act to amend and reenact section 25-12-02 of the North Dakota Century Code, relating to mental health service units.

Introduction, first reading, 241  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, amended, 421-422  
Amendments adopted, 438  
Engrossed, 457  
Second reading, 518  
Passed, 518  
To House, 568  
Returned to Senate, 1095  
Enrolled, 1446  
Signed by President, 1446  
Sent to House, 1447  
Received from House, 1458  
Message to Governor, 1459

**Senate Bill No. 2408 — (Longmire)**

**Senate Bill No. 2408.** A Bill for an Act to amend and reenact section 16-04-29 of the North Dakota Century Code, relating to the vote required to be received at a primary election to be deemed nominated as a candidate for office.

Introduction, first reading, 241  
Referred to Committee on Judiciary  
Returned to Senate and withdrawn, 517

**Senate Bill No. 2409 — (Longmire)**

**Senate Bill No. 2409.** A Bill for an Act to amend and reenact section 16-10-16 of the North Dakota Century Code, relating to compensation paid to election officials.

Introduction, first reading, 241  
Referred to Committee on Judiciary  
Returned to Senate and withdrawn, 517

**Senate Bill No. 2410 — (Lashkowitz, Schuster, Homuth, Barth, Wenstrom, Redlin)**

**Senate Bill No. 2410.** A Bill for an Act to amend and reenact section 34-06-12 of the North Dakota Century Code, relating to orders by the labor commissioner and requiring an annual wage cost of living increase.

Introduction, first reading, 241  
Referred to Committee on Industry, Business & Labor  
Reported back, indefinitely postponed, 460  
Committee report for indefinite postponement, 483 adopted

**Senate Bill No. 2411 — (Stroup)**

**Senate Bill No. 2411.** A Bill for an Act making an appropriation to the public service commission for the purpose of conducting surface mine reclamation research.

Introduction, first reading, 241  
Referred to Committee on Appropriations  
Reported back, amended, 441  
Amendments adopted, 465  
Engrossed, 477  
Second reading, 492  
Passed, 493  
To House, 521  
Returned to Senate, indefinitely postponed, 1147

**Senate Bill No. 2412 — (H. Christensen, Redlin, Reiten)**

**Senate Bill No. 2412.** A Bill for an Act to provide for standards for the regulation of model rockets and model rocket launch sites, and to provide for the reporting of model rocket accidents to the fire marshal, and to provide a penalty.

Introduction, first reading, 241  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 354-355  
 Amendments adopted, 371  
 Engrossed, 379, 1460  
 Re-engrossed, 1269  
 Second reading, 395, 1270  
 Passed, 395, 1270  
 To House, 411  
 House amendments, 1198-1199  
 Returned to Senate, amended, 1190  
 Senate concurs, 1269  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2413 — (Sandness, Wright)**

**Senate Bill No. 2413.** A Bill for an Act to create and enact section 39-06-07.1 of the North Dakota Century Code, relating to proof of name and date of birth for motor vehicle operator's license application and to amend and reenact subsection 1 of section 39-06-14 and section 39-06-19 of the North Dakota Century Code, relating to licenses issued to motor vehicle operators and to the expiration and renewal of motor vehicle operator's licenses, to provide an effective date, and to provide an appropriation.

Introduction, first reading, 241  
 Referred to Committee on Appropriations  
 Reported back without recommendation, 649  
 Reported back, amended, 511  
 Re-referred to Committee on Appropriations, 605  
 Amendments adopted, 528  
 Engrossed, 572, 1156, 1446  
 Re-engrossed, 1300  
 Second reading, 691, 1300  
 Passed, 691, 1300  
 Clincher motion, 691  
 To House, 721  
 House amendments, 1271-1272  
 Returned to Senate, amended, 1270  
 Senate concurs, 1300  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2414 — (Barth, Conlin, Naaden)**

**Senate Bill No. 2414.** A Bill for an Act to amend and reenact section 4-34-01 of the North Dakota Century Code, relating to the purposes of the Beef Promotion Act.



Introduction, first reading, 241  
Referred to Committee on Agriculture  
Reported back without recommendation, 551  
Second reading, 605  
Lost, 605

**Senate Bill No. 2415 — (Holand, Homuth, Strand, H. Christensen)**

**Senate Bill No. 2415.** A Bill for an Act to define, license, and regulate the business of lending in amounts of exceeding one thousand dollars and not exceeding two thousand five hundred dollars; to prescribe maximum rates of charge which licensees are permitted to make; to provide for administration and enforcement of this Act; and to prescribe penalties.

Introduction, first reading, 241  
Referred to Committee on Industry, Business & Labor  
Reported back, amended, 591-592  
Amendments adopted, 616  
Engrossed, 669  
Second reading, 691  
Passed, 692  
Clincher motion, 692  
To House, 722  
Returned to Senate, 1095  
Enrolled, 1446  
Signed by President, 1447  
Sent to House, 1447  
Received from House, 1458  
Message to Governor, 1459

**Senate Bill No. 2416 — (Maher)**

**Senate Bill No. 2416.** A Bill for an Act to create and enact a new section to chapter 38-04 of the North Dakota Century Code, relating to the licensing of coal mines.

Introduction, first reading, 242  
Referred to Committee on Industry, Business & Labor  
Reported back, indefinitely postponed, 400  
Committee report for indefinite postponement, 425 adopted

**Senate Bill No. 2417 — (Maher)**

**Senate Bill No. 2417.** A Bill for an Act to amend and reenact section 14-07-17 of the North Dakota Century Code, relating to presumption of intent to abandon.

Introduction, first reading, 242  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, indefinitely postponed, 422  
Committee report for indefinite postponement, 448 adopted

**Senate Bill No. 2418 — (Maher)**

**Senate Bill No. 2418.** A Bill for an Act to amend and reenact section 11-10-15 of the North Dakota Century Code, relating to mileage of officials.

Introduction, first reading, 242  
Referred to Committee on Political Subdivision  
Reported back, do pass, 481

Second reading, 518

Passed, 518

To House, 568

Returned to Senate, indefinitely postponed, 863

**Senate Bill No. 2419 — (Maher)**

**Senate Bill No. 2419.** A Bill for an Act to amend and reenact section 44-08-04 of the North Dakota Century Code, relating to expense account, amount allowed, and verification of an elective or appointive officer, employee, representative, or agent of the state or its subdivisions, agencies, bureaus, boards, or commissions.

Introduction, first reading, 242

Referred to Committee on State & Federal Government

Returned to Senate and withdrawn, 452

**Senate Bill No. 2420 — (Naaden, Smykowski, Thane)**

**Senate Bill No. 2420.** A Bill for an Act to amend and reenact section 20.1-01-07 of the North Dakota Century Code, relating to the hunting of furbearers from motor vehicles.

Introduction, first reading, 242

Referred to Committee on Natural Resources

Reported back, indefinitely postponed, 384

Committee report for indefinite postponement, 406 adopted

Reconsidered, 416

Engrossed, 451

Second reading, 451, 452

Amended from floor, 451

Lost, 452

**Senate Bill No. 2421 — (Lashkowitz, Longmire, J. Schultz, Ringsak)**

**Senate Bill No. 2421.** A Bill for an Act to provide chiropractic preparation scholarships to qualified students who express an intent to practice in this state, designating the state board of chiropractic examiners to administer this Act, and providing an appropriation.

Introduction, first reading, 242

Referred to Committee on Industry, Business & Labor

Reported back, indefinitely postponed, 511

Committee report for indefinite postponement, 559 adopted

**Senate Bill No. 2422 — (Maher)**

**Senate Bill No. 2422.** A Bill for an Act relating to changing the name of the county welfare board to the county social service board.

Introduction, first reading, 242

Referred to Committee on Social Welfare & Veterans Affairs

Reported back, do pass, 422

Second reading, 452

Passed, 453

To House, 474

Returned to Senate, 887

Enrolled, 1117

Signed by President, 1151

Sent to House, 1151

Received from House, 1153

Message to Governor, 1155  
Approved by Governor, 1261

**Senate Bill No. 2423 — (Gronhøvd)**

**Senate Bill No. 2423.** A Bill for an Act to amend and reenact section 43-35-14 of the North Dakota Century Code, relating to a bond required of water well contractors.

Introduction, first reading, 242  
Referred to Committee on Industry, Business & Labor  
Reported back, indefinitely postponed, 400  
Committee report for indefinite postponement, 425 adopted

**Senate Bill No. 2424 — (Fritzell)**

**Senate Bill No. 2424.** A Bill for an Act to provide for the establishment, acquisition, control, use, management, and protection of a state system of nature preserves; and to provide for the state park service to administer the Act.

Introduction, first reading, 242  
Referred to Committee on Natural Resources  
Reported back, amended, 400-401  
Amendments adopted, 423  
Engrossed, 435, 1365  
Re-engrossed, 453, 1105  
Second reading, 453, 1105  
Amended from floor, 453  
Passed, 453, 1105  
To House, 474  
House amendments, 1096  
Returned to Senate amended, 1096  
Senate concurs, 1105  
Enrolled, 1365  
Signed by President, 1365  
Sent to House, 1366  
Received from House, 1381  
Message to Governor, 1395  
Approved by Governor, 1433

**Senate Bill No. 2425 — (Iszler, Barth)**

**Senate Bill No. 2425.** A Bill for an Act to establish a central North Dakota beef cattle experiment station; to provide for determining its location; and to provide an appropriation.

Introduction, first reading, 243  
Referred to Committee on Agriculture  
Reported back, amended, 442  
Reported back, indefinitely postponed, 551  
Committee report for indefinite postponement, 581 adopted  
Re-referred to Committee on Appropriations, 465  
Amendments adopted, 465  
Engrossed, 477

**Senate Bill No. 2426 — (Iszler, Strand)**

**Senate Bill No. 2426.** A Bill for an Act to amend and reenact section 39-21-45.1 of the North Dakota Century Code, relating to modification of motor vehicles.

Introduction, first reading, 243  
 Referred to Committee on Transportation  
 Reported back, amended, 511  
 Amendments adopted, 528  
 Engrossed, 572, 1446  
 Re-engrossed, 1105  
 Second reading, 605, 1105  
 Passed, 606, 1106  
 To House, 663  
 House amendments, 1096  
 Returned to Senate, amended, 1096  
 Senate concurs, 1105  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2427 — (Hoffner, Lips)**

Senate Bill No. 2427. A Bill for an Act to amend and reenact section 1-03-02.1 of the North Dakota Century Code, relating to bank holidays when they fall on Saturday.

Introduction, first reading, 243  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 511  
 Second reading, 606  
 Passed, 606  
 To House, 663  
 Returned to Senate, failed to pass, 1115

**Senate Bill No. 2428 — (Hoffner)**

Senate Bill No. 2428. A Bill for an Act to create and enact a new section to chapter 61-16 and a new section to chapter 61-21 of the North Dakota Century Code, relating to the authority of a water management district board and a board of drainage commissioners to cause a non-complying drain to be closed; to amend and reenact section 61-01-22 of the North Dakota Century Code, relating to acquiring a drainage permit; and to repeal subsection 3 of section 61-21-39 of the North Dakota Century Code, relating to the authority of a board of drainage commissioners to close a non-complying drain; and to provide a penalty.

Introduction, first reading, 243  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 551  
 Amendments adopted, 574  
 Engrossed, 669  
 Second reading, 692  
 Passed, 692  
 Clincher motion, 692  
 To House, 722  
 Returned to Senate, 1095  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2429 — (Hoffner)**

**Senate Bill No. 2429.** A Bill for an Act to provide for the formation of hospital districts, to authorize counties to levy taxes for the support and maintenance of the hospital districts, and declaring an emergency.

Introduction, first reading, 243  
 Referred to Committee on Political Subdivisions  
 Reported back, amended, 592-593  
 Reported back, indefinitely postponed, 616  
 Committee report for indefinite postponement, 672 failed  
 Amendments adopted, 616  
 Engrossed, 669, 1460  
 Re-engrossed, 1206  
 Second reading, 692, 1207  
 Passed, 692, 1207  
 Clincher motion, 692  
 To House, 722  
 House amendments, 1199  
 Returned to Senate, amended, 1190  
 Senate concurs, 1206  
 Enrolled, 1460  
 Signed by President, 1462  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2430 — (Jones)**

**Senate Bill No. 2430.** A Bill for an Act to amend and reenact subsection 6 of section 13-06-03, subsection 2 of section 54-10-01, and sections 54-10-13 and 54-10-14 of the North Dakota Century Code, to authorize licensed public accountants to adjust debts and perform audits for occupational and professional boards, county agencies and political subdivisions.

Introduction, first reading, 243  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 551  
 Second reading, 606, 617  
 Lost, 607,  
 Passed, 617  
 Clincher motion, 618  
 To House, 722  
 Returned to Senate, 1145  
 Reconsidered, 617  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2431 — (Solberg)**

**Senate Bill No. 2431.** A Bill for an Act to amend and reenact section 49-18-11 of the North Dakota Century Code, relating to the requirement that the rates for all classes of common carriers be uniform.

Introduction, first reading, 243  
 Referred to Committee on Transportation  
 Reported back, do pass, 384  
 Second reading, 430

Passed, 430  
 To House, 455  
 Returned to Senate, 936  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Forwarded by Governor, no signature, 1181

**Senate Bill No. 2432 — (Barth)**

**Senate Bill No. 2432.** A Bill for an Act to amend and reenact section 39-08-09 of the North Dakota Century Code, to provide immediate notice and written report of an accident, and to increase the minimum amount of damage below which such report is not required.

Introduction, first reading, 243  
 Referred to Committee on Judiciary  
 Reported back, do pass, 401  
 Engrossed, 1282, 1460  
 Second reading, 430, 1282  
 Passed, 430, 1282  
 To House, 455  
 House amendments, 938  
 Returned to Senate, amended, 936  
 Conference Committee, 951, 1050  
 Conference Committee report, 1282  
 Senate adopts, 1282  
 House adopts, 1352  
 Senate does not concur, 951  
 Enrolled, 1460  
 Signed by President, 1463  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2433 — (Wright)**

**Senate Bill No. 2433.** A Bill for an Act to amend and reenact section 57-02-41 of the North Dakota Century Code, relating to attachment of tax lien and prorating taxes as between vendor and purchaser.

Introduction, first reading, 244  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 345  
 Second reading, 392  
 Passed, 392  
 To House, 411  
 Returned to Senate, 861  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2434 — (Melland)**

**Senate Bill No. 2434.** A Bill for an Act to create and enact a new section

to the North Dakota Century Code, declaring beekeeping to be an agricultural enterprise for all purposes and to amend and reenact sections 4-12-02 and 4-12-08 of the North Dakota Century Code, relating to rules and regulations of the commissioner on honey bees.

- Introduction, first reading, 244
- Referred to Committee on Agriculture
- Reported back, amended, 511-512
- Amendments adopted, 528
- Engrossed, 572, 1117
- Re-engrossed, 952
- Second reading, 607, 952
- Passed, 607, 952
- To House, 663
- House amendments, 938
- Returned to Senate, amended, 936
- Senate concurs, 952
- Enrolled, 1117
- Signed by President, 1151
- Sent to House, 1151
- Received from House, 1153
- Message to Governor, 1155
- Approved by Governor, 1262

**Senate Bill No. 2435 — (Committee on Appropriations)**

**Senate Bill No. 2435.** A Bill for an Act to control the size of state government and the number of persons employed by the state, and to file quarterly reports.

- Introduction, first reading, 244
- Referred to Committee on State & Federal Government
- Returned to Senate, 347
- Re-referred to Committee on Appropriations, 347
- Reported back, amended, 649
- Amendments adopted, 671
- Engrossed, 694
- Second reading, 709, 1445
- Passed, 709
- Governor's veto sustained, 1445
- Clincher motion, 709
- To House, 722
- Returned to Senate, 1017
- Enrolled, 1293
- Signed by President, 1318
- Sent to House, 1319
- Received from House, 1331
- Message to Governor, 1343
- Vetoed by Governor, 1440
- Consideration to over-ride veto, 1440
- Delivered to Secretary of State, 1476

**Senate Bill No. 2436 — (Committee on Appropriations)**

**Senate Bill No. 2436.** A Bill for an Act making an appropriation to the director of institutions for the construction of a maintenance building.

- Introduction, first reading, 244
- Referred to Committee on Appropriations
- Reported back, amended, 366

Amendments adopted, 379  
 Engrossed, 399  
 Second reading, 430  
 Passed, 431  
 To House, 455  
 Returned to Senate, indefinitely postponed, 1051

**Senate Bill No. 2437 — (Conlin, Barth, J. Schultz)**

**Senate Bill No. 2437.** A Bill for an Act to amend and reenact section 54-36-01 of the North Dakota Century Code, relating to the membership of the Indian affairs commission.

Introduction, first reading, 244  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 442  
 Amendments adopted, 465  
 Engrossed, 477  
 Second reading, 493  
 Passed, 493  
 To House, 521  
 Returned to Senate, 861  
 Enrolled, 1078  
 Signed by President, 1078  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2438 — (Conlin, Lashkowitz, Barth)**

**Senate Bill No. 2438.** A Bill for an Act authorizing the state social service board to contract for off-reservation Indian health care, and providing an appropriation.

Introduction, first reading, 244  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Re-referred to Committee on Appropriations, 448  
 Reported back, indefinitely postponed, 422, 512  
 Committee report for indefinite postponement, 560 adopted

**Senate Bill No. 2439 — (Conlin, J. Schultz)**

**Senate Bill No. 2439.** A Bill for an Act to create and enact a new subsection to section 57-02-08, a new subsection to section 57-39.2-04, and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to the exemption from property taxes and sales and use taxes of solar energy systems to heat or cool buildings and structures.

Introduction, first reading, 244  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 402  
 Engrossed, 1176, 1460  
 Second reading, 431, 1176  
 Passed, 431, 1176  
 To House, 455  
 House Amendments, 862  
 Returned to Senate, amended, 861  
 Conference Committee, 874, 888  
 Conference Committee report, 1176, 1320



Senate adopts, 1176, 1320  
Senate does not concur, 873  
Enrolled, 1460  
Signed by President, 1463  
Sent to House, 1464  
Received from House, 1467  
Message to Governor, 1476

**Senate Bill No. 2440 — (Kautzmann)**

**Senate Bill No. 2440.** A Bill for an Act to authorize the director of state parks of the North Dakota park service to sell and convey certain land owned by the state of North Dakota.

Introduction, first reading, 244  
Referred to Committee on State & Federal Government  
Reported back, do pass, 345  
Engrossed, 392  
Second reading, 392  
Amended from floor, 392  
Passed, 393  
To House, 411  
Returned to Senate, 1189  
Enrolled, 1461  
Signed by President, 1463  
Sent to House, 1464  
Received from House, 1467  
Message to Governor, 1476

**Senate Bill No. 2441 — (Lashkowitz)**

**Senate Bill No. 2441.** 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.

Introduction, first reading, 244  
Referred to Committee on Industry, Business & Labor  
Reported back, amended, 460  
Amendments adopted, 478  
Engrossed, 497  
Second reading, 518  
Passed, 519  
To House, 568  
Returned to Senate, 964, failed to pass

**Senate Bill No. 2442 — (Lashkowitz)**

**Senate Bill No. 2442.** A Bill for an Act to require common carriers to inform passengers when hazardous materials are to be transported with the passengers and providing a penalty.

Introduction, first reading, 244  
Referred to Committee on Transportation  
Returned to Senate and withdrawn, 517

**Senate Bill No. 2443 — (Kautzmann)**

**Senate Bill No. 2443.** A Bill for an Act to amend and reenact subsection 8 of section 6-03-02 of the North Dakota Century Code, relating to powers of banks.

Introduction, first reading, 245

Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 593  
 Amendments adopted, 616  
 Engrossed, 669, 1460  
 Re-engrossed, 1314  
 Second reading, 693, 1314  
 Passed, 693, 1314  
 Clincher motion, 693  
 To House, 722, 1318  
 House amendments, 1200  
 Returned to Senate, amended, 1190  
 Conference Committee, 1285, 1307  
 Conference Committee report, 1313  
 Senate adopts, 1313  
 House adopts, 1352  
 Senate does not concur, 1285  
 Enrolled, 1460  
 Signed by President, 1463  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2444 — (Barth, Kautzmann)**

**Senate Bill No. 2444.** A Bill for an Act to create and enact chapter 4-30.1 of the North Dakota Century Code, relating to the establishment of central milk testing, creation of a state milk testing board, the basing of all payments for raw milk on the tests thereby made, acquisition of the necessary facilities and equipment therefor, location of the facilities, fees to be charged for tests and providing an appropriation therefor.

Introduction, first reading, 245  
 Referred to Committee on Agriculture  
 Reported back, do pass, 460  
 Reported back, indefinitely postponed, 593  
 Committee report for indefinite postponement, 642 failed  
 Placed on Calendar, 642  
 Re-referred to Committee on Appropriations, 460  
 Second reading, 674  
 Passed, 675  
 Clincher motion, 675  
 To House, 722  
 Returned to Senate, failed to pass 1259

**Senate Bill No. 2445 — (Homuth, Maher, Lee)**

**Senate Bill No. 2445.** A Bill for an Act to create and enact subsection 4 of section 39-08-01, and to amend and reenact section 39-06-42, all of the North Dakota Century Code, relating to the impoundment of motor vehicles following conviction of driving while license suspended or revoked or for driving while intoxicated.

Introduction, first reading, 245  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 512  
 Committee report for indefinite postponement, 560 not adopted  
 Placed on Calendar, 560  
 Engrossed, 608, 1460  
 Re-engrossed, 1207  
 Second reading, 607, 608, 1207  
 Amended from floor, 607-608

Passed, 609, 1207  
 Clincher motion, 1208  
 To House, 722  
 House amendments, 1200  
 Returned to Senate, amended, 1190  
 Senate concurs, 1207  
 Enrolled, 1460  
 Signed by President, 1463  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2446 — (Holand)**

**Senate Bill No. 2446.** A Bill for an Act to provide for the regulation of supplemental parental care for children through the licensing of day care centers and the registration of family day care homes and day care attendants; providing a penalty; to amend and reenact sections 50-11-01, 50-11-01.3, and 50-11-02 of the North Dakota Century Code, relating to the licensing of foster family care homes for children and the use of public funds; and to repeal sections 50-11-01.1 and 50-11-01.2 of the North Dakota Century Code, relating to the definition of family day care home for children and the definition of day care center for children.

Introduction, first reading, 245  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 512  
 Second reading, 609  
 Passed, 609  
 To House, 663  
 Returned to Senate, 1095  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2447 — (Holand)**

**Senate Bill No. 2447.** A Bill for an Act to create and enact section 50-12-14.1 of the North Dakota Century Code, relating to conditions for the placement of children in the state; to amend and reenact section 50-12-17 of the North Dakota Century Code, relating to the penalty for illegal placement of children; and to repeal sections 50-12-14 and 50-12-15 of the North Dakota Century Code, relating to foreign associations placing children in the state and residents bringing children into the state for permanent care.

Introduction, first reading, 245  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 512  
 Second reading, 609  
 Passed, 610  
 To House, 663  
 Returned to Senate, 1112  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2448 — (Holand)**

**Senate Bill No. 2448.** A Bill for an Act to provide for the disclosure of campaign contributions.

Introduction, first reading, 245  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 512  
 Committee report for indefinite postponement, 556 adopted

**Senate Bill No. 2449 — (Nothing)**

**Senate Bill No. 2449.** A Bill for an Act to amend and reenact section 57-38-29 of the North Dakota Century Code, relating to income tax rates for individuals and providing that there be no tax on the first two thousand five hundred dollars of taxable income; providing an effective date; and providing that the provisions of this Act shall be temporary.

Introduction, first reading, 245  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 593  
 Second reading, 693  
 Passed, 694  
 Clincher motion, 694  
 To House, 722  
 Returned to Senate, failed to pass, 1457

**Senate Bill No. 2450 — (Freed, Wenstrom)**

**Senate Bill No. 2450.** A Bill for an Act to amend and reenact section 54-40-09 of the North Dakota Century Code, relating to human service centers and their powers and duties.

Introduction, first reading, 246  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Returned to Senate and withdrawn, 485

**Senate Bill No. 2451 — (Nothing)**

**Senate Bill No. 2451.** A Bill for an Act to provide an appropriation to the North Dakota heritage commission for the construction of a heritage center.

Introduction, first reading, 246  
 Referred to Committee on Appropriations  
 Reported back, amended, 442-443  
 Amendments adopted, 465  
 Engrossed, 477  
 Second reading, 709  
 Passed, 709  
 Clincher motion, 710  
 To House, 722  
 Returned to Senate, 1395  
 Enrolled, 1461  
 Signed by President, 1463  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2452 — (Reiten)**

**Senate No. 2452.** A Bill for an Act to provide for the establishment of recreation service districts for the purpose of providing police protection,

water and sewer, garbage removal services, public road construction and maintenance, in addition to that provided by the local governing body or other agency, and the improvement and control of the environmental quality of the recreation service district, to provide for elections and for a board of recreation service commissioners, and to provide for the levying of special assessments.

Introduction, first reading, 246  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 512-513  
 Amendments adopted, 528  
 Engrossed, 572, 1460  
 Re-engrossed, 1325  
 Second reading, 610, 1325  
 Passed, 610, 1326  
 To House, 663, 1342  
 House amendments, 1261  
 Returned to Senate, amended, 1259  
 Conference Committee, 1285, 1307  
 Conference Committee report, 1325  
 Senate adopts, 1325  
 House adopts, 1352  
 Senate does not concur, 1285  
 Enrolled, 1460  
 Signed by President, 1463  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

Senate Bill No. 2453 — (L. Christensen, Fritzell, Hoffner, Mutch Thane)

Senate Bill No. 2453. A Bill for an Act to declare legislative intent and finding of public purpose, and to amend and reenact sections 6-09-15, 6-09.1-02 and 6-09.1-03 of the North Dakota Century Code, to create an operations board of the Bank of North Dakota and encourage deposits by banks in state.

Introduction, first reading, 246  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 593  
 Placed on calendar without recommendation, 649  
 Referred to Committee on Appropriations, 597  
 Amendments adopted, 597  
 Engrossed, 669  
 Re-engrossed, 1339, 1454  
 Second reading, 710, 1339, 1454, 1457  
 Passed, 710, 1340  
 Clincher motion, 710  
 Lost, 1454, 1457  
 To House, 722, 1342  
 Returned to Senate, 1366  
 House amendments, 1200-1201  
 Returned to Senate, amended, 1190  
 Conference Committee, 1242, 1281, 1366, 1373, 1431, 1432  
 Conference Committee report, 1338, 1431, 1449, 1454  
 Senate adopts, 1432  
 House adopts, 1432  
 Senate does not concur, 1242  
 Reconsidered, 1456

**Senate Bill No. 2454 — (Kautzmann)**

**Senate Bill No. 2454.** A Bill for an Act to amend and reenact section 26-10-18 of the North Dakota Century Code, relating to avails of life insurance policies.

Introduction, first reading, 246  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 513  
Second reading, 610  
Passed, 611  
To House, 663  
Returned to Senate, 936  
Enrolled, 1078  
Signed by President, 1079  
Sent to House, 1079  
Received from House, 1097  
Message to Governor, 1109  
Approved by Governor, 1143

**Senate Bill No. 2455 — (Nasset, Tweten)**

**Senate Bill No. 2455.** A Bill for an Act to amend and reenact section 15-53.1-07 of the North Dakota Century Code, to require transportation services in territory annexed to school districts; and providing an effective date.

Introduction, first reading, 246  
Referred to Committee on Education  
Reported back, amended, 594  
Amendments adopted, 616  
Engrossed, 669  
Second reading, 710  
Passed, 711  
To House, 722  
Returned to Senate, indefinitely postponed, 1147  
Clincher motion, 711

**Senate Bill No. 2456 — (Mutch)**

**Senate Bill No. 2456.** A Bill for an Act to create and enact section 49-12-34 and 49-13-30 of the North Dakota Century Code, relating to railroad livestock shipments and railroad employee pay; to amend and reenact sections 8-10-05, 49-11-15, 49-11-17, subsection 1 of section 49-02-01, subsection 5 of section 49-02-02, and subsection 2 of section 49-11-06 of the North Dakota Century Code, relating to railroads; to repeal chapters 36-20 and 49-08 and section 49-04-11, 49-04-12, 49-04-13, and 49-04-14 of the North Dakota Century Code, and section 49-09-12 of the 1973 Supplement to the North Dakota Century Code, relating to railroads; providing for a limited redraft of law relating to railroads in North Dakota.

Introduction, first reading, 246  
Referred to Committee on Industry, Business & Labor  
Reported back, amended, 422  
Amendments adopted, 438  
Engrossed, 457  
Second reading, 493  
Passed, 494  
To House, 521  
Returned to Senate, 936  
Enrolled, 1117

Signed by President, 1151  
Sent to House, 1151  
Received from House, 1153  
Message to Governor, 1156  
Approved by Governor, 1262

**Senate Bill No. 2457 — (J. Schultz)**

**Senate Bill No. 2457.** A Bill for an Act to create and enact a new subsection to section 54-52.1-01, relating to the definition of long term medical disability benefits coverage; and to amend and reenact subsection 5 of section 54-52.1-01; and to amend and reenact section 54-52.1-02 of the North Dakota Century Code, relating to the uniform group insurance program; and providing an appropriation.

Introduction, first reading, 246  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, indefinitely postponed, 514  
Committee report for indefinite postponement, 562-563 adopted

**Senate Bill No. 2458 — (Melland)**

**Senate Bill No. 2458.** A Bill for an Act to amend and reenact subsections 2, 4, 11, 12, and 13 of section 57-36-01, sections 57-36-02, 57-36-04, 57-36-05, 57-36-09, 57-36-09.1, 57-36-24, and subsection 2 of section 57-36-29 of the North Dakota Century Code, and subsection 1 of section 57-36-33 of the North Dakota Century Code, as contained in section 637 of senate bill no. 2039, as approved by the forty-fourth legislative assembly, relating to cigars, snuff, and other tobacco products; to repeal subsections 9 and 10 of section 57-36-01 and sections 57-36-20, 57-36-25, 57-36-26, and 57-36-28 of the North Dakota Century Code, relating to the tax imposed on cigars, snuff, and other tobacco products, and to provide a penalty.

Introduction, first reading, 247  
Referred to Committee on Finance & Taxation  
Reported back, indefinitely postponed, 443  
Committee report for indefinite postponement, 469 adopted

**Senate Bill No. 2459 — (Longmire)**

**Senate Bill No. 2459.** A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school starting age and reading programs in schools.

Introduction, first reading, 247  
Referred to Committee on Education  
Reported back, indefinitely postponed, 514  
Committee report for indefinite postponement, 563 adopted

**Senate Bill No. 2461 — (Tweten, Longmire)**

**Senate Bill No. 2460.** A Bill for an Act to amend and reenact section 57-15-57 of the North Dakota Century Code, relating to a levy for county welfare.

Introduction, first reading, 247  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 422  
Engrossed, 454  
Second reading, 453  
Amended from floor, 454

Passed, 454  
 To House, 474  
 Returned to Senate, indefinitely postponed, 1051

**Senate Bill No. 2461 — (Wright)**

**Senate Bill No. 2461.** A Bill for an Act to amend and reenact section 15-03-06 of the North Dakota Century Code, relating to farm loan procedure to Indians.

Introduction, first reading, 247  
 Referred to Committee on Agriculture  
 Reported back, do pass, 481  
 Second reading, 519  
 Passed, 519  
 To House, 568  
 Returned to Senate, indefinitely postponed, 1148

**Senate Bill No. 2462 — (Lashkowitz)**

**Senate Bill No. 2462.** A Bill for an Act to promote industrial development within the state; to authorize the industrial commission to acquire or construct, but not to operate, industrial facilities, together with all necessary appurtenances; to authorize the issuance and sale of revenue bonds for the purpose of this Act; and to appropriate the revenue received by the industrial commission for payment of the principal and interest of the bonds.

Introduction, first reading, 247  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 460  
 Committee report for indefinite postponement, 483 adopted

**Senate Bill No. 2463 — (Nothing)**

**Senate Bill No. 2463.** A Bill for an Act to amend and reenact section 16-17-15 of the North Dakota Century Code, relating to organization of state committees of political parties.

Introduction, first reading, 247  
 Referred to Committee on Judiciary  
 Reported back, do pass, 402  
 Second reading, 431  
 Passed, 431  
 To House, 455  
 Returned to Senate, 812  
 Enrolled, 986  
 Signed by President, 1015  
 Sent to House, 1015  
 Received from House, 1019  
 Message to Governor, 1023  
 Approved by Governor, 1077

**Senate Bill No. 2464 — (Lashkowitz, Schuster, Lips, Melland, Thane)**

**Senate Bill No. 2464.** A Bill for an Act to amend and reenact section 27-08-08 of the North Dakota Century Code, relating to salaries of judges of county courts of increased jurisdiction.

Introduction, first reading, 247  
 Referred to Committee on Judiciary  
 Reported back, amended, 594  
 Amendments adopted, 616



Engrossed, 669  
 Second reading, 711  
 Passed, 711  
 To House, 722  
 Returned to Senate, 1145  
 Clincher motion, 711  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Governor, 1459

**Senate Bill No. 2465 — (Barth, Hoffner)**

**Senate Bill No. 2465.** A Bill for an Act to amend and reenact subsection 1 of section 57-38-01.2 and subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for individuals and fiduciaries and to adjustments to taxable income for corporations; to repeal section 57-38-66 of the North Dakota Century Code, providing for a business and corporation privilege tax; and to provide an effective date.

Introduction, first reading, 247  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 594  
 Committee report for indefinite postponement, 642 adopted

**Senate Bill No. 2466 — (Barth)**

**Senate Bill No. 2466.** A Bill for an Act to create and enact section 4-30-57 through 4-30-60 of the North Dakota Century Code, relating to licensing and bonding of dairy farm equipment dealers selling equipment to dairy and milk producers, creating a North Dakota dairy equipment dealer's licensing board, providing for inspections maintenance of service and repairs by dealers of dairy farm equipment installations, and regulating such installations.

Introduction, first reading, 248  
 Referred to Committee on Agriculture  
 Reported back, indefinitely postponed, 481  
 Committee report for indefinite postponement, 563 adopted

**Senate Bill No. 2467 — (Lee, Stroup)**

**Senate Bill No. 2467.** A Bill for an Act to create a natural resources council and providing an appropriation.

Introduction, first reading, 248  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 649  
 Reported back, amended, 481  
 Re-referred to Committee on Appropriations, 499  
 Amendments adopted, 499  
 Engrossed, 527, 1460  
 Re-engrossed, 1414  
 Second reading, 704, 1414  
 Passed, 705, 1415  
 Clincher motion, 705  
 To House, 722, 1366  
 House amendments, 1383  
 Returned to Senate indefinitely postponed, 1051

Returned to Senate, amended, 1383  
 Senate concurs, 1414  
 House requests return, 1366  
 Enrolled, 1460  
 Signed by President, 1463  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2468 — (Schuster)**

**Senate Bill No. 2468.** A Bill for an Act to amend and reenact section 49-05-06 of the North Dakota Century Code, relating to hearings held by the public service commission on proposed rate changes.

Introduction, first reading, 248  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 402  
 Committee report for indefinite postponement, 425 adopted

**Senate Bill No. 2469 — (Schuster)**

**Senate Bill No. 2469.** A Bill for an Act to provide a landing tax on scheduled commercial aircraft; to provide for the imposition, collection, and administration of such tax; to provide for the allocation of revenues generated to airport authorities; and to provide a penalty.

Introduction, first reading, 248  
 Referred to Committee on Finance & Taxation  
 Returned to Senate and withdrawn, 416

**Senate Bill No. 2470 — (Schuster)**

**Senate Bill No. 2470.** A Bill for an Act to amend and reenact subsection 2 of section 11-10-10 of the North Dakota Century Code, relating to the annual salary of the county treasurer, register of deeds, county judge, and state's attorney.

Introduction, first reading, 248  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 595  
 Amendments adopted, 617  
 Engrossed, 670  
 Second reading, 711  
 Passed, 711  
 Clincher motion, 712  
 To House, 722  
 Returned to Senate, 1017  
 Enrolled, 1293  
 Signed by President, 1318  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Governor, 1343  
 Approved by Governor, 1403

**Senate Bill No. 2471 — (Longmire)**

**Senate Bill No. 2471.** A Bill for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to the attorney general drug control cash fund.

Introduction, first reading, 248

Referred to Committee on Judiciary  
 Reported back, do pass, 402, 595  
 Re-referred to Committee on Appropriations, 402  
 Second reading, 712  
 Passed, 712  
 Clincher motion, 712  
 To House, 722  
 Returned to Senate, 936  
 Enrolled, 1078  
 Signed by President, 1079  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2472 — (Longmire)**

**Senate Bill No. 2472.** A Bill for an Act to provide for the adoption by the state of North Dakota of the system of plane coordinates established by the United States coast and geodetic survey, and providing an effective date.

Introduction, first reading, 248  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 345  
 Amendments adopted, 367  
 Engrossed, 379  
 Second reading, 393  
 Passed, 393  
 To House, 411  
 Returned to Senate, 812  
 Enrolled, 986  
 Signed by President, 1015  
 Sent to House, 1016  
 Received from House, 1019  
 Message to Governor, 1023  
 Approved by Governor, 1077

**Senate Bill No. 2473 — (Sands, Conlin)**

**Senate Bill No. 2473.** A Bill for an Act to create and enact sections 27-07-42, 27-08-43, 27-18-08, and 40-18-22 of the North Dakota Century Code, to require each judge of the county courts of increased jurisdiction, county justice courts, county courts, and municipal courts to attend and participate in educational sessions annually unless excused by the supreme court; to provide for referral to the commission on judicial qualifications any judge who fails to attend and participate in such educational sessions; and to repeal sections 12-61-07 and 12-61-08 of the North Dakota Century Code, relating to training of municipal judges and county justices.

Introduction, first reading, 248  
 Referred to Committee on Judiciary  
 Reported back, amended, 514  
 Amendments adopted, 528  
 Engrossed, 572, 1078  
 Re-engrossed, 899  
 Second reading, 611, 899  
 Passed, 611, 899  
 To House, 663

House amendments, 887  
 Returned to Senate, amended, 887  
 Senate concurs, 899  
 Enrolled, 1078  
 Signed by President, 1079  
 Sent to House, 1079  
 Received from House, 1097  
 Message to Governor, 1109  
 Approved by Governor, 1143

**Senate Bill No. 2474 — (Ringsak)**

**Senate Bill No. 2474.** A Bill for an Act to amend and reenact sections 50-26-01, 50-26-02, and 50-26-03 of the North Dakota Century Code, relating to the establishment of the governor's council on human resources, powers and duties of the council, and committee organization and expenses.

Introduction, first reading, 249  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 551-552  
 Amendments laid on table, 574

**Senate Bill No. 2475 — (J. Schultz, Smykowski, Reiten)**

**Senate Bill No. 2475.** A Bill for an Act to amend and reenact subsection 7 of section 12-61-03 of the North Dakota Century Code, relating to selection standards for peace officers.

Introduction, first reading, 249  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 514  
 Committee report for indefinite postponement, 563, adopted

**Senate Bill No. 2476 — (Gronhovd)**

**Senate Bill No. 2476.** A Bill for an Act to amend and reenact section 61-04-05 of the North Dakota Century Code, relating to giving notice of an application for the appropriation of water.

Introduction, first reading, 249  
 Referred to Committee on Agriculture  
 Reported back, do pass, 481  
 Second reading, 519  
 Lost, 520

**Senate Bill No. 2477 — (Walsh)**

**Senate Bill No. 2477.** A Bill for an Act making an appropriation for the support of retarded children while attending the sheltered workshop for mentally retarded and handicapped persons at Minot.

Introduction, first reading, 249  
 Referred to Committee on Appropriations  
 Returned to Senate and withdrawn, 553

**Senate Bill No. 2478 — (Mutch)**

**Senate Bill No. 2478.** A Bill for an Act to amend and reenact section 24-16-07 of the North Dakota Century Code, relating to compensation for the removal of junkyards.

Introduction, first reading, 249  
 Referred to Committee on State & Federal Government

Reported back, do pass, 402  
 Second reading, 431  
 Passed, 432  
 Clincher motion, 433  
 To House, 455  
 Returned to Senate, indefinitely postponed, 887

**Senate Bill No. 2479 — (Barth, Fritzell, Homuth, Reiten)**

**Senate Bill No. 2479.** A Bill for an Act regulating the offer, sale, and purchase of franchises; providing penalties; and providing an appropriation.

Introduction, first reading, 249  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 650  
 Reported back, indefinitely postponed, 514  
 Committee report for indefinite postponement, 564 not adopted  
 Placed on Calendar, 564  
 Re-referred to Committee on Appropriations, 564  
 Amendments adopted, 671, 712  
 Engrossed, 694, 1460  
 Re-engrossed, 712, 1284  
 Second reading, 712, 1284  
 Amended from floor, 712  
 Passed, 713, 1284  
 Clincher motion, 713  
 To House, 722  
 House amendments, 1236  
 Returned to Senate, amended, 1235  
 Senate concurs, 1284  
 Enrolled, 1460  
 Signed by President, 1463  
 Sent to House, 1464  
 Received from House, 1467  
 Message to Governor, 1476

**Senate Bill No. 2480 — (Longmire, Tweten)**

**Senate Bill No. 2480.** A Bill for an Act to amend and reenact section 15-10-19 of the North Dakota Century Code, relating to the definition of a nonresident student for tuition purposes.

Introduction, first reading, 249  
 Referred to Committee on Education  
 Reported back, do pass, 443, 595  
 Re-referred to Committee on Appropriations, 494  
 Second reading, 713  
 Passed, 713  
 Clincher motion, 713  
 To House, 722  
 Returned to Senate, failed to pass, 1404

**Senate Bill No. 2481 — (Redlin, Thane, Conlin, Wenstrom)**

**Senate Bill No. 2481.** A Bill for an Act to amend and reenact section 15-38.1-02 of the North Dakota Century Code, to include institutions of higher learning within professional negotiations law.

Introduction, first reading, 249  
 Referred to Committee on Education

Reported back, indefinitely postponed, 443  
Committee report for indefinite postponement, 470 adopted

Senate Bill No. 2482 — (Jones)

Senate Bill No. 2482. A Bill for an Act to amend and reenact section 61-02-04 of the North Dakota Century Code, relating to the appointment of the members of the water conservation commission.

Introduction, first reading, 249  
Referred to Committee on Natural Resources  
Reported back, indefinitely postponed, 460  
Committee report for indefinite postponement, 503 adopted

Senate Bill No. 2483 — (Redlin, Reiten)

Senate Bill No. 2483. A Bill for an Act to create and enact a new subsection to section 20.1-01-02 of the North Dakota Century Code, relating to the definition of gun dogs, and to amend and reenact section 20.1-04-12 of the North Dakota Century Code, relating to the training of gun dogs.

Introduction, first reading, 250  
Referred to Committee on Natural Resources  
Returned to Senate and withdrawn, 464

Senate Bill No. 2484 — (Morgan)

Senate Bill No. 2484. A Bill for an Act to amend and reenact subsection 2 of section 39-17-07 of the North Dakota Century Code, relating to limitations on the amount payable from the unsatisfied judgment fund.

Introduction, first reading, 250  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 514  
Second reading, 611  
Passed, 611  
To House, 663  
Returned to Senate, 936  
Enrolled, 1078  
Signed by President, 1079  
Sent to House, 1079  
Received from House, 1097  
Message to Governor, 1109  
Approved by Governor, 1143

Senate Bill No. 2485 — (Morgan, Jacobson)

Senate Bill No. 2485. A Bill for an Act to provide for legislative intent, to define certain terms of a coal lease, to allow cancellation of a coal lease under certain conditions, and to require a disclosure statement setting forth certain terms of a coal lease.

Introduction, first reading, 250  
Referred to Committee on Natural Resources  
Reported back, amended, 481  
Reported back, indefinitely postponed, 595  
Committee report for indefinite postponement, 642 adopted  
Re-referred to Committee on Judiciary, 499  
Amendments adopted, 499  
Engrossed, 527

Senate Bill No. 2486 — (Lashkowitz, Iszler, Sandness)

**Senate Bill No. 2486.** A Bill for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, to provide for the licensing of American citizens graduating from foreign medical schools.

Introduction, first reading, 250

Referred to Committee on Social Welfare & Veterans Affairs

Reported back, indefinitely postponed, 514

Committee report for indefinite postponement, 581 adopted

**Senate Bill No. 2487 — (Kautzmann)**

**Senate Bill No. 2487.** A Bill for an Act to amend and reenact sections 16-17-09 and 16-17-16 of the North Dakota Century Code, relating to the composition of the district committee of a political party and election of delegates to the state party convention.

Introduction, first reading, 250

Referred to Committee on Judiciary

Reported back, do pass, 443

Engrossed, 1208, 1460

Second reading, 494, 1208

Passed, 494, 1208

To House, 521

House amendments, 1201

Returned to Senate, amended, 1190

Senate concurs, 1208

Enrolled, 1460

Signed by President, 1463

Sent to House, 1464

Received from House, 1467

Message to Governor, 1476

**Senate Bill No. 2488 — (Hoffner)**

**Senate Bill No. 2488.** A Bill for an Act to amend and reenact section 16-11-06 of the North Dakota Century Code, relating to arrangement of names on ballot.

Introduction, first reading, 250

Referred to Committee on Judiciary

Reported back, indefinitely postponed, 514

Committee report for indefinite postponement, 556 adopted

**Senate Bill No. 2489 — (Holand)**

**Senate Bill No. 2489.** A Bill for an Act relating to recording of roll call voting by members of the legislative assembly.

Introduction, first reading, 250

Referred to Committee on State & Federal Government

Reported back, indefinitely postponed, 515

Committee report for indefinite postponement, 564 adopted

**Senate Bill No. 2490 — (Thane, Strinden, Sandness, Iszler, Smykowski)**

**Senate Bill No. 2490.** A Bill for an Act to amend and reenact section 54-27-19 of the North Dakota Century Code, relating to the allocation of the highway tax distribution fund to the state highway department, counties, and cities, and to provide for allocations to townships.

Introduction, first reading, 250

Referred to Committee on Political Subdivision

Reported back, amended, 595-596  
Amendments laid on table, 598

Senate Bill No. 2491 — (J. Schultz, Kautzmann, Barth)

**Senate Bill No. 2491.** A Bill for an Act to amend and reenact section 2-05-18 of the North Dakota Century Code, relating to the control of aerial spraying, and providing a penalty.

Introduction, first reading, 250  
Referred to Committee on Agriculture  
Reported back, indefinitely postponed, 460  
Committee report for indefinite postponement, 484 adopted

Senate Bill No. 2492 — (Lashkowitz)

**Senate Bill No. 2492.** A Bill for an Act to amend and reenact sections 16-13-36 and 16-13-47.1 of the North Dakota Century Code, relating to the meeting of the state board of canvassers and the application for a recount of election results.

Introduction, first reading, 250  
Referred to Committee on Judiciary  
Returned to Senate and withdrawn, 464

Senate Bill No. 2493 — (Lashkowitz)

**Senate Bill No. 2493.** A Bill for an Act to amend and reenact subsection 2 of section 37-19.1-01 and subsection 5 of section 37-19.1-02 of the North Dakota Century Code, relating to veteran's preference in the employment of certified employees by school districts.

Introduction, first reading, 251  
Referred to Committee on Education  
Reported back, indefinitely postponed, 443  
Committee report for indefinite postponement, 470 adopted

Senate Bill No. 2494 — (Naaden)

**Senate Bill No. 2494.** A Bill for an Act to repeal section 36-15-21 of the North Dakota Century Code, relating to requiring calfhood vaccination against brucellosis.

Introduction, first reading, 251  
Referred to Committee on Agriculture  
Returned to Senate and withdrawn, 359

Senate Bill No. 2495 — (Committee on Delayed Bills)

**Senate Bill No. 2495.** A Bill for an Act calling for a legislative council study of the teachers' fund for retirement, including the methods of funding and administering such fund; and providing an appropriation.

Introduction, first reading, 478  
Referred to Committee on Appropriations  
Reported back, do pass, 552  
Engrossed, 1243, 1460  
Second reading, 611, 1243  
Passed, 611, 1244  
To House, 663  
House amendments, 1237  
Returned to Senate, amended, 1235  
Senate concurs, 1243



Enrolled, 1460  
Signed by President, 1463  
Sent to House, 1464  
Received from House, 1467  
Message to Governor, 1476

**Senate Bill No. 2496 — (Committee on Delayed Bills)**

**Senate Bill No. 2496.** A Bill for an Act to create and enact section 54-27-10.1 of the North Dakota Century Code, and to amend and reenact section 54-27-10 of the North Dakota Century Code, relating to the availability of appropriations.

Introduction, first reading, 527  
Referred to Committee on Appropriations  
Reported back, do pass, 596  
Second reading, 713  
Passed, 713  
Clincher motion, 714  
To House, 722  
Returned to Senate, 1458 failed to pass

**Senate Bill No. 2497 — (Committee on Delayed Bills)**

**Senate Bill No. 2497.** A Bill for an Act to provide for state legislative apportionment, and to repeal sections 54-03-01, 54-03-01.1, 54-03-01.2, 54-03-01.3, and 54-03-01.4 of the North Dakota Century Code, relating to state legislative apportionment.

Introduction, first reading, 1117  
Referred to Joint Committee on Reapportionment  
Reported back, do pass, 1156  
Second reading, 1168  
Passed, 1168  
Clincher motion, 1168  
To House, 1169  
Returned to Senate, 1307  
Enrolled, 1461  
Signed by President, 1463  
Sent to House, 1464  
Received from House, 1467  
Message to Governor, 1476

## SENATE CONCURRENT RESOLUTIONS

**Senate Concurrent Resolution No. 4001** — (Melland, Erdman, Lips, Longmire, Naaden, Pyle, Strinden, Thane, Wenstrom)

**Senate Concurrent Resolution No. 4001.** A concurrent resolution urging the Congress of the United States to pass amendments to the Fair Labor Standards Act to allow exemptions to the minimum wage provisions of the Act when the productivity of patient labor is less than that required of a full-time non-patient employee, and urging the North Dakota Congressional Delegation to propose such amendments.

Introduction, first reading, 55  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 60  
 Engrossed, 495  
 Second reading, 181, 495  
 Adopted, 181, 495  
 To House, 195  
 House Amendments, 475  
 Returned to Senate, amended, 475  
 Senate concurs, 495  
 Enrolled, 889  
 Signed by President, 889  
 Sent to House, 934  
 Received from House, 939  
 Message to Secretary of State, 940

**Senate Concurrent Resolution No. 4002** — (Reiten, Strand)  
 (Alternative I)

**Senate Concurrent Resolutions No. 4002.** A concurrent resolution for a constitutional amendment providing for a board of public education and a board of higher education; for the amendment of sections 82 and 83 of the Constitution of the state of North Dakota, relating to public education and to remove the superintendent of public instruction as a constitutional officer; for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

Introduction, first reading, 55  
 Referred to Committee on Education  
 Reported back, do pass, 312  
 Re-referred to Legislative Council Resolutions Committee, 312  
 Returned from Committee, 484  
 Engrossed, 1172, 1460  
 Second reading, 520, 1173  
 Adopted, 520, 1173  
 To House, 568  
 House amendments, 1147  
 Returned to Senate, amended, 1145  
 Senate Concurs, 1172  
 Enrolled, 1460  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolutions No. 4003 — (Goodman, Reiten, Strand)  
(Alternative II)**

**Senate Concurrent Resolution No. 4003. Alternative II.** A concurrent resolution for a constitutional amendment providing for a state commission of education; for the amendment of sections 82 and 83 of the Constitution of the state of North Dakota, relating to public education and to remove the superintendent of public instruction as a constitutional officer; for the repeal of Article 54 of the Amendments to the Constitution of the state of North Dakota, relating to the board of higher education; and providing an effective date.

Introduction, first reading, 55  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 312  
 Committee report for indefinite postponement, adopted, 336

**Senate Concurrent Resolution No. 4004 — (Freed, Jones)**

**Senate Concurrent Resolution No. 4004.** A concurrent resolution directing the Legislative Council to carry out a study of the types and appropriateness of criminal liability which arises as a result of violation of administrative regulations; to study the case law and statutes relating to civil and criminal contempt; to study the desirability of appellate review of sentences; to study disqualifications attendant upon criminal liability; and to study the use of certain terminology in the domestic relations statutes.

Introduction, first reading, 56  
 Referred to Committee on Judiciary  
 Reported back, do pass, 1141  
 Reported back, amended, 67  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 74  
 Amendment adopted, 74  
 Engrossed, 85  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4005 —  
(Committee on Political Subdivisions)**

**Senate Concurrent Resolution No. 4005.** A concurrent resolution directing the legislative council to study the governmental organization and financing of public library service and the role of the state library in the provision and coordination of such public library service.

Introduction, first reading, 56  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 312  
 Reported back, indefinitely postponed, 1141  
 Committee report for indefinite postponement, adopted, 1157  
 Re-referred to Legislative Council Resolutions Committee, 312

**Senate Concurrent Resolution No. 4006 — (Stroup)**

**Senate Concurrent Resolution No. 4006.** A concurrent resolution directing the Legislative Council to study and review the statutes relating to water rights and water appropriation in North Dakota.

Introduction, first reading, 56  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 67, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4007 — (Redlin, Lips, Pyle, Homuth)**

**Senate Concurrent Resolution No. 4007.** A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, prohibiting states from denying a citizen equality of rights under law on account of sex.

Introduction, first reading, 56  
 Referred to Committee on State & Federal Government  
 Returned to Senate and re-referred to Committee on Judiciary, 62  
 Reported back, do pass, 199  
 Second reading, 211  
 Adopted, 211  
 To House, 232  
 Returned to Senate, 361  
 Enrolled, 412  
 Signed by President, 433  
 Sent to House, 433  
 Received from House, 434  
 Message to Secretary of State, 435

**Senate Concurrent Resolution No. 4008 — (Melland)**

**Senate Concurrent Resolution No. 4008.** A concurrent resolution designating United States Highway No. 281 through the State of North Dakota as "American-Canadian Legion Memorial Highway".

Introduction, first reading, 56  
 Referred to Committee on Transportation  
 Reported back, do pass, 161  
 Second reading, 181  
 Adopted, 181  
 To House, 195  
 Returned to Senate, 936  
 Enrolled, 1293  
 Signed by President, 1319  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Secretary of State, 1365

**Senate Concurrent Resolution No. 4009 — (Lips)**

**Senate Concurrent Resolution No. 4009.** 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.

Introduction, first reading, 56  
 Referred to Committee on Natural Resources  
 Reported back, amended, 291  
 Amendment adopted, 315  
 Engrossed, 329, 1460  
 Re-engrossed, 1001  
 Second reading, 353, 1001  
 Adopted, 353, 1001  
 To House, 377  
 House amendments, 939  
 Returned to Senate, amended, 936  
 Senate concurs, 1001  
 Enrolled, 1460  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4010 —**  
 (Committee on Agriculture)

**Senate Concurrent Resolution No. 4010.** A concurrent resolution for the amendment of section 161 of the Constitution of the State of North Dakota, relating to the leasing of lands granted to the state for educational and charitable purposes.

Introduction, first reading, 56  
 Referred to Committee on Agriculture  
 Reported back, indefinitely postponed, 291  
 Committee report for indefinite postponement, adopted, 318

**Senate Concurrent Resolution No. 4011 —**  
 (Committee on Industry, Business & Labor)

**Senate Concurrent Resolution No. 4011.** A concurrent resolution directing the legislative council to study and review the jurisdiction of the public service commission including the possibility of taking certain departments from the public service commission as well as adding other departments or agencies to the jurisdiction of the public service commission.

Introduction, first reading, 56  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 144, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 145  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4012 — (Lashkowitz)**

**Senate Concurrent Resolution No. 4012.** A concurrent resolution commending the North Dakota Air National Guard's 119th Fighter Interceptor Group on its selection as the most outstanding Air Force interceptor/tactical fighter squadron for 1974.

Introduction, first reading, 75  
 Second reading, 76  
 Adopted, 76  
 To House, 95  
 Returned to Senate, 127  
 Enrolled, 233  
 Signed by President, 272  
 Sent to House, 272  
 Received from House, 275  
 Message to Secretary of State, 275

**Senate Concurrent Resolution No. 4013 — (Homuth)**

**Senate Concurrent Resolution No. 4013.** A concurrent resolution commending all of the people of North Dakota who gave time and effort to help out their fellow citizens during the winter storm of January 10-12, 1975.

Introduction, first reading, 86  
 Second reading, 87  
 Adopted, 87  
 To House, 95  
 Returned to Senate, 127  
 Enrolled, 233  
 Signed by President, 272  
 Sent to House, 272  
 Received from House, 275  
 Message to Secretary of State, 275

**Senate Concurrent Resolution No. 4014 —**  
 (Committee on State & Federal Government)

**Senate Concurrent Resolution No. 4014.** A concurrent resolution for the amendment of section 45 of the Constitution of the state of North Dakota, relating to compensation of members of the Legislative Assembly and providing an independent commission to set legislative pay and compensation.

Introduction, first reading, 105  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 552  
 Second reading, 714  
 Adopted, 714  
 Clincher motion, 714  
 To House, 722  
 Returned to Senate, indefinitely postponed, 1147

**Senate Concurrent Resolution No. 4015 — (Jones)**

**Senate Concurrent Resolution No. 4015.** A concurrent resolution for the amendment of Section 173 of the Constitution of the State of North Dakota, relating to the election of county sheriffs.

Introduction, first reading, 105  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 345  
 Committee report for indefinite postponement, adopted, 369

**Senate Concurrent Resolution No. 4016 — (Stroup)**

**Senate Concurrent Resolution No. 4016.** A concurrent resolution directing the Legislative Council to study the general area of administrative hearings.

Introduction, first reading, 105  
 Referred to Committee on Judiciary  
 Reported back, do pass, 312, 1141  
 Placed on consent calendar, 141  
 Re-referred to Legislative Council Resolutions Committee, 312  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4017 —  
 (Committee on Employment)**

**Senate Concurrent Resolution No. 4017.** A concurrent resolution providing and designating Senate and House employees and fixing their salaries.

Introduction, first reading, 114  
 Engrossed, 283  
 Second reading, 140, 283  
 Adopted, 140, 283  
 To House, 158  
 Returned to Senate, amended, 273  
 Senate Concurs, 283  
 Adopts, 283  
 Enrolled, 329  
 Signed by President, 342  
 Sent to House, 342  
 Received from House, 360  
 Message to Secretary of State, 363

**Senate Concurrent Resolution No. 4018 — (Melland, Strinden)**

**Senate Concurrent Resolution No. 4018.** A concurrent resolution of the North Dakota Legislature calling for an amendment to the U.S. Constitution proposing to the several states the requirement of a balanced U.S. cash budget for each session of Congress except in time of war or national emergency.

Introduction, first reading, 120  
 Referred to Committee on Judiciary  
 Reported back, do pass, 366  
 Second reading, 393  
 Adopted, 394  
 To House, 411  
 Returned to Senate, 787  
 Enrolled, 992  
 Signed by President, 1015  
 Sent to House, 1016  
 Received from House, 1019  
 Message to Secretary of State, 1023

**Senate Concurrent Resolution No. 4019 — (Barth)**

**Senate Concurrent Resolution No. 4019.** A concurrent resolution opposing a Corps of Engineers land acquisition plan along the Missouri River for the stated purposes of flood control and state game propagation.

Introduction, first reading, 131  
 Referred to Committee on Natural Resources  
 Reported back, amended, 312  
 Amendments adopted, 335  
 Engrossed, 343  
 Second reading, 353  
 Adopted, 353  
 To House, 377  
 Returned to Senate, 887  
 Enrolled, 1293  
 Signed by President, 1319  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Secretary of State, 1365

**Senate Concurrent Resolution No. 4020 — (Nething, Freed, Kautzmann, Lashkowitz, Lips)**

**Senate Concurrent Resolution No. 4020.** A concurrent resolution urging AMTRAK to improve the service and facilities of the national rail passenger service.

Introduction, first reading, 131  
 Referred to Committee on Transportation  
 Reported back, do pass, 291  
 Second reading, 326  
 Adopted, 326  
 To House, 342  
 Returned to Senate, 936  
 Enrolled, 1293  
 Signed by President, 1319  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Secretary of State, 1365

**Senate Concurrent Resolution No. 4021 — (Stroup, Lee, Nasset)**

**Senate Concurrent Resolution No. 4021.** A concurrent resolution directing the Legislative Council to study and review the trends and potential of various types of economic development in North Dakota.

Introduction, first reading, 132  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 262  
 Reported back, indefinitely postponed, 1141  
 Placed on consent calendar, 1165  
 Committee report for indefinite postponement, not adopted, 1157  
 Re-referred to Legislative Council Resolutions Committee, 263  
 Amendment adopted, 1165  
 Engrossed, 1165  
 Amended from floor, 1164  
 Second reading, 1165  
 Adopted, 1165



To House, 1245  
Returned to Senate, 1307  
Enrolled, 1461  
Signed by President, 1464  
Sent to House, 1465  
Received from House, 1467  
Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4022 — (H. Christensen, Berube, Lee)**

**Senate Concurrent Resolution No. 4022.** A concurrent resolution requesting the Legislative Council to study the effect of the proposed Amendment to the Constitution of the United States prohibiting states from denying a citizen equality of rights under the law on account of sex, on North Dakota laws before action is taken by the Legislative Assembly on ratification of the Amendment.

Introduction, first reading, 140  
Referred to Committee on Judiciary  
Reported back, do pass, 199  
Reported back, indefinitely postponed, 1141  
Committee report for indefinite postponement, adopted, 1158  
Re-referred to Legislative Council Resolutions Committee, 199

**Senate Concurrent Resolution No. 4023 — (Holand, L. Christensen, Melland, Lips)**

**Senate Concurrent Resolution No. 4023.** A concurrent resolution for the amendment of sections 53 and 56, and the repeal of section 55, of the Constitution of the State of North Dakota, relating to commencement of the terms of office of legislators, and to the length and status of legislative sessions.

Introduction, first reading, 147  
Referred to Committee on Judiciary  
Reported back, amended, 515  
Placed on calendar, 724  
Amendment not adopted, 528  
Second reading, 714, 755  
Lost, 714  
Adopted, 755  
To House, 785  
Returned to Senate, 1017  
Reconsidered, 724  
Enrolled, 1461  
Signed by President, 1464  
Sent to House, 1465  
Received from House, 1467  
Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4024 — (Longmire)**

**Senate Concurrent Resolution No. 4024.** A concurrent resolution designating February 7, 1975, as North Dakota Editors Day at the Forty-fourth Legislative Assembly, and welcoming Mr. Gerald Lee Warren, a distinguished journalist and Deputy White House Press Secretary, to North Dakota.

Introduction, first reading, 162  
Second reading, 163  
Adopted, 163

To House, 181  
 Returned to Senate, 203  
 Enrolled, 233  
 Signed by President, 272  
 Sent to House, 272  
 Received from House, 275  
 Message to Secretary of State, 275

**Senate Concurrent Resolution No. 4025 — (Lips)**

**Senate Concurrent Resolution No. 4025.** A concurrent resolution directing a study by the Legislative Council to determine the feasibility of adopting a benefit formula retirement plan for the public employees' retirement system.

Introduction, first reading, 171  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 263, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 263  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4026 — (Morgan, Thane, Iszler)**

**Senate Concurrent Resolution No. 4026.** A concurrent resolution urging Congress to raise the federal estate tax exemption to two hundred thousand dollars.

Introduction, first reading, 171  
 Referred to Committee on Finance and Taxation  
 Reported back, amended, 443  
 Amendment adopted, 465, 494  
 Engrossed, 477  
 Re-engrossed, 494  
 Second reading, 494  
 Amended from floor, 494  
 Adopted, 494  
 To House, 521  
 Returned to Senate, 836  
 Enrolled, 992  
 Signed by President, 1015  
 Sent to House, 1016  
 Received from House, 1019  
 Message to Secretary of State, 1023

**Senate Concurrent Resolution No. 4027 — (Thane)**

**Senate Concurrent Resolution No. 4027.** A concurrent resolution for the amendment of subsection 2 and subsection 4 of article 54 of the amendments to the Constitution of the State of North Dakota, relating to the qualifications and to the compensation of the members of the State Board of Higher Education.

Introduction, first reading, 171  
 Referred to Committee on Education  
 Reported back, amended, 313  
 Re-referred to Legislative Council Resolutions Committee, 335  
 Returned to Senate, 724  
 Amendments adopted, 335  
 Engrossed, 343, 1460  
 Re-engrossed, 1208  
 Second reading, 724, 1208  
 Adopted, 724, 1208  
 To House, 769  
 House amendments, 1202  
 Returned to Senate, amended, 1190  
 Senate concurs, 1208  
 Enrolled, 1460  
 Signed by President, 1464  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4028 — (Erdman, Berube, L. Christensen, Jones, Larson)**

**Senate Concurrent Resolution No. 4028.** A concurrent resolution urging Congress to provide financial reimbursement to farmers who suffer substantial grain loss due to depredation by ducks and geese.

Introduction, first reading, 264  
 Referred to Committee on Agriculture  
 Reported back, do pass, 482  
 Second reading, 520  
 Adopted, 520  
 To House, 568  
 Returned to Senate, 936  
 Enrolled, 1117  
 Signed by President, 1151  
 Sent to House, 1151  
 Message to Secretary of State, 1156

**Senate Concurrent Resolution No. 4029 — (L. Christensen)**

**Senate Concurrent Resolution No. 4029.** A concurrent resolution expressing the support of the North Dakota Legislative Assembly for the Garrison Diversion Project and urging that the Bureau of Reclamation deal more equitably with persons affected by the project.

Introduction, first reading, 264  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 461  
 Amendment adopted, 478  
 Engrossed, 497, 1460  
 Re-engrossed, 1244  
 Second reading, 520, 1244  
 Adopted, 520, 1244  
 To House, 568  
 House amendments, 1237  
 Returned to Senate, amended, 1235  
 Senate concurs, 1244  
 Enrolled, 1460  
 Signed by President, 1464  
 Sent to House, 1465

Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4030 — (Morgan, Smykowski)**

**Senate Concurrent Resolution No. 4030.** A concurrent resolution urging the President of the United States to seek an amendment to the Convention for the Protection of Migratory Birds and Mammals.

Introduction, first reading, 264  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 402  
 Second reading, 432  
 Adopted, 432  
 To House, 455  
 Returned to Senate, 1247  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4031 — (Nothing)**

**Senate Concurrent Resolution No. 4031.** A concurrent resolution declaring a moratorium on the construction of college buildings.

Introduction, first reading, 265  
 Referred to Committee on Education  
 Reported back indefinitely postponed 596  
 Withdrawn, 673

**Senate Concurrent Resolution No. 4032 — (Walsh)**

**Senate Concurrent Resolution No. 4032.** A concurrent resolution urging the Congress to raise the support price of wheat to one hundred percent of parity.

Introduction, first reading, 294  
 Referred to Committee on Agriculture  
 Reported back, amended, 482  
 Amendment adopted, 499  
 Engrossed, 527  
 Second reading, 714  
 Adopted, 715  
 Clincher motion, 715  
 To House, 722  
 Returned to Senate, 1247  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4033 — (Wright)**

**Senate Concurrent Resolution No. 4033.** A concurrent resolution directing the legislative council to conduct an interim study to determine the feasibility of legislation which would provide for the compensation of retailers who collect and remit sales taxes to the state and to study the present filing method of sales tax permit holders.

Introduction, first reading, 294  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 422  
 Reported back, indefinitely postponed, 1141  
 Committee report for indefinite postponement, adopted, 1158  
 Re-referred to Legislative Council Resolutions Committee, 422

**Senate Concurrent Resolution No. 4034** — (Lashkowitz, J. Schultz, Homuth, Longmire)

**Senate Concurrent Resolutions No. 4034.** A concurrent resolution urging the United States Civil Aeronautics Board to grant authority for airline service to North Dakota cities not served with a flight to Denver and the southwestern portion of the United States.

Introduction, first reading, 294  
 Referred to Committee on Transportation  
 Reported back, do pass, 461  
 Engrossed, 1177, 1460  
 Second reading, 494, 1177  
 Adopted, 494, 1177  
 To House, 521  
 House amendments, 939  
 Returned to Senate, amended, 936  
 Conference Committee, 952, 1050  
 Conference Committee report, 1176-1177, 1320  
 Senate adopts, 1177, 1320  
 Senate does not concur, 952  
 Enrolled, 1460  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4035** — (Walsh)

**Senate Concurrent Resolution No. 4035.** A concurrent resolution urging the North Dakota State University College of Agriculture, the North Dakota State University Cooperative Extension Service, and the North Dakota State University Experiment Station to conduct research to determine the feasibility of using grain alcohol as a renewable alternative energy source and of using byproducts from the fermentation process as an animal feed.

Introduction, first reading, 294  
 Referred to Committee on Agriculture  
 Reported back, do pass, 482  
 Second reading, 520  
 Adopted, 520  
 To House, 568  
 Returned to Senate, 936  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Secretary of State, 1459

**Senate Concurrent Resolution No. 4036** — (Longmire, Walsh, Wenstrom)

**Senate Concurrent Resolution No. 4036.** A concurrent resolution urging the Highway Commissioner to concentrate efforts toward needed im-

provements on U.S. Highway No. 2 across the State of North Dakota as quickly as available financing will permit.

Introduction, first reading, 294  
 Referred to Committee on Transportation  
 Reported back, do pass, 461  
 Second reading, 521  
 Adopted, 521  
 To House, 568  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4037 — (Mutch, Naaden)**

**Senate Concurrent Resolution No. 4037.** A concurrent resolution expressing support of a bill in the United States House of Representatives which would repeal the National Occupational Safety and Health Act.

Introduction, first reading, 294  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 552  
 Amendment adopted, 575  
 Second reading, 715  
 Adopted, 715  
 Clincher motion, 715  
 To House, 722  
 Returned to Senate, 1112  
 Enrolled, 1446  
 Signed by President, 1447  
 Sent to House, 1447  
 Received from House, 1458  
 Message to Secretary of State, 1459

**Senate Concurrent Resolution No. 4038 — (Naaden, Mutch)**

**Senate Concurrent Resolution No. 4038.** A concurrent resolution urging the Congress of the United States to exercise its power, granted under Section 2 of Article 3 of the United States Constitution, to limit the jurisdiction of the United States Supreme Court and to amend Section 242 of Title 18 of the United States Code to prevent deprivation of rights under color of law.

Introduction, first reading, 294  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 515  
 Second reading, 715  
 Not adopted, 715  
 Clincher motion, 715

**Senate Concurrent Resolution No. 4039 — (Longmire, Walsh, Wenstrom)**

**Senate Concurrent Resolution No. 4039.** A concurrent resolution urging Congress to refuse to concur in the President's request for permission to withhold highway funds from the State of North Dakota.

Introduction, first reading, 295  
 Referred to Committee on Transportation  
 Reported back, do pass, 461

Engrossed, 1270, 1460  
 Second reading, 521, 1270  
 Adopted, 521, 1270  
 To House, 568  
 House amendments, 1237  
 Returned to Senate, amended, 1235  
 Senate concurs, 1270  
 Enrolled, 1460  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4040 — (Longmire, Larson)**

**Senate Concurrent Resolution No. 4040.** A concurrent resolution relating to the participation of the Soil Conservation Service in planning relating to the Devils Lake Basin.

Introduction, first reading, 295  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 461  
 Engrossed, 973, 1293  
 Second reading, 495, 973  
 Adopted, 495, 973  
 To House, 521  
 House amendments, 939  
 Returned to Senate, amended, 936  
 Senate concurs, 973  
 Enrolled, 1293  
 Signed by President, 1319  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Secretary of State, 1365

**Senate Concurrent Resolution No. 4041 — (Homuth)**

**Senate Concurrent Resolution No. 4041.** A concurrent resolution urging all state agencies to solicit consulting and research services from North Dakota colleges and universities.

Introduction, first reading, 295  
 Referred to Committee on Education  
 Reported back, do pass, 552  
 Second reading, 716  
 Adopted, 716  
 Clincher motion, 716  
 To House, 722  
 Returned to Senate, 963  
 Enrolled, 1293  
 Signed by President, 1319  
 Sent to House, 1319  
 Received from House, 1331  
 Message to Secretary of State, 1365

**Senate Concurrent Resolution No. 4042 — (Rait, L. Christensen)**

**Senate Concurrent Resolution No. 4042.** A concurrent resolution directing a study by the Legislative Council of alternative energy sources.

Introduction, first reading, 329  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 1141  
 Reported back, amended, 461  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 478  
 Amendment adopted, 478  
 Engrossed, 497  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4043 — (Rait, L. Christensen)**

**Senate Concurrent Resolution No. 4043.** A concurrent resolution for the amendment of section 150 of the Constitution of the state of North Dakota, relating to the county superintendent of schools.

Introduction, first reading, 329  
 Referred to Committee on Education  
 Reported back, do pass, 596  
 Second reading, 716  
 Adopted, 716  
 Clinker motion, 716  
 To House, 722  
 Returned to Senate, indefinitely postponed, 964

**Senate Concurrent Resolution No. 4044 — (Thane, Strinden)**

**Senate Concurrent Resolution No. 4044.** A concurrent resolution directing the Legislative Council to conduct a study to determine the feasibility of developing a uniform classification system and pay plan for the faculty at the institutions under the control of the Board of Higher Education.

Introduction, first reading, 329  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 596  
 Committee report for indefinite postponement, adopted, 643

**Senate Concurrent Resolution No. 4045 — (Nothing)**

**Senate Concurrent Resolution No. 4045.** A concurrent resolution directing the Legislative Council to conduct a study to determine the need and the best method of financing additional college buildings and other capital improvements on a priority basis.

Introduction, first reading, 366  
 Referred to Committee on State & Federal Government  
 Reported back without recommendation, 596  
 Reported back, do pass, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 716  
 Second reading, 716, 1163  
 Adopted, 1164



To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4046 — (Rait, Wright)**

**Senate Concurrent Resolution No. 4046.** A concurrent resolution for the amendment of sections 26, 29, 32, and 35 of the Constitution of the State of North Dakota, relating to the composition of the legislative assembly, and to repeal section 45 of the Constitution of the State of North Dakota, relating to compensation of members of the legislative assembly.

Introduction, first reading, 384  
 Referred to Committee on State & Federal Government  
 Reported back without recommendation, 596  
 Engrossed, 1341, 1460  
 Second reading, 716, 1341  
 Adopted, 717, 1342  
 Clincher motion, 717  
 To House, 722  
 House amendments, 1237  
 Returned to Senate, amended, 1235  
 Conference Committee, 1244, 1281  
 Conference Committee report, 1341  
 Senate adopts, 1341  
 Senate does not concur, 1244  
 House adopts, 1352  
 Enrolled, 1460  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1467  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4047 — (Nasset, Pyle, Sandness, Solberg)**

**Senate Concurrent Resolution No. 4047.** A concurrent resolution directing the Legislative Council to study the regulation of postsecondary degree-granting educational institutions to determine whether legislation is necessary to protect the citizens of this State.

Introduction, first reading, 385  
 Referred to Committee on Education  
 Reported back, do pass, 552  
 Reported back, indefinitely postponed, 1141  
 Committee report for indefinite postponement, adopted, 1158  
 Re-referred to Legislative Council Resolutions Committee, 552

**Senate Concurrent Resolution No. 4048 — (Jones)**

**Senate Concurrent Resolution No. 4048.** A concurrent resolution directing the Legislative Council to study the impact of the management of wildlife refuges and waterfowl production areas by the fish and wildlife service of the Department of the Interior on the agriculture of North Dakota.

Introduction, first reading, 385  
 Referred to Committee on Natural Resources

Reported back, do pass, 596, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 717  
 Second reading, 717, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4049 — (Melland, L. Christensen)**

**Senate Concurrent Resolution No. 4049.** A concurrent resolution directing the Legislative Council to conduct a comprehensive study of higher education in North Dakota, including consideration of the desirability and feasibility of merging the junior colleges into the state system and the consolidation of all institutions of higher education into the university system.

Introduction, first reading, 385  
 Referred to Committee on Education  
 Reported back, do pass, 596  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, adopted, 1159  
 Re-referred to Legislative Council Resolutions Committee, 597

**Senate Concurrent Resolution No. 4050 — (Redlin)**

**Senate Concurrent Resolution No. 4050.** A concurrent resolution directing a study by the Legislative Council in regard to certain state-owned lands that may have high value for present or future public uses.

Introduction, first reading, 402  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 597, 1141  
 Placed on consent calendar, 1141  
 Referred to Legislative Council Resolutions Committee, 597  
 Second reading, 1165  
 Adopted, 1165  
 To House, 1245  
 Returned to Senate, failed to pass, 1344

**Senate Concurrent Resolution No. 4051 — (Nothing, Freed, Longmire, Ringsak, Schuster, Lashkowitz)**

**Senate Concurrent Resolution No. 4051.** A concurrent resolution directing the Legislative Council to conduct a study of the need for additional space for the State Supreme Court.

Introduction, first reading, 402  
 Referred to Committee on Judiciary  
 Reported back, do pass, 597  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, not adopted, 1159  
 Re-referred to Legislative Council Resolutions Committee, 597  
 Second reading, 1166  
 Adopted, 1166  
 To House, 1245

Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1476

**Senate Concurrent Resolution No. 4052 — (Jones)**

**Senate Concurrent Resolution No. 4052.** A concurrent resolution directing the Legislative Council to study the problem of saline seeps.

Introduction, first reading, 435  
 Referred to Committee on Agriculture  
 Reported back, do pass, 552  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, adopted, 1160  
 Re-referred to Legislative Council Resolutions Committee, 552

**Senate Concurrent Resolution No. 4053 — (J. Schultz, Goodman)**

**Senate Concurrent Resolution No. 4053.** A concurrent resolution directing the Legislative Council to study the necessity for and feasibility of enacting legislation to implement the Federal Safe Drinking Water Act.

Introduction, first reading, 435  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 552  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, adopted, 1160  
 Re-referred to Legislative Council Resolutions Committee, 553

**Senate Concurrent Resolution No. 4054 —**  
 (Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4054.** A concurrent resolution urging the Congress of the United States to expand the funding of the Garrison Diversion Project so that the project can achieve its objectives on a more orderly basis.

Introduction, first reading, 435  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 597  
 Second reading, 717  
 Adopted, 717  
 Clincher motion, 717  
 To House, 722  
 House Amendments, 1238  
 Returned to Senate, amended, 1235  
 Conference Committee, 1244, 1281  
 Conference Committee report, 1290  
 Senate adopts, 1290  
 Senate does not concur, 1244  
 House adopts, 1352  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4055 — (Melland, Nething)**

**Senate Concurrent Resolution No. 4055.** A concurrent resolution directing the Legislative Council to study the current and projected land use policies of North Dakota Institutions. This study shall consider the investment in all land and facilities, including those located adjacent to urban areas, so as to establish priorities for best use of state land.

Introduction, first reading, 527  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 865  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, not adopted, 1160  
 Re-referred to Legislative Council Resolutions Committee, 890  
 Amendment adopted, 889  
 Engrossed, 915  
 Second reading, 1155  
 Adopted, 1155  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4056 — (Gronhovd, Fritzell, Homuth)**

**Senate Concurrent Resolution No. 4056.** A concurrent resolution directing the Legislative Council to study economic incentives for the return, reuse, and recycling of packaging materials, to study controls for the amount and environmental quality of packaging, and to study systems of solid waste cycling and reuse.

Introduction, first reading, 572  
 Referred to Committee on Natural Resources  
 Reported back, amended, 819  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, adopted, 1161  
 Re-referred to Legislative Council Resolutions Committee, 839  
 Amendment adopted, 839  
 Engrossed, 885

**Senate Concurrent Resolution No. 4057 — (Schuster, Ringsak)**

**Senate Concurrent Resolution No. 4057.** A concurrent resolution directing the Legislative Council to conduct a study regarding the development of a comprehensive crime and criminal justice information system, including development of appropriate privacy and security regulations.

Introduction, first reading, 572  
 Referred to Committee on Judiciary  
 Reported back, do pass, 751  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, not adopted, 1161  
 Re-referred to Legislative Council Resolutions Committee, 751  
 Second Reading, 1166  
 Lost, 1167

**Senate Concurrent Resolution No. 4058 — (Nothing)**

**Senate Concurrent Resolution No. 4058.** A concurrent resolution directing a study by the Legislative Council of the taxation of power transmission lines.

Introduction, first reading, 572  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 843, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 843  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4059 — (Homuth, Fritzell, Gronhovd)**

**Senate Concurrent Resolution No. 4059.** A concurrent resolution directing the Legislative Council to study the laws and practices relating to the buying, selling, renting, leasing, and servicing of trailer homes and trailer parks in North Dakota.

Introduction, first reading, 615  
 Referred to Committee on Business & Labor  
 Reported back, do pass, 843, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 843  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4060 — (Homuth)**

**Senate Concurrent Resolution No. 4060.** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of adopting the Model Consumer Credit Act in North Dakota.

Introduction, first reading, 615  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 843  
 Reported back, indefinitely postponed, 1142  
 Committee report for indefinite postponement, adopted, 1162  
 Re-referred to Legislative Council Resolutions Committee, 843

**Senate Concurrent Resolution No. 4061 — (Longmire, Hoffner)**

**Senate Concurrent Resolution No. 4061.** A concurrent resolution for the amendment and reenactment of sections 90 and 104 of the Constitution of the state of North Dakota, relating to the selection of judges of the supreme and district courts of the state of North Dakota changing the

method of initial selection from election at a general election to appointment by the judicial nominating commission.

Introduction, first reading, 615  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 944  
 Committee report for indefinite postponement, adopted, 970

**Senate Concurrent Resolution No. 4062** — (L. Christensen, Fritzell, Reiten)

**Senate Concurrent Resolution No. 4062.** A concurrent resolution for a study by the Legislative Council of the planning programs, processes, and responsibilities at the state, regional, and local levels; and authorizing the Legislative Council to seek federal funds to help defray the cost of the study.

Introduction, first reading, 615  
 Referred to Committee on Natural Resources  
 Reported back, amended, 1028  
 Reported back, indefinitely postponed, 1143  
 Committee report for indefinite postponement, adopted, 1162  
 Re-referred to Legislative Council Resolutions Committee, 1053  
 Amendment adopted, 1053  
 Engrossed, 1097

**Senate Concurrent Resolution No. 4063** — (Goodman, Hoffner, Longmire)

**Senate Concurrent Resolution No. 4063.** A concurrent resolution directing the Legislative Council to study the organizational and negotiation rights of public employees, and to reexamine Title 34 of the North Dakota Century Code, relating to labor managements relationships.

Introduction, first reading, 676  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 843, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 843  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4064** — (Redlin, Strand)

**Senate Concurrent Resolution No. 4064.** A concurrent resolution directing the Legislative Council to conduct a comprehensive study of driver and traffic safety education in North Dakota schools to determine whether legislation is necessary for expanding and improving this program.

Introduction, first reading, 676  
 Referred to Committee on Education  
 Reported back, do pass, 890  
 Reported back, indefinitely postponed, 1143

Committee report for indefinite postponement, adopted, 1162  
 Re-referred to Legislative Council Resolutions Committee, 890

**Senate Concurrent Resolution No. 4065 — (Maher)**

**Senate Concurrent Resolution No. 4065.** A concurrent resolution directing the Legislative Council to study the priorities of land use in coal mining areas and to study methods by which the State could designate certain areas of the State in which strip mining would not be allowed.

Introduction, first reading, 677  
 Referred to Committee on Natural Resources  
 Returned to Senate and withdrawn, 1048

**Senate Concurrent Resolution No. 4066 — (Nething, Pyle, Hoffner, Barth)**

**Senate Concurrent Resolution No. 4066.** A concurrent resolution recognizing the value of the Legislative Internship Program and commending its participants.

Introduction, first reading, 677  
 Second reading, 678  
 Adopted, 678  
 To House, 722  
 Returned to Senate, 812  
 Enrolled, 992  
 Signed by President, 1015  
 Sent to House, 1016  
 Received from House, 1019  
 Message to Secretary of State, 1023

**Senate Concurrent Resolution No. 4067 — (Goodman, Nething, L. Christensen, Hoffner)**

**Senate Concurrent Resolution No. 4067.** A concurrent resolution directing the Legislative Council to study the present criminal prosecutorial system and any feasible alternatives thereto to include a statewide system providing for full-time criminal prosecution.

Introduction, first reading, 678  
 Referred to Committee on Judiciary  
 Reported back, do pass, 865, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 866  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1465  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4068 — (Thane)**

**Senate Concurrent Resolution No. 4068.** A concurrent resolution directing the Legislative Council to study the feasibility of establishing a system of governmental compensation for victims of crimes.

Introduction, first reading, 678  
 Referred to Committee on Judiciary

Reported back, do pass, 890  
 Reported back, indefinitely postponed, 1143  
 Committee report for indefinite postponement, adopted, 1163  
 Re-referred to Legislative Council Resolutions Committee, 892

**Senate Concurrent Resolution No. 4069** — (J. Schultz, Melland, Hoffner)

**Senate Concurrent Resolution No. 4069.** A concurrent resolution directing the Legislative Council to conduct a study of the compensation and fringe benefits currently made available to state employees.

Introduction, first reading, 678  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 843, 1141  
 Placed on consent calendar, 1141  
 Re-referred to Legislative Council Resolutions Committee, 843  
 Second reading, 1163  
 Adopted, 1164  
 To House, 1245  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1466  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4070** — (Lashkowitz, Redlin, Schuster)

**Senate Concurrent Resolution No. 4070.** A concurrent resolution directing the Legislative Council to study and review the administration, operations, and functions, including an investigation and review of the rule-making powers and the regulatory powers and procedures, of the Public Service Commission.

Introduction, first reading, 678  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 866  
 Committee report for indefinite postponement, adopted, 890

**Senate Concurrent Resolution No. 4071** — (Homuth)

**Senate Concurrent Resolution No. 4071.** A concurrent resolution directing the Legislative Council to conduct a study of the feasibility and desirability of transferring Mayville State College, Valley City State College, and NDSU-Bottineau Branch to the cities in which they are located for use as junior colleges.

Introduction, first reading, 717  
 Referred to Committee on Education  
 Returned to Senate and withdrawn, 890

**Senate Concurrent Resolution No. 4072** —  
 (Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4072.** A concurrent resolution commending Manitoba Premier Ed Schreyer and his New Democratic Party for courageously turning back a proposal to finance court action against Garrison Diversion and pledging continued cooperation with our good neighbors in Manitoba and Canada.

Introduction, first reading, 773  
 Referred to Committee on Natural Resources



Reported back, do pass, 1029

Second reading, 1087

Adopted, 1087

To House, 1108

Returned to Senate, 1187

Enrolled, 1461

Signed by President, 1465

Sent to House, 1466

Received from House, 1468

Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4073 —**  
(Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4073.** A concurrent resolution supporting the action of Congressman Mark Andrews and Congressman John Melcher in intervening before the Federal Power Commission proceedings, now known as El Paso Alaska Company, Commission Dockets Numbers 75-96, et. al.

Introduction, first reading, 773

Referred to Committee on Finance & Taxation

Reported back, amended, 892

Amendment adopted, 915

Engrossed, 941

Second reading, 976

Adopted, 977

To House, 1013

Returned to Senate, 1187

Enrolled, 1461

Signed by President, 1465

Sent to House, 1466

Received from House, 1468

Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4074 —**  
(Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4074.** A concurrent resolution congratulating the UND Basketball Team on winning the North Central Conference Championship and the National Collegiate Athletic Association regional championship.

Introduction, first reading, 993

Second reading, 994

Adopted, 994

To House, 1013

Returned to Senate, 1095

Enrolled, 1446

Signed by President, 1447

Sent to House, 1447

Received from House, 1458

Message to Secretary of State, 1459

**Senate Concurrent Resolution No. 4075 —**  
(Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4075.** A concurrent resolution urging Congress to consider and approve legislation relating to the procedures to be utilized by the Bureau of the Census for the 1980 census.

Introduction, first reading, 1118

Referred to Joint Committee on Reapportionment

Reported back, do pass, 1156  
 Second reading, 1169  
 Adopted, 1169  
 Clincher motion, 1169  
 To House, 1169  
 Returned to Senate, 1307  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1466  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4076 —**  
 (Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4076.** A concurrent resolution directing the Legislative Council to carry out a comprehensive study of the administration, operation, and investment policies of the Bank of North Dakota.

Introduction, first reading, 1118  
 Referred to Legislative Council Resolutions Committee  
 Reported back, do pass, 1209  
 Second reading, 1263  
 Adopted, 1263  
 To House, 1293  
 Returned to Senate, 1344  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1466  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4077 —**  
 (Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4077.** A concurrent resolution providing for the retaining of certain employees of the Senate and the House of Representatives after the legislative session for the purpose of completing legislative work.

Introduction, first reading, 1184  
 Amendment adopted, 1444  
 Second reading, 1442, 1444  
 Amended from floor, 1442-1444  
 Adopted, 1444  
 To House, 1457  
 Returned to Senate, 1457  
 Enrolled, 1461  
 Signed by President, 1465  
 Sent to House, 1466  
 Received from House, 1468  
 Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4078 —**  
 (Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4078.** A concurrent resolution requesting and urging the elected state officials, or their designees, acting as a commission, to review the structure and operations of the executive branch, and to report their findings to the Forty-fifth Legislative Assembly.

Introduction, first reading, 1209  
Referred to Committee on State & Federal Government  
Reported back, do pass, 1274  
Second reading, 1274  
Adopted, 1274  
Clincher motion, 1274  
To House, 1293  
Returned to Senate, 1344  
Enrolled, 1461  
Signed by President, 1465  
Sent to House, 1466  
Received from House, 1468  
Message to Secretary of State, 1477

**Senate Concurrent Resolution No. 4079 —**  
(Committee on Delayed Bills)

**Senate Concurrent Resolution No. 4079.** A concurrent resolution urging the President of the United States to exercise his authority pursuant to 7 U.S.C. 1854 to limit the import into the United States of fresh, chilled, or frozen beef.

Introduction, first reading, 1209  
Referred to Committee on Agriculture  
Reported back, do pass, 1275  
Engrossed, 1369, 1460  
Second reading, 1275, 1369  
Adopted, 1275, 1369  
Clincher motion, 1275  
To House, 1294  
House amendments, 1343  
Returned to Senate, amended, 1343  
Senate concurs, 1369  
Enrolled, 1460  
Signed by President, 1465  
Sent to House, 1466  
Received from House, 1468  
Message to Secretary of State, 1477

## SENATE RESOLUTIONS

### Senate Resolution No. 1 — (Nothing, Hoffner)

**Senate Resolution No. 1.** A resolution expressing the Senate's pleasure on the selection of Senator Elton W. Ringsak as North Dakota's Outstanding Handicapped Citizen for 1974.

Introduction, first reading, 124  
 Second Reading, 125  
 Adopted, 125  
 Enrolled, 233  
 Signed by President, 272  
 Message to Secretary of State, 275

### Senate Resolution No. 2 — (Nothing, Melland)

**Senate Resolution No. 2.** A resolution welcoming the Chaplain of the Day, the Reverend N.E. McCoy of Jamestown, a voice familiar to generations of North Dakotans through thirty-eight years in the radio ministry.

Introduction, first reading, 281  
 Second reading, 282  
 Adopted, 282  
 Enrolled, 282  
 Signed by President, 283  
 Message to Secretary of State, 287

### Senate Resolution No. 3 — (Nothing)

**Senate Resolution No. 3.** A resolution creating a select Senate committee to study and review the administration, operation, and investment policies of the Bank of North Dakota, and to report its findings and recommendations to the Senate within thirty legislative days of the passage of this resolution.

Introduction, first reading, 295  
 Second reading, 326  
 Adopted, 326  
 Enrolled, 343  
 Signed by President, 360  
 Message to Secretary of State, 360

### Senate Resolution No. 4 —

(Committee on Photography)

**Senate Resolution No. 4.** A resolution to appoint an official photographer for the Senate of the Forty-fourth Legislative Assembly of the State of North Dakota.

Introduction, first reading, 498  
 Second reading, 499  
 Adopted, 499  
 Enrolled, 889  
 Signed by President, 889  
 Message to Secretary of State, 915

### Senate Resolution No. 5 — (Mutch)

**Senate Resolution No. 5.** A resolution commending Keith D. Bjerke for being selected as National Outstanding Young Farmer.

Introduction, first reading, 1400  
Second reading, 1401  
Adopted, 1401  
Enrolled, 1461  
Signed by President, 1465  
Message to Secretary of State, 1477

## SENATE MEMORIAL RESOLUTIONS

### Senate Memorial Resolution No. 1 — (Wenstrom)

**Senate Memorial Resolution No. 1.** A Memorial Resolution extending sympathy and condolence to Senator Ernest Sands and his family upon the death of his mother-in-law.

Introduction, first reading, 13  
Second reading, 14  
Adopted, 14  
Enrolled, 233  
Signed by President, 272  
Message to Secretary of State, 275

### Senate Memorial Resolution No. 2 — (Melland)

**Senate Memorial Resolution No. 2.** A memorial resolution extending sympathy and condolence to Senator David Nething and his family upon the death of his father-in-law.

Introduction, first reading, 61  
Second reading, 61  
Adopted, 61  
Enrolled, 233  
Signed by President, 272  
Message to Secretary of State, 275

### Senate Memorial Resolution No. 3 — (Longmire)

**Senate Memorial Resolution No. 3.** A memorial resolution extending sympathy and condolence to Senator Duane Mutch and his family upon the death of his mother-in-law.

Introduction, first reading, 415  
Second reading, 416  
Adopted, 416  
Enrolled, 889  
Signed by President, 889  
Message to Secretary of State, 915

### Senate Memorial Resolution No. 4 — (J. Schultz, Solberg)

**Senate Memorial Resolution No. 4.** A memorial resolution extending sympathy and condolence to Senator Evan Lips upon the death of his mother.

Introduction, first reading, 572  
Second reading, 573  
Adopted, 573  
Enrolled, 889  
Signed by President, 889  
Message to Secretary of State, 915

### Senate Memorial Resolution No. 5 — (H. Christensen, Fritzell, Gronhøvd)

**Senate Memorial Resolution No. 5.** A memorial resolution for deceased members of the Senate of the State of North Dakota.

Introduction, first reading, 851  
Second reading, 853  
Adopted, 853  
Enrolled, 1461  
Signed by President, 1465  
Message to Secretary of State, 1477

## RECORD OF HOUSE BILLS

### House Bill No. 1001

**House Bill No. 1001.** A Bill for an Act making an appropriation for defraying expenses of the state institutions of higher learning of the state of North Dakota.

To Senate, 694  
 First reading, 718  
 Referred to Committee on Appropriations  
 Reported back, amended, 1057-1060  
 Amendments adopted, 1097, 1226  
 Second reading, 1226, 1398  
 Amended from floor, 1226  
 Clincher Motion, 1227  
 Passed, 1227, 1398  
 Returned to House, amended, 1257  
 Conference Committee, 1279, 1290, 1373, 1375  
 Conference Committee report, 1395-1398  
 Senate adopts, 1398  
 House did not adopt, 1373  
 House adopts, 1395  
 House does not concur, 1279  
 Returned to House, 1445  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1472

### House Bill No. 1002

**House Bill No. 1002.** A Bill for an Act making an appropriation for defraying expenses of the extension division and the experiment stations of the North Dakota state university of agriculture and applied science.

To Senate, 664  
 First reading, 694  
 Referred to Committee on Appropriations  
 Reported back, do pass, 1060  
 Amendments adopted, 1228  
 Second reading, 1228  
 Amended from floor, 1228  
 Clincher motion, 1228  
 Passed, 1228  
 Returned to House, amended, 1257  
 Conference Committee, 1279, 1290  
 Conference Committee report, 1440  
 Senate adopts, 1440  
 House adopts, 1438  
 House does not concur, 1279  
 Returned to House, 1445  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1472

### House Bill No. 1003

**House Bill No. 1003.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.



To Senate, 434  
 First reading, 436  
 Referred to Committee on Appropriations  
 Reported back, amended, 1060  
 Amendments adopted, 1097, 1250  
 Second reading, 1249, 1250, 1431  
 Amended from floor, 1249-1250  
 Clincher motion, 1251  
 Passed, 1250, 1431  
 Returned to House, amended, 1258  
 Conference Committee, 1279, 1290  
 Conference Committee report, 1430-1431  
 Senate adopts, 1431  
 House adopts 1423  
 House does not concur, 1279  
 Returned to House, 1432  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1472

#### House Bill No. 1004

**House Bill No. 1004.** A Bill to appropriate money for the expenses of the legislative branch of government, and declaring an emergency.

To Senate, 694  
 First reading, 718  
 Referred to Committee on Appropriations  
 Reported back, amended, 1060-1061  
 Amendments adopted, 1097  
 Second reading, 1210  
 Clincher motion, 1230  
 Passed, 1211  
 Emergency carried, 1211  
 Returned to House, amended, 1257  
 Conference Committee, 1279, 1291  
 Conference Committee report, 1428  
 Senate adopts, 1428  
 House adopts, 1427  
 House does not concur, 1279  
 Returned to House, 1432  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1472

#### House Bill No. 1005

**House Bill No. 1005.** A Bill for an Act making an appropriation to the board of public school education for defraying expenses of various departments, and various divisions thereof, of the state of North Dakota.

To Senate, 694  
 First reading, 718  
 Referred to Committee on Appropriations  
 Reported back, do pass, 974  
 Amendments adopted, 1378  
 Second reading, 1377, 1378  
 Amended from floor, 1377-1378  
 Clincher motion, 1378  
 Passed, 1378

Returned to House, amended, 1380  
House concurs, 1395  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

#### House Bill No. 1006

**House Bill No. 1006.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota.

To Senate, 568  
First reading, 612  
Referred to Committee on Appropriations  
Reported back, do pass, 1029  
Second reading, 1251  
Passed, 1251  
Returned to House, 1294  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

#### House Bill No. 1007

**House Bill No. 1007.** A Bill for an Act making an appropriation for defraying expenses of the state highway patrol and the law enforcement center.

To Senate, 434  
First reading, 436  
Referred to Committee on Appropriations  
Reported back, amended, 1061  
Amendments adopted, 1097, 1252  
Second reading, 1251, 1252  
Amended from floor, 1251-1252  
Clincher motion, 1252  
Passed, 1252  
Returned to House, amended, 1258  
Conference Committee, 1279, 1291  
Conference Committee discharged, 1308, 1342  
House concurs, 1308  
House does not concur, 1279  
House reconsidered, 1308  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

#### House Bill No. 1008

**House Bill No. 1008.** A Bill for an Act making an appropriation for defraying the expenses of the state highway department.

To Senate, 694  
First reading, 718  
Referred to Committee on Appropriations  
Reported back, do pass, 944  
Second reading, 1007  
Passed, 1008  
Returned to House, 1094  
Received from House, 1468

Signed by President, 1470  
Returned to House, 1472

**House Bill No. 1009**

**House Bill No. 1009.** A Bill for an Act making an appropriation for defraying the expenses of the motor vehicle department.

To Senate, 568  
First reading, 612  
Referred to Committee on Appropriations  
Reported back, amended, 892  
Amendments adopted, 915  
Second reading, 956  
Passed, 957  
Returned to House, amended, 986  
Conference Committee, 1013, 1017  
Conference Committee discharged, 1150, 1177  
House concurs, 1150  
House does not concur, 1013  
House reconsiders, 1150  
Received from House, 1447  
Signed by President, 1448  
Returned to House, 1448

**House Bill No. 1010**

**House Bill No. 1010.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

To Senate, 694  
First reading, 718  
Referred to Committee on Appropriations  
Reported back, amended, 1061-1063  
Amendments adopted, 1098  
Second reading, 1252, 1254, 1429  
Amended from floor, 1251-1252  
Clincher motion, 1254  
Passed, 1254, 1429  
Returned to House, amended, 1258  
Conference Committee, 1279, 1291, 1373, 1404  
Conference Committee report, 1428-1429  
Senate adopts, 1429  
House did not adopt, 1373  
House adopts, 1423  
House does not concur, 1279  
Returned to House, 1432  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

**House Bill No. 1011**

**House Bill No. 1011.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota.

To Senate, 568  
First reading, 613  
Referred to Committee on Appropriations

Reported back, do pass, 1001  
 Amendments adopted, 1229  
 Second reading, 1228, 1229, 1441  
 Amended from floor, 1228  
 Clincher motion, 1230  
 Passed, 1230, 1441  
 Returned to House, amended, 1257  
 Conference Committee, 1422, 1423  
 Conference Committee report, 1440-1441  
 Senate adopts, 1441  
 House adopts, 1438  
 House does not concur, 1422  
 Returned to House, 1445  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1472

#### House Bill No. 1012

**House Bill No. 1012.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof of the state of North Dakota and which are under the supervision of the social service board.

To Senate, 722  
 First reading, 769  
 Referred to Committee on Appropriations  
 Reported back, amended, 1063  
 Amendments adopted, 1098  
 Second reading, 1262  
 Clincher motion, 1262  
 Passed, 1262  
 Returned to House, amended, 1294  
 House concurs, 1320  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1472

#### House Bill No. 1013

**House Bill No. 1013.** A Bill for an Act making an appropriation for defraying the expenses of the state industrial commission and state agencies under the management of the state industrial commission.

To Senate, 664  
 First reading, 694  
 Referred to Committee on Appropriations  
 Reported back, do pass, 944  
 Amendments adopted, 1178  
 Second reading, 985, 1177, 1178  
 Amended from floor, 1178  
 Passed, 985, 1178  
 Returned to House, amended, 1257  
 Conference Committee, 1279, 1291  
 Conference Committee report, 1429-1430  
 Senate adopts, 1430  
 House adopts, 1426  
 House does not concur, 1279  
 Reconsidered, 1120  
 Returned to House, 1432

Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

#### House Bill No. 1014

**House Bill No. 1014.** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota, and which are under the supervision of the attorney general's office.

To Senate, 377  
First reading, 385  
Referred to Committee on Appropriations  
Reported back, amended, 1063-1064  
Amendments adopted, 1098  
Second reading, 1211  
Clincher motion, 1230  
Passed, 1211  
Returned to House, amended, 1257  
Conference Committee, 1280, 1291  
Conference Committee report, 1352-1353  
Senate adopts, 1353  
House adopts, 1352  
House does not concur, 1279  
Returned to House, 1363  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

#### House Bill No. 1015

**House Bill No. 1015. BUDGETS — REGULATORY —** A Bill for an Act making an appropriation for defraying expenses of various departments and various divisions thereof, of the state of North Dakota; to amend and reenact subsection 1 of section 5 of chapter 36 of the 1973 Session Laws of the state of North Dakota, relating to the issuance of bonds by the state laboratories commission; to ensure continuation of certain existing laws; and to declare an emergency.

To Senate, 694  
First reading, 718  
Referred to Committee on Appropriations  
Reported back, amended, 1064-1065  
Amendments adopted, 1098  
Second reading, 1229, 1407  
Clincher motion, 1230, 1407  
Passed, 1229, 1407  
Emergency carried, 1229  
Returned to House, amended, 1257  
Conference Committee, 1280, 1291  
Conference Committee report, 1405-1407  
Senate adopts, 1407  
House adopts, 1404  
House does not concur, 1279  
Returned to House, 1408  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

**House Bill No. 1016**

**House Bill No. 1016.** A Bill for an Act to provide an appropriation for the payment of additional compensation to North Dakota state employees for each month employed by the state of North Dakota during the period beginning January 1, 1975, and ending June 30, 1975, and declaring an emergency.

To Senate, 85  
 First reading, 91  
 Referred to Committee on Appropriations  
 Reported back, do pass, 99  
 Second reading, 126  
 Passed, 127  
 Emergency carried, 127  
 Returned to House, 133  
 Received from House, 163  
 Signed by President, 164  
 Returned to House, 165

**House Bill No. 1017**

**House Bill No. 1017.** A Bill for an Act relating to the interest earned on special funds.

To Senate, 396  
 First reading, 402  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 751  
 Committee report for indefinite postponement, adopted, 791  
 Returned to House, indefinitely postponed, 835

**House Bill No. 1018**

**House Bill No. 1018.** A Bill for an Act to create and enact section 25-09-12, relating to billings to responsible relatives for expenses of care and treatment of patients of the state hospital, Grafton state school, and San Haven state hospital.

To Senate, 106  
 First reading, 120  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 263  
 Committee report for indefinite postponement, adopted, 283  
 Returned to House, 306

**House Bill No. 1019**

**House Bill No. 1019.** A Bill for an Act to require the director of institutions to authorize all postage meters for state agencies, departments, and institutions.

To Senate, 106  
 First reading, 120  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 263  
 Second reading, 303  
 Passed, 304  
 Returned to House, 327  
 Received from House, 813  
 Signed by President, 814  
 Returned to House, 814

**House Bill No. 1020**

**House Bill No. 1020.** A Bill for an Act to provide for the creation of multidistrict vocational education boards, and to provide for the establishment, control, and administration of multidistrict vocational education centers.

To Senate, 181  
First reading, 188  
Referred to Committee on Education  
Reported back, do pass, 843  
Second reading, 875  
Passed, 875  
Returned to House, 911  
Received from House, 1152  
Signed by President, 1186  
Returned to House, 1186

**House Bill No. 1021**

**House Bill No. 1021.** A Bill for an Act to amend and reenact section 15-41-24 of the North Dakota Century Code, relating to the inclusion for accreditation purposes of vocational education courses offered through approved cooperative programs.

To Senate, 181  
First reading, 189  
Referred to Committee on Education  
Reported back, do pass, 443  
Second reading, 731  
Passed, 731  
Returned to House, 769  
Received from House, 935  
Signed by President, 961  
Returned to House, 961

**House Bill No. 1022**

**House Bill No. 1022.** A Bill for an Act to create and enact section 15-40.1-16.1 of the North Dakota Century Code, relating to transportation aid for cooperative vocational education programs; and to amend and reenact sections 15-40.1-16 and 15-40.1-17 of the North Dakota Century Code, to provide transportation aid to school districts for transporting pupils.

To Senate, 664  
First reading, 694  
Referred to Committee on Education  
Reported back, do pass, 1065  
Reported back, amended, 843, 844  
Re-referred to Committee on Appropriations, 869  
Amendments adopted, 869  
Second reading, 1377  
Passed, 1377  
Returned to House, amended, 1381  
House concurs, 1395  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1472

**House Bill No. 1023**

**House Bill No. 1023.** A Bill for an Act to amend and reenact section 15-

20.1-08 of the North Dakota Century Code, relating to a mill levy for participation in cooperative vocational education programs.

To Senate, 307  
 First reading, 313  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 725  
 Second reading, 757  
 Passed, 758  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

#### House Bill No. 1024

**House Bill No. 1024.** A Bill for an Act to amend and reenact section 15-34.2-06 of the North Dakota Century Code, relating to a mill levy for transportation for school districts.

To Senate, 307  
 First reading, 313  
 Referred to Committee on Transportation  
 Returned to Senate & re-referred to Committee on Education, 617  
 Reported back, indefinitely postponed, 974  
 Committee report for indefinite postponement, adopted, 994  
 Returned to House, indefinitely postponed, 1094

#### House Bill No. 1025

**House Bill No. 1025.** A Bill for an Act to create and enact section 15-40.2-13 of the North Dakota Century Code, relating to nonresident tuition and to provide for the charging of interest for nonpayment of tuition charges.

To Senate, 106  
 First reading, 120  
 Referred to Committee on Education  
 Reported back, do pass, 751  
 Amendments adopted, 921  
 Second reading, 780, 921  
 Amended from floor, 921  
 Passed, 780, 921  
 Returned to House, 811  
 Returned to House, amended, 963  
 House concurs, 1095  
 Senate requests return, 890  
 Returned to Senate, 900  
 Reconsidered, 920  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

#### House Bill No. 1026

**House Bill No. 1026.** A Bill for an Act to amend and reenact section 15-40.2-04 of the North Dakota Century Code, relating to nonresident tuition payments.

To Senate, 195  
 First reading, 219  
 Referred to Committee on Education



Reported back, do pass, 751  
Second reading, 780  
Passed, 781  
Returned to House, 811  
Received from House, 990  
Signed by President, 1016  
Returned to House, 1016

#### House Bill No. 1027

**House Bill No. 1027.** A Bill for an Act to amend and reenact section 15-29-13 of the North Dakota Century Code, relating to incidental revolving funds and to provide for the establishment of a school activities fund.

To Senate, 84  
First reading, 91  
Referred to Committee on Education  
Reported back, do pass, 345  
Second reading, 394  
Passed, 394  
Returned to House, 411  
Received from House, 935  
Signed by President, 961  
Returned to House, 962

#### House Bill No. 1028

**House Bill No. 1028.** A Bill for an Act to amend and reenact sections 24-06-28 and 24-06-30 of the North Dakota Century Code, relating to construction and removal of fences along or across section lines; and providing a penalty.

To Senate, 106  
First reading, 120  
Referred to Committee on Education  
Reported back, do pass, 443  
Second reading, 732  
Passed, 732  
Returned to House, 769  
Received from House, 935  
Signed by President, 961  
Returned to House, 962

#### House Bill No. 1029

**House Bill No. 1029.** A Bill for an Act to amend and reenact sections 15-60-04 and 15-60-05 of the North Dakota Century Code, relating to the amounts to be loaned and the terms of loans under the state school construction fund.

To Senate, 133  
First reading, 147  
Referred to Committee on Education  
Reported back, do pass, 443  
Second reading, 733  
Passed, 733  
Returned to House, 769  
Received from House, 935  
Signed by President, 961  
Returned to House, 962

**House Bill No. 1030**

**House Bill No. 1030.** A Bill for an Act to appropriate moneys from the state general fund to the state school construction fund.

To Senate, 455  
 First reading, 462  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 773  
 Committee report for indefinite postponement, adopted, 792  
 Returned to House, indefinitely postponed, 835

**House Bill No. 1033**

**House Bill No. 1033.** A Bill for an Act to repeal section 34-06-16 of the North Dakota Century Code, relating to a civil action by an employee to recover the difference between a minimum wage established by the commissioner of labor and the wage actually paid to the employee by the employer.

To Senate, 84  
 First Reading, 91  
 Referred to Committee on Industry, Business and Labor  
 Reported back, do pass, 334  
 Second reading, 355  
 Passed, 355  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1034**

**House Bill No. 1034.** A Bill for an Act to amend and reenact section 34-07-19 of the North Dakota Century Code, relating to enforcement of child labor provisions by the commissioner of labor; and to repeal section 34-07-09 and subsection 11 of section 34-07-16 of the North Dakota Century Code, relating to the number of years of required school attendance by a minor for issuance of an employment certificate, and to the prohibition of the employment of a minor as a pin boy in a bowling alley.

To Senate, 84  
 First reading, 91  
 Referred to Committee on Industry, Business and Labor  
 Reported back, do pass, 334  
 Second reading, 355  
 Passed, 355  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1035**

**House Bill No. 1035.** A Bill for an Act to repeal section 34-01-10 of the North Dakota Century Code, relating to an employee fraudulently securing transportation or benefits from an employer.

To Senate, 106  
 First reading, 120  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 334

Second reading, 355  
 Passed, 356  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1036**

**House Bill No. 1036.** A Bill for an Act to amend and reenact section 34-12-08 of the North Dakota Century Code, relating to the authority of the commissioner of labor to order any person to cease and desist from engaging in any unfair labor practice.

To Senate, 84  
 First reading, 91  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 335  
 Second reading, 356  
 Passed, 356  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1037**

**House Bill No. 1037.** A Bill for an Act to amend and reenact section 34-14-09.1 of the North Dakota Century Code, relating to amounts an employee may recover on unpaid wages.

To Senate, 84  
 First reading, 92  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 335  
 Second reading, 356  
 Passed, 356  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1038**

**House Bill No. 1038.** A Bill for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code, relating to the workmen's compensation bureau's furnishing lists of employers' names and addresses to certain state agencies.

To Senate, 84  
 First reading, 92  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 335  
 Second reading, 357  
 Passed, 357  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1043**

**House Bill No. 1043.** A Bill for an Act to provide for control of obscene materials and performances; to repeal chapter 12.1-27 of the North Dakota Century Code as contained in section 26 of chapter 116 of the 1973 Session Laws of the State of North Dakota and subsection 62 of section 40-05-01 of the North Dakota Century Code, relating to controls on dissemination of obscene materials; and providing penalties; and declaring an emergency.

To Senate, 195  
 First reading, 219  
 Referred to Committee on Judiciary  
 Reported back, amended, 1002  
 Amendments adopted, 1023  
 Second reading, 1088  
 Passed, 1088  
 Emergency carried, 1088  
 Returned to House, amended, 1145  
 House concurs, 1240  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

**House Bill No. 1045**

**House Bill No. 1045.** A Bill for an Act to prohibit the carrying or display of certain flags, ensigns, or banners, and to provide penalties; and to repeal sections 12-07-07, 12-07-08, and 12-07-09 of the North Dakota Century Code, prohibiting the carrying or display of certain flags and providing a penalty.

To Senate, 106  
 First reading, 120  
 Referred to Committee on Judiciary  
 Reported back, do pass, 866  
 Second reading, 905  
 Passed, 905  
 Returned to House, 934  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1046**

**House Bill No. 1046.** A Bill for an Act to create and enact subsection 6 of section 30.1-05-05, and to amend and reenact section 30.1-02-05, subsection 1 of section 30.1-04-03, subsection 2 of section 30.1-12-02, subsection 1 of section 30.1-14-07, subsection 1 of section 30.1-15-03, subsection 2 of section 30.1-15-14, section 30.1-17-03, subsection 2 of section 30.1-18-06, subsection 1 of section 30.1-21-01, section 30.1-26-02, the initial paragraph of section 30.1-29-01, subsection 2 of section 30.1-29-07, sections 30.1-29-11, 30.1-29-14, 30.1-32-01, and 30.1-34-04 as contained in section 1 of chapter 257 of the 1973 Session Laws of North Dakota, relating to decedents' estates, conservatorships, and trusts; to amend and reenact section 38-13-01 of the North Dakota Century Code, relating to trustees for execution of mineral leases.

To Senate, 195  
 First reading, 219  
 Referred to Committee on Judiciary

Reported back, amended, 1002-1003  
 Amendments adopted, 1023  
 Second reading, 1088, 1353  
 Passed, 1089, 1354  
 Returned to House, amended, 1145  
 Conference Committee, 1152, 1189  
 Conference Committee report, 1353  
 Senate adopts, 1353  
 House adopts, 1352  
 House does not concur, 1152  
 Returned to House, 1363  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

#### House Bill No. 1049

**House Bill No. 1049.** A Bill for an Act to amend and reenact sections 12-47-15, 12-47-31, 12-48-14, 12-48-15, and 12-48-21 of the North Dakota Century Code, relating to the appointment of an acting warden in the absence of the warden and his deputy, to clothing and transportation allowances provided to inmates upon release, compensation of inmates, and to disposition of moneys earned by penitentiary inmates; and to repeal sections 12-47-30, 12-48-16, 12-48-17, 12-48-18, 12-48-19, 12-51-08 of the North Dakota Century Code, relating to the expense of transporting inmates to and from the state hospital and the cost of committing inmates to the state farm, and to the disposition of penitentiary inmates' earnings.

To Senate, 106  
 First reading, 120  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 922  
 Amendments adopted, 941  
 Second reading, 1008  
 Passed, 1008  
 Returned to House, amended, 1094  
 Conference Committee, 1115, 1120  
 Conference Committee report, 1326  
 Senate adopts, 1326  
 House adopts, 1319  
 House does not concur, 1115  
 Returned to House, 1342  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

#### House Bill No. 1051

**House Bill No. 1051.** A Bill for an Act to create and enact section 1-02-09.2 and to amend and reenact section 1-02-09, both of the North Dakota Century Code, relating to reconciliation of two or more concurrent resolutions proposing conflicting amendments or additions to the Constitution of the State of North Dakota.

To Senate, 106  
 First reading, 121  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 185  
 Second reading, 303  
 Passed, 304  
 Returned to House, 327  
 Received from House, 813

Signed by President, 814  
Returned to House, 814

#### House Bill No. 1052

**House Bill No. 1052.** A Bill for an Act to amend and reenact section 15-10-28.1 of the North Dakota Century Code, relating to veterinary medicine, optometry, and dentistry student loans.

To Senate, 168  
First reading, 172  
Referred to Committee on Education  
Reported back, do pass, 725  
Re-referred to Committee on Appropriations, 725  
Returned from committee & placed on calendar, 870  
Second reading, 905  
Passed, 906  
Returned to House, 934  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

#### House Bill No. 1053

**House Bill No. 1053.** A Bill for an Act to repeal sections 61-01-12, 61-01-13, and 61-01-14 of the North Dakota Century Code, relating to the fouling of public waters.

To Senate, 106  
First reading, 121  
Referred to Committee on State & Federal Government  
Reported back, do pass, 185  
Second reading, 304  
Passed, 304  
Returned to House, 327  
Received from House, 813  
Signed by President, 814  
Returned to House, 814

#### House Bill No. 1054

**House Bill No. 1054.** A Bill for an Act to amend and reenact subsection 9 of section 61-28-04 of the North Dakota Century Code, relating to the powers of the state health department pertaining to pollution; and to repeal section 40-22-04, subdivision c of subsection 2 of section 61-02-14, and sections 61-02-15 and 61-02-21 of the North Dakota Century Code, relating to the powers of the state water commission or state health department pertaining to water pollution.

To Senate, 106  
First reading, 121  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, do pass, 206  
Second reading, 304  
Passed, 304  
Returned to House, 327  
Received from House, 813  
Signed by President, 814  
Returned to House, 814

#### House Bill No. 1055

**House Bill No. 1055.** A Bill for an Act to amend and reenact subsection 2 of section 23-25-02 of the North Dakota Century Code, relating to the air pollution control advisory council.

To Senate, 106  
First reading, 121  
Referred to Committee on Natural Resources  
Reported back, do pass, 280  
Second reading, 304  
Passed, 305  
Returned to House, 327  
Received from House, 813  
Signed by President, 814  
Returned to House, 814

**House Bill No. 1056**

**House Bill No. 1056.** A Bill for an Act to provide for solid waste management and land protection, and providing a penalty.

To Senate, 195  
First reading, 219  
Referred to Committee on Natural Resources  
Reported back, do pass, 620  
Second reading, 733  
Passed, 733  
Returned to House, 769  
Received from House, 935  
Signed by President, 961  
Returned to House, 962

**House Bill No. 1057**

**House Bill No. 1057.** A Bill for an Act to create and enact sections 23-25-01.1 and 23-25-04.1 of the North Dakota Century Code, relating to the public policy on air pollution and relating to trade secrets; to amend and reenact section 23-25-01, subsection 6 of section 23-25-02, sections 23-25-03, 23-25-04, 23-25-05, 23-25-06, 23-25-08, and 23-25-10 of the North Dakota Century Code, relating to definitions, the power of the air pollution control advisory council, the powers and duties of the department of health, classification of air contaminant sources, on-site inspections, permits, notice of hearings, and enforcement; and to repeal sections 23-25-07 and 23-25-09 of the North Dakota Century Code, relating to emission control requirements and injunction proceedings; and providing a penalty.

To Senate, 195  
First reading, 219  
Referred to Committee on Natural Resources  
Reported back, do pass, 620  
Second reading, 733  
Passed, 734  
Returned to House, 769  
Received from House, 935  
Signed by President, 961  
Returned to House, 962

**House Bill No. 1058**

**House Bill No. 1058.** A Bill for an Act to create an Environmental Policy Act for North Dakota setting forth citizens' rights and responsibilities,

giving general directions to state agencies, providing for environmental impact statements and procedures for preparing and distributing these statements, and providing for citizen action to compel compliance with this Act.

To Senate, 360  
 First reading, 366  
 Referred to Committee on Judiciary  
 Returned to Senate & re-referred to Committee on Natural Resources, 617  
 Reported back, amended, 844  
 Reported back, indefinitely postponed, 1029  
 Committee for indefinite postponement, adopted, 1099  
 Re-referred to Committee on Appropriations, 918  
 Amendments adopted, 869  
 Second reading, 906  
 Passed, 906  
 Returned to House, indefinitely postponed, 1187  
 Reconsidered, 918

#### House Bill No. 1059

**House Bill No. 1059.** A Bill for an Act to provide for the enforcement of environmental laws in the state of North Dakota through actions brought in the district courts.

To Senate, 232  
 First reading, 265  
 Referred to Committee on Natural Resources  
 Reported back, amended, 844  
 Amendments adopted, 869  
 Second reading, 906  
 Passed, 907  
 Returned to House, amended, 935  
 House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

#### House Bill No. 1060

**House Bill No. 1060.** A Bill for an Act to create and enact section 2-07-01.1, subsections 8 and 9 of section 2-07-02, sections 2-07-02.1, 2-07-02.2, 2-07-02.3, 2-07-02.4, 2-07-02.5, 2-07-03.1, 2-07-03.2, 2-07-03.3, 2-07-03.4, 2-07-04.1, 2-07-04.2, 2-07-04.3, 2-07-05.1, 2-07-05.2, 2-07-06.8, 2-07-09.1, 2-07-10.1; and 2-07-11.1, of the North Dakota Century Code, relating to a state policy on weather modification; definitions; a state weather modification board; issuance, revocation, suspension, and modification of licenses and permits required for weather modification operations; operating districts and committees; creation of weather modification authorities; liability of controllers; state matching funds; to amend and reenact section 2-07-01, subsection 7 of section 2-07-02, sections 2-07-03, 2-07-04, 2-07-05, subsection 3 of section 2-07-06.1, sections 2-07-06.3, 2-07-08, 2-07-09, 2-07-10, 2-07-11, and 2-07-13 of the North Dakota Century Code, relating to definitions; licenses for weather modification operations; duties of the state aeronautics commission; the creation of county weather modification authorities; financing of county and state weather modification operations; to provide for an appropriations; to provide a penalty; and to provide an effective date.



To Senate, 664  
 First reading, 695  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 944, 1003  
 Re-referred to Committee on Appropriations, 944  
 Amendments adopted, 1082  
 Second reading, 1082  
 Amended from floor, 1082  
 Passed, 1083  
 Returned to House, amended, 1145  
 House concurs, 1240  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

#### House Bill No. 1061

**House Bill No. 1061.** A Bill for an Act to create and enact section 61-04-07.1 of the North Dakota Century Code; and to amend and reenact sections 61-04-07 and 61-04-09 of the North Dakota Century Code, relating to the duties of the state engineer.

To Senate, 286  
 First reading, 296  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 620  
 Second reading, 734  
 Passed, 734  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1062

**House Bill No. 1062.** A Bill for an Act to require written notice and approval before a permit to surface mine land is issued by the public service commission, to provide for surface damage and disruption payments, to provide for a financial obligation to reclaim land disturbed by a mining operation, and to declare an emergency.

To Senate, 694  
 First reading, 718  
 Referred to Committee on Natural Resources  
 Reported back, amended, 1065  
 Amendments adopted, 1098  
 Second reading, 1143  
 Passed, 1144  
 Returned to House, amended, 1188  
 House concurs, 1259  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

#### House Bill No. 1063

**House Bill No. 1063.** A Bill for an Act to provide for a municipal bond bank to be administered by the Bank of North Dakota.

To Senate, 327  
 First reading, 330

Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 866  
 Amendments adopted, 890  
 Second reading, 927  
 Passed, 927  
 Returned to House, amended, 963  
 House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

**House Bill No. 1064**

**House Bill No. 1064.** A Bill for an Act making an appropriation for the upgrading of the law enforcement radio communications system and for the operation of the upgraded system for the upcoming biennium.

To Senate, 722  
 First reading, 770  
 Referred to Committee on Appropriations  
 Reported back, do pass, 1066  
 Second reading, 1211  
 Passed, 1211  
 Clincher motion, 1230  
 Returned to House, 1256  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

**House Bill No. 1065**

**House Bill No. 1065.** A Bill for an Act making an appropriation for the upgrading of the law enforcement teletype communications system and for the operation of that system for the upcoming biennium.

To Senate, 722  
 First reading, 770  
 Referred to Committee on Appropriations  
 Reported back, do pass, 1066  
 Second reading, 1211  
 Clincher motion, 1230  
 Passed, 1212  
 Returned to House, 1256  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

**House Bill No. 1066**

**House Bill No. 1066.** A Bill for an Act to amend and reenact section 39-06-49 of the North Dakota Century Code, relating to the disposition of fees collected pursuant to chapter 39-06.

To Senate, 474  
 First reading, 522  
 Referred to Committee on Appropriations  
 Reported back, do pass, 844  
 Second reading, 879  
 Passed, 880  
 Returned to House, 911

Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

#### House Bill No. 1067

**House Bill No. 1067.** A Bill for an Act to amend and reenact section 24-04-03 of the North Dakota Century Code, relating to the authority of the state highway commissioner to receive and expend funds made available by Congress for feeder roads and for rural transportation assistance programs, and imposing limitations on the operation of bus transportation systems and on state highway funds which may be expended on such programs; and declaring an emergency.

To Senate, 722  
First reading, 770  
Referred to Committee on Transportation  
Reported back, do pass, 923  
Second reading, 957  
Passed, 957  
Emergency carried, 957  
Returned to House, 986  
Received from House, 1148  
Signed by President, 1148  
Returned to House, 1148

#### House Bill No. 1068

**House Bill No. 1068.** A Bill for an Act to amend and reenact section 12-44-29 of the North Dakota Century Code, relating to the incarceration of county prisoners in federal institutions, institutions in other states, and institutions in other counties in this state, and providing for continuing jurisdiction of the committing agency; and to amend and reenact section 32-22-36 of the North Dakota Century Code, relating to the transferring of prisoners from one prison to another; and declaring an emergency.

To Senate, 195  
First reading, 220  
Referred to Committee on Judiciary  
Reported back, indefinitely postponed, 1003  
Committee report for indefinite postponement, adopted, 1024  
Returned to House, indefinitely postponed, 1108

#### House Bill No. 1070

**House Bill No. 1070.** A Bill for an Act to prohibit an employment agency or an employer from requesting an applicant for employment or an employee to take a polygraph test, to prohibit unauthorized disclosure of a polygraph test given at the employee's request, to provide certain exemptions for police officers, and providing a penalty.

To Senate, 168  
First reading, 172  
Referred to Committee on Industry, Business & Labor  
Reported back, indefinitely postponed, 725  
Committee report for indefinite postponement, adopted, 750  
Returned to House, indefinitely postponed, 786

#### House Bill No. 1072

**House Bill No. 1072.** A Bill for an Act to amend and reenact section 54-52.1-03 of the North Dakota Century Code, relating to the eligibility of employees to remain in the uniform group insurance program upon retirement or termination of employment, and declaring an emergency.

To Senate, 168  
 First reading, 172  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 773  
 Second reading, 800  
 Passed, 800  
 Emergency carried, 800  
 Returned to House, 834  
 Received from House, 960  
 Signed by President, 961  
 Returned to House, 969

**House Bill No. 1073**

**House Bill No. 1073.** A Bill for an Act to amend and reenact subdivision f of subsection 1 of section 39-12-04 of the North Dakota Century Code, relating to size, width, and height restrictions on vehicles.

To Senate, 106  
 First reading, 121  
 Referred to Committee on Agriculture  
 Reported back, do pass, 620  
 Second reading, 734  
 Passed, 735  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

**House Bill No. 1074**

**House Bill No. 1074.** A Bill for an Act to amend and reenact subsection 1 of section 57-38-34 of the North Dakota Century Code, relating to the filing of income tax returns.

To Senate, 84  
 First reading, 92  
 Referred to Committee on Finance and Taxation  
 Returned to Senate & re-referred to Committee on Education, 757  
 Reported back, do pass, 974  
 Second reading, 1044  
 Passed, 1044  
 Returned to House, 1108  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

**House Bill No. 1075**

**House Bill No. 1075.** A Bill for an Act to provide for an inflation credit against income taxes payable by individuals.

To Senate, 694  
 First reading, 718  
 Referred to Committee on Finance and Taxation  
 Reported back, amended, 1029

Amendments adopted, 1053  
 Second reading, 1130, 1455  
 Passed, 1131, 1456  
 Returned to House, amended, 1188  
 Conference Committee, 1239, 1265  
 Conference Committee report, 1455  
 Senate adopts, 1455  
 House does not concur, 1239  
 Returned to Senate, 1457  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

#### House Bill No. 1077

**House Bill No. 1077.** A Bill for an Act to require written notice and approval before a permit to strip mine land is issued by the public service commission, to provide for surface damage and disruption payments, to provide for a financial obligation to reclaim land disturbed by a mining operation, and to declare an emergency.

To Senate, 694  
 First reading, 718  
 Referred to Committee on Natural Resources  
 Reported back, indefinitely postponed, 1066  
 Committee for indefinite postponement, adopted, 1144  
 Returned to House, indefinitely postponed, 1188  
 Reconsidered, 1144

#### House Bill No. 1079

**House Bill No. 1079.** A Bill for an Act to amend and reenact section 27-08.1-03 of the North Dakota Century Code, relating to hearings before a small claims court.

To Senate, 181  
 First reading, 189  
 Referred to Committee on Judiciary  
 Reported back, do pass, 620  
 Second reading, 735  
 Passed, 736  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1081

**House Bill No. 1081.** A Bill for an Act to amend and reenact sections 11-17-04 and 35-27-12 of the North Dakota Century Code, relating to fees to be charged by the clerk of the district court and to the duty of the clerk to file the notice of intent to file a mechanic's lien notice.

To Senate, 195  
 First reading, 220  
 Referred to Committee on Judiciary  
 Reported back, amended, 893  
 Amendments adopted, 915  
 Second reading, 957  
 Passed, 958  
 Returned to House, amended, 986

House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

#### House Bill No. 1082

**House Bill No. 1082.** A Bill for an Act to amend and reenact sections 24-06-28 and 24-06-30 of the North Dakota Century Code, relating to construction and removal of fences along or across section lines; and providing a penalty, and declaring an emergency.

To Senate, 195  
 First reading, 220  
 Referred to Committee on Agriculture  
 Reported back, amended, 819  
 Amendments adopted, 839  
 Second reading, 880  
 Passed, 880  
 Returned to House, amended, 911  
 House concurs, 1095  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

#### House Bill No. 1083

**House Bill No. 1083.** A Bill for an Act to provide for notice of drilling operations; requiring the plugging of drill holes; and providing a penalty.

To Senate, 106  
 First reading, 121  
 Referred to Committee on Agriculture  
 Reported back, amended, 794  
 Amendments adopted, 815  
 Second reading, 847  
 Passed, 847  
 Returned to House, amended, 886  
 House concurs, 888  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1084

**House Bill No. 1084.** A Bill for an Act to amend and reenact subdivision b of subsection 1 of section 38-08-04, subsection 1 of section 38-12-01, and subdivision b of subsection 1 of section 38-12-02 of the North Dakota Century Code, relating to the authority of the industrial commission and to the definition of "subsurface minerals".

To Senate, 181  
 First reading, 189  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 794  
 Second reading, 826  
 Passed, 826  
 Returned to House, 860  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1088**

**House Bill No. 1088.** A Bill for an Act to amend and reenact subsection 1 of section 40-61-14 of the North Dakota Century Code, relating to tax exemptions for property of municipal parking authorities.

To Senate, 259  
 First reading, 265  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 794  
 Reported back, indefinitely postponed, 620  
 Re-referred to Committee on Political Subdivisions, 724  
 Second reading, 826  
 Passed, 827  
 Returned to House, 860  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1089**

**House Bill No. 1089.** A Bill for an Act to amend and reenact section 54-40-08 of the North Dakota Century Code to allow state agencies, boards, or institutions and political subdivisions of the state to enter into agreements to allow such political subdivisions to use buildings and facilities of the state for such periods as the parties deem necessary, to allow the political subdivisions to make improvements to such buildings and facilities in lieu of rent, and to provide that the state agency, board, or institution may move or replace the building or facility at any time during an agreement, and declaring an emergency.

To Senate, 232  
 First reading, 265  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 620  
 Second reading, 736  
 Passed, 736  
 Emergency carried, 736  
 Returned to House, 769  
 Received from House, 834  
 Signed by President, 834  
 Returned to House, 834

**House Bill No. 1090**

**House Bill No. 1090.** A Bill for an Act to amend and reenact subsection 5 of section 15-29-08, section 40-57-02, subsection 3 of section 40-57-03, and sections 40-57.1-03 and 40-57.1-06 of the North Dakota Century Code, relating to financing the construction of vocational educational facilities by the sale of municipal industrial development bonds, to the term of years for which facilities constructed under the Municipal Industrial Development Act may be leased by a school board, and to tax exemptions for new industries; to repeal section 40-57-17 of the North Dakota Century Code, relating to exemptions from taxation under the Municipal Industrial Development Act; and declaring an emergency.

To Senate, 106  
 First reading, 121  
 Referred to Committee on Political Subdivisions  
 Reported back, amended, 725-726

Amendments adopted, 749  
 Second reading, 781  
 Passed, 781  
 Emergency carried, 781  
 Returned to House, amended, 811  
 House concurs, 860  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1091

**House Bill No. 1091.** A Bill for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the North Dakota Century Code, relating to the authority of counties and cities to establish or maintain programs and activities for senior citizens; to create and enact a new section of the North Dakota Century Code, authorizing a political subdivision to expend federal revenue-sharing moneys for any purpose for which general or special fund moneys may be expended; and to amend and reenact section 57-15-56 of the North Dakota Century Code, relating to the authorization of a mill levy for programs and activities for senior citizens; and declaring an emergency.

To Senate, 133  
 First reading, 147  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Re-referred to Committee on Social Welfare & Veterans Affairs, 757  
 Reported back, amended, 620, 944  
 Amendments adopted, 723, 968  
 Second reading, 1044, 1327  
 Passed, 1044, 1327  
 Emergency carried, 1044  
 Returned to House, amended, 1108  
 Conference Committee, 1150, 1189  
 Conference Committee report, 1326  
 Senate adopts, 1326  
 House adopts, 1319  
 House does not concur, 1150  
 Returned to House, 1342  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

#### House Bill No. 1092

**House Bill No. 1092.** A Bill for an Act to amend and reenact section 39-06-05 of the North Dakota Century Code, relating to restricted instruction permits.

To Senate, 127  
 First reading, 132  
 Referred to Committee on Transportation  
 Reported back, do pass, 291  
 Second reading, 357  
 Passed, 357  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933



**House Bill No. 1093**

**House Bill No. 1093.** A Bill for an Act to provide for a safe level of immunization for the people of North Dakota against diphtheria, pertussis, tetanus, measles (rubeola), rubella, mumps, and poliomyelitis; and to repeal section 23-07-17 of the North Dakota Century Code, relating to compulsory vaccination or inoculation.

To Senate, 157  
 First reading, 172  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 794-795  
 Amendments adopted, 815  
 Second reading, 847  
 Passed, 847  
 Returned to House, amended, 886  
 House concurs, 888  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

**House Bill No. 1094**

**House Bill No. 1094.** A Bill for an Act to amend and reenact section 54-06-09 of the North Dakota Century Code, relating to mileage expense of state officers and employees; and declaring an emergency.

To Senate, 396  
 First reading, 403  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 727  
 Second reading, 758  
 Passed, 758  
 Returned to House, 786  
 Received from House, 834  
 Signed by President, 834  
 Returned to House, 834

**House Bill No. 1095**

**House Bill No. 1095.** A Bill for an Act to amend and reenact section 65-05-19 of the North Dakota Century Code, relating to nondependency payments.

To Senate, 168  
 First reading, 172  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 751  
 Amendments adopted, 775  
 Second reading, 800  
 Passed, 800  
 Returned to House, 1342  
 Returned to House, amended, 835  
 Conference Committee, 887, 910  
 Conference Committee report, 1327  
 House adopts, 1327  
 House does not concur, 887  
 Returned to House, 1342  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

**House Bill No. 1096**

**House Bill No. 1096.** A Bill for an Act authorizing the director of state parks to provide for conversion to metric signs.

To Senate, 168  
First reading, 172  
Referred to Committee on State & Federal Government  
Reported back, do pass, 444  
Second reading, 737  
Passed, 737  
Returned to House, 769  
Received from House, 935  
Signed by President, 961  
Returned to House, 962

**House Bill No. 1097**

**House Bill No. 1097.** A Bill for an Act to provide for issuance of permits to residents sixty years of age or more which would allow such persons free access to state parks.

To Senate, 168  
First reading, 172  
Referred to Committee on State & Federal Government  
Reported back without recommendation, 773  
Second reading, 801  
Passed, 801  
Returned to House, 834  
Received from House, 990  
Signed by President, 1016  
Returned to House, 1016

**House Bill No. 1098**

**House Bill No. 1098.** A Bill for an Act to create and enact subsections 6, 7, 8, and 9 of section 4-10.1-03; to amend and reenact sections 4-10.1-09, 4-10.1-12, 4-10.1-14, and 4-10.1-16; and to repeal section 4-10.1-11, all of the North Dakota Century Code, relating to the Potato Industry Promotion Act.

To Senate, 127  
First reading, 132  
Referred to Committee on Agriculture  
Reported back, do pass, 291  
Second reading, 357  
Passed, 358  
Returned to House, 376  
Received from House, 913  
Signed by President, 933  
Returned to House, 933

**House Bill No. 1099**

**House Bill No. 1099.** A Bill for an Act making an appropriation to the American revolution bicentennial commission for the purpose of making grants to bicentennial projects.

To Senate, 496  
First reading, 522  
Referred to Committee on Appropriations

Reported back, do pass, 923  
Second reading, 958, 1008  
Lost, 968  
Passed, 1009  
Returned to House, 1094  
Reconsidered, 976  
Placed on calendar, 976  
Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

#### House Bill No. 1100

**House Bill No. 1100.** A Bill for an Act to amend and reenact section 32-15-32 of the North Dakota Century Code, relating to costs of taking property by eminent domain.

To Senate, 127  
First reading, 132  
Referred to Committee on Judiciary  
Reported back, amended, 866  
Amendments adopted, 890  
Second reading, 928  
Lost, 928  
Returned to House, indefinitely postponed, 986

#### House Bill No. 1101

**House Bill No. 1101.** A Bill for an Act to provide that all electors must be registered prior to being authorized to vote in any statewide special, primary, or general election; supervision of the registration process by county auditors; and the method of registration; and to amend and reenact sections 16-04-25, 16-04-26, 16-10-14, 16-11-10, 16-11-13, 16-11-16, 16-12-14, 16-13-02, 16-13-07, and 16-13-09 of the North Dakota Century Code, relating to maintenance and distribution of pollbooks and challenging the right of any person to vote; and providing a penalty.

To Senate, 722  
First reading, 770  
Referred to Committee on Judiciary  
Reported back, do pass, 893  
Re-referred to Committee on Appropriations, 893  
Returned to Senate, 1049  
Amendments adopted, 1089  
Second reading, 1089  
Amended from floor, 1089  
Passed, 1089  
Returned to House, amended, 1145  
House concurs, 1308  
Received from House, 1468  
Signed by President, 1470  
Returned to House, 1473

#### House Bill No. 1102

**House Bill No. 1102.** A Bill for an Act to create and enact a new section to chapter 16-20 of the North Dakota Century Code, and to amend and reenact section 16-20-01 of the North Dakota Century Code, relating to the use of state services or property for political purposes.

To Senate, 694

First reading, 718  
 Referred to Committee on Judiciary  
 Reported back without recommendation, 866  
 Second reading, 907  
 Passed, 907  
 Returned to House, 935  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1103

**House Bill No. 1103.** A Bill for an Act to amend and reenact sections 16-18-14, 16-18-15, and 16-18-16 of the North Dakota Century Code, relating to canvassing of absent voters' ballots received late, care and custody of absent voters' ballots, and submitting absent voters' ballots to inspector of elections.

To Senate, 694  
 First reading, 718  
 Referred to Committee on Judiciary  
 Reported back, amended, 893  
 Amendments adopted, 915  
 Second reading, 958, 1009  
 Lost, 958  
 Passed, 1009  
 Returned to House, amended, 1094  
 House concurs, 1150  
 Reconsidered, 976  
 Placed on calendar, 976  
 Received from House, 1447  
 Signed by President, 1448  
 Returned to House, 1448

#### House Bill No. 1105

**House Bill No. 1105.** A Bill for an Act to amend and reenact section 24-02-05 of the North Dakota Century Code, relating to the office hours, sessions and hearings of the commissioner.

To Senate, 106  
 First reading, 122  
 Referred to Committee on Transportation  
 Reported back, do pass, 291  
 Second reading, 358  
 Passed, 358  
 Returned to House, 376  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

#### House Bill No. 1106

**House Bill No. 1106.** A Bill for an Act to repeal section 39-06-51 of the North Dakota Century Code, relating to the carrying of warnings and convictions on licenses.

To Senate, 127  
 First reading, 132  
 Referred to Committee on Transportation  
 Reported back, do pass, 292

Second reading, 358  
Passed, 358  
Returned to House, 376  
Received from House, 913  
Signed by President, 933  
Returned to House, 933

#### House Bill No. 1107

**House Bill No. 1107.** A Bill for an Act to provide for the responsibilities of the state department of health relative to health statistics and the registration of vital events, and providing for a penalty; and to repeal Chapter 23-02 of the North Dakota Century Code.

To Senate, 168  
First reading, 172  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, do pass, 292  
Reported back, amended, 819-820  
Re-referred to Committee on Social Welfare & Veterans Affairs, 374  
Amendments adopted, 839  
Second reading, 358, 880  
Passed, 359, 880  
Returned to House, amended, 911  
House concurs, 1095  
Reconsidered, 374  
Received from House, 1447  
Signed by President, 1448  
Returned to House, 1448

#### House Bill No. 1108

**House Bill No. 1108.** A Bill for an Act to create and enact section 15-55-04.1 of the North Dakota Century Code, relating to the authority of the board of higher education to lease revenue producing buildings.

To Senate, 168  
First reading, 172  
Referred to Committee on State & Federal Government  
Reported back, do pass, 773  
Second reading, 801  
Passed, 801  
Returned to House, 834  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

#### House Bill No. 1109

**House Bill No. 1109.** A Bill for an Act to amend and reenact section 57-02.1-05 of the North Dakota Century Code, relating to the computation of payments in lieu of real estate taxes by the game and fish commissioner.

To Senate, 106  
First reading, 122  
Referred to Committee on Natural Resources  
Reported back, do pass, 821  
Second reading, 848  
Passed, 848  
Returned to House, 885  
Received from House, 1109

Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1110**

**House Bill No. 1110.** A Bill for an Act to amend and reenact sections 11-14-10, 11-14-16, and 40-40-13 of the North Dakota Century Code, relating to the collection and distribution of funds by the county treasurer.

To Senate, 360  
First reading, 366  
Referred to Committee on Political Subdivisions  
Reported back, do pass, 620  
Amendments adopted, 738  
Second reading, 738  
Amended from floor, 738  
Passed, 738  
Returned to House, amended, 769  
House concurs, 812  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1111**

**House Bill No. 1111.** A Bill for an Act to amend and reenact section 20.1-05-04 of the North Dakota Century Code, relating to the use of platforms in the hunting of big game animals.

To Senate, 106  
First reading, 122  
Referred to Committee on Natural Resources  
Reported back, do pass, 821  
Second reading, 848  
Passed, 848  
Returned to House, 885  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1112**

**House Bill No. 1112.** A Bill for an Act to amend and reenact section 47-26-05 of the North Dakota Century Code, to require that a landowner who shall require a partition fence better than a legal fence shall bear the entire cost of erecting and maintaining the same.

To Senate, 127  
First reading, 132  
Referred to Committee on Agriculture  
Reported back, do pass, 621  
Second reading, 738  
Passed, 739  
Returned to House, 769  
Received from House, 935  
Signed by President, 961  
Returned to House, 962

**House Bill No. 1113**

**House Bill No. 1113.** A Bill for an Act to amend and reenact section 16-04-01 of the North Dakota Century Code, relating to the date of the primary election.

To Senate, 694  
 First reading, 719  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 1066  
 Committee report for indefinite postponement, not adopted, 1100  
 Placed on calendar, 1100  
 Second reading, 1181  
 Passed, 1181  
 Returned to House, 1256  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

#### House Bill No. 1116

**House Bill No. 1116.** A Bill for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to the definition of "saddle mount", and to amend and reenact subdivision a of subsection 1 and subsections 3, 4, 5, 6, and 7 of section 39-12-04 of the North Dakota Century Code, relating to the width, height, and length limitations on vehicles.

To Senate, 307  
 First reading, 313  
 Referred to Committee on Transportation  
 Reported back, do pass, 461  
 Second reading, 739  
 Passed, 739  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1118

**House Bill No. 1118.** A Bill for an Act to amend and reenact section 27-08-19 of the North Dakota Century Code, to provide that bailiffs shall be compensated at the same rate that jurors are compensated for required attendance of district and county court sessions.

To Senate, 195  
 First reading, 220  
 Referred to Committee on Judiciary  
 Reported back, do pass, 893  
 Second reading, 928  
 Passed, 928  
 Returned to House, 962  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1119

**House Bill No. 1119.** A Bill for an Act to create and enact a new subsection to section 26-08-11 of the North Dakota Century Code and to amend and reenact section 26-08-12 of the North Dakota Century Code, relating to authorized investment of insurance companies.

To Senate, 168  
 First reading, 172  
 Referred to Committee on Industry, Business & Labor

Reported back, do pass, 751  
 Second reading, 781  
 Passed, 782  
 Returned to House, 811  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

**House Bill No. 1120**

**House Bill No. 1120.** A Bill for an Act to establish a state personnel system and to amend and reenact section 54-42-01 of the North Dakota Century Code, relating to the merit system council, and to repeal section 54-42-02 of the North Dakota Century Code, relating to the merit system council, providing a penalty, and providing for an appropriation.

To Senate, 722  
 First reading, 770  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 866, 1066  
 Re-referred to Committee on Appropriations, 866  
 Second reading, 1212  
 Clincher motion, 1230  
 Passed, 1212  
 Returned to House, 1257  
 Received from House, 1468  
 Signed by President, 1470  
 Returned to House, 1473

**House Bill No. 1121**

**House Bill No. 1121.** A Bill for an Act to amend and reenact section 57-15-06.3 of the North Dakota Century Code, relating to the authority of county commissioners to amend the official county road program without an election; and declaring an emergency.

To Senate, 396  
 First reading, 403  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 621  
 Amendments adopted, 870  
 Second reading, 739, 870  
 Amended from floor, 870  
 Passed, 739, 870  
 Emergency carried, 739  
 Returned to House, 769  
 Returned to House, amended, 911  
 House concurs, 1095  
 Senate requests return, 815  
 Returned to Senate, 860  
 Reconsidered, 870  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

**House Bill No. 1122**

**House Bill No. 1122.** A Bill for an Act to amend and reenact section 41-09-46.1 of the North Dakota Century Code relating to the liability of the filing officer in performing his responsibilities under the Uniform Commercial Code.



To Senate, 168  
 First reading, 173  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 263, 795  
 Re-referred to Committee on Judiciary, 305  
 Amendments adopted, 280, 815  
 Second reading, 305, 848  
 Passed, 849  
 Returned to House, amended, 886  
 Conference Committee, 888, 910  
 Conference Committee dissolved, 1177  
 House does not concur, 888  
 Received from House, 1468  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1123

**House Bill No. 1123.** A Bill for an Act to amend and reenact section 37-04-01 of the North Dakota Century Code, relating to the qualifications of commissioned officers of the national guard.

To Senate, 133  
 First reading, 147  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 206  
 Second reading, 305  
 Passed, 305  
 Returned to House, 327  
 Received from House, 813  
 Signed by President, 814  
 Returned to House, 814

#### House Bill No. 1124

**House Bill No. 1124.** A Bill for an Act to amend and reenact sections 57-02.2-01, 57-02.2-02, and 57-02.2-03 of the North Dakota Century Code, to provide for the exemption of improvements to residential buildings.

To Senate, 195  
 First reading, 220  
 Referred to Committee on Finance and Taxation  
 Reported back, indefinitely postponed, 1029  
 Committee report for indefinite postponement, adopted, 1054  
 Returned to House, indefinitely postponed, 1151

#### House Bill No. 1127

**House Bill No. 1127.** A Bill for an Act to amend and reenact sections 36-11-07 and 36-11-10 of the North Dakota Century Code, to prevent the owner or possessor of livestock in a grazing area from being liable for property damage or trespass caused by such livestock; to provide establishment of a grazing area by petition to the board of county commissioners; to provide for release of wrongfully distrained livestock in grazing areas and for damages; and to repeal section 36-11-08 of the North Dakota Century Code.

To Senate, 195  
 First reading, 220  
 Referred to Committee on Agriculture  
 Reported back, indefinitely postponed, 923

Committee report for indefinite postponement, adopted, 942  
Returned to House, indefinitely postponed, 1014

**House Bill No. 1128**

**House Bill No. 1128.** A Bill for an Act to create and enact a new subsection to section 57-39.2-04 and a new subsection to section 57-40.2-04 of the North Dakota Century Code, relating to exemption of religious materials from state sales and use taxes.

To Senate, 202

First reading, 220

Referred to Committee on Finance & Taxation

Reported back, do pass, 727

Second reading, 758

Passed, 758

Returned to House, 786

Received from House, 965

Signed by President, 990

Returned to House, 991

**House Bill No. 1130**

**House Bill No. 1130.** A Bill for an Act to amend and reenact sections 54-34.2-01, 54-34.2-02, 54-34.2-03, 54-34.2-04, and 54-34.2-05 of the North Dakota Century Code, relating to the administration and purpose of the Indian development fund.

To Senate, 168

First reading, 173

Referred to Committee on State & Federal Government

Reported back, do pass, 727

Second reading, 759

Passed, 759

Returned to House, 786

Received from House, 965

Signed by President, 990

Returned to House, 991

**House Bill No. 1131**

**House Bill No. 1131.** A Bill for an Act to amend and reenact section 18-12-04 of the North Dakota Century Code, relating to employment of registered architects and engineers.

To Senate, 168

First reading, 173

Referred to Committee on State & Federal Government

Reported back, do pass, 774

Second reading, 801

Passed, 802

Returned to House, 834

Received from House, 1109

Signed by President, 1110

Returned to House, 1111

**House Bill No. 1132**

**House Bill No. 1132.** A Bill for an Act to amend and reenact section 18-05-06 of the North Dakota Century Code, to increase firemen's service pension benefits from a firemen's relief association from one hundred dollars to two hundred dollars per month.

To Senate, 106  
First reading, 122  
Referred to Committee on Political Subdivisions  
Reported back, do pass, 727  
Second reading, 759  
Passed, 759  
Returned to House, 786  
Received from House, 965  
Signed by President, 990  
Returned to House, 991

#### House Bill No. 1134

**House Bill No. 1134.** A Bill for an Act to amend and reenact subdivision 6 of subsection a and subsection b of section 39-09-02 and to repeal subsection e of section 39-09-02 of the North Dakota Century Code, relating to the establishment of a statutory speed limit of fifty-five miles per hour as mandated by the Congress of the United States, and declaring an emergency.

To Senate, 181  
First reading, 189  
Referred to Committee on Transportation  
Reported back, do pass, 384  
Second reading, 432  
Passed, 432  
Emergency carried, 432  
Returned to House, 455  
Received from House, 497  
Signed by President, 497  
Returned to House, 498

#### House Bill No. 1135

**House Bill No. 1135.** A Bill for an Act relating to the establishment of health maintenance organizations and to provide for the licensing of such organizations by the state department of health and the commissioner of insurance; to provide for the regulation of such organization by the commissioner of insurance; to provide grounds and procedure for the suspension, revocation and denial of a certificate of authority for such organizations; and to provide a penalty for the violation of the Act.

To Senate, 202  
First reading, 221  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 844  
Second reading, 880  
Passed, 881  
Returned to House, 911  
Received from House, 1152  
Signed by President, 1186  
Returned to House, 1186

#### House Bill No. 1136

**House Bill No. 1136.** A Bill for an Act to amend and reenact section 65-05-17 of the North Dakota Century Code, relating to weekly compensation allowances for death claims.

To Senate, 168  
First reading, 173

Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 795  
 Second reading, 827  
 Passed, 827  
 Returned to House, 860  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

**House Bill No. 1137**

**House Bill No. 1137.** A Bill for an Act to amend and reenact sections 2-05-04, 4-02.1-26, 4-05-10, 4-06-04, 4-13-09, 4-27-11, 6-01-10, 7-05-03, 15-02-08, 15-10-14.1, 15-11-14, 15-20.1-21, 15-21-14, 15-52-28, 18-01-29, subsection 3 of section 20.1-02-04, sections 23-01-06, 24-02-10, subsection 7 of section 26-01-02, sections 26-23-21, 27-15-08, 34-05-01, 34-06-20, 36-01-11, subsection 5 of section 37-03-05, sections 37-14-09, 37-15-19, 43-01-06, 43-02-06, 43-04-19, 43-09-05, 43-10-08, 43-13-09, 43-15-12, 43-17-12, 43-23-02, 43-28-09, subsection 3 of section 46-02-04, sections 47-23-07, 49-01-13, 50-06-13, 52-02-03, 52-10-09, 54-06-03, 54-06-04, 54-06-05, subsection 3 of section 54-10-01, subsection 12 of section 54-11-01, sections 54-12-05, 54-17-06, 54-21-09, 54-36-06, 54-42-05, subsection 15 of section 54-44-04, section 54-46-11, subsection 9 of section 57-01-02, sections 61-03-04 and 65-02-09 of the North Dakota Century Code, relating to biennial reports of executive and administrative agencies and departments; the time when such reports shall be made; and the contents, printing, and binding of such reports.

To Senate, 168  
 First reading, 173  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 263  
 Second reading, 305  
 Passed, 306  
 Returned to House, 327  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1138**

**House Bill No. 1138.** A Bill for an Act to create and enact chapter 26-17.1 of the North Dakota Century Code and to amend and reenact subsection 9 of section 26-09-01, sections 26-09B-01, 26-09B-02, 26-09B-06, 26-09B-07, 26-09B-10, 26-09B-11, 26-09B-12, 26-10-10, 26-10-11, 26-10-13.1, 26-13-17 and 26-14-22 of the North Dakota Century Code, all relating to the qualifications and procedures for the licensing of insurance agents, insurance brokers, surplus lines brokers, insurance consultants and limited insurance representatives and grounds for license denial, non-renewal, or termination; and to repeal subsection 10 of section 26-09-01, sections 26-07-02, 26-09B-03, 26-10-08 and 26-10-12, and chapter 26-17 of the North Dakota Century Code, relating to the agency relationship of a person handling insurance and to the qualifications and procedures for the licensing of insurance agents; and providing a penalty for the violation thereof.

To Senate, 202  
 First reading, 221  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 795  
 Reported back, amended, 1066-1067  
 Re-referred to Committee on Industry, Business & Labor, 841

Amendments adopted, 1098  
 Second reading, 827, 1181  
 Passed, 828, 1182  
 Returned to House, amended, 1257  
 House concurs, 1308  
 Reconsidered, 841  
 Received from House, 1468  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1139

**House Bill No. 1139.** A Bill for an Act to amend and reenact subsection 2 of section 26-35-02 of the North Dakota Century Code, pertaining to the scope of the regulation of credit insurance.

To Senate, 133  
 First reading, 148  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 752  
 Second reading, 782  
 Passed, 782  
 Returned to House, 811  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

#### House Bill No. 1140

**House Bill No. 1140.** A Bill for an Act to amend and reenact section 15-03-15 of the North Dakota Century Code, relating to the meeting of the board of university and school lands to consider the authorization and approval of investments and approval of farm loans and providing authority to seek assistance on the investment of funds in securities enumerated in section 21-10-07.

To Senate, 202  
 First reading, 221  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 422  
 Second reading, 739  
 Passed, 740  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1141

**House Bill No. 1141.** A Bill for an act to amend and reenact subsection 30 of section 20.1-01-02 and subsection 17 of section 20.1-02-05 of the North Dakota Century Code, relating to the definitions of a guide or outfitter and the power of the state game and fish commissioner to license such.

To Senate, 202  
 First reading, 221  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 727  
 Second reading, 759  
 Passed, 760  
 Returned to House, 786

Received from House, 990  
Signed by President, 1016  
Returned to House, 1016

**House Bill No. 1142**

**House Bill No. 1142.** A Bill for an Act to create and enact a new subsection to 20.1-01-02 relating to definitions and to amend and reenact section 20.1-04-12 of the 1973 Supplement to the North Dakota Century Code, relating to when gun dogs may not be trained or permitted to run loose.

To Senate, 286  
First reading, 296  
Referred to Committee on Natural Resources  
Reported back, amended, 866-867  
Amendments adopted, 890  
Second reading, 928  
Passed, 929  
Returned to House, amended, 963  
House concurs, 1095  
Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

**House Bill No. 1143**

**House Bill No. 1143.** A Bill for an Act to amend and reenact section 39-21-27.1 of the North Dakota Century Code, relating to the resale of a school bus.

To Senate, 195  
First reading, 221  
Referred to Committee on Transportation  
Reported back, do pass, 292  
Second reading, 359  
Passed, 359  
Returned to House, 376  
Received from House, 913  
Signed by President, 933  
Returned to House, 933

**House Bill No. 1144**

**House Bill No. 1144.** A Bill for an Act to amend and reenact sections 15-34.2-14 and 39-21-18 of the North Dakota Century Code, relating to definition and size of a school bus.

To Senate, 168  
First reading, 173  
Referred to Committee on Education  
Reported back, do pass, 844  
Second reading, 881  
Passed, 881  
Returned to House, 911  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1145**

**House Bill No. 1145.** A Bill for an Act to amend and reenact section 20.1-01-11 and subsection 15 of section 20.1-02-05 of the North Dakota Century Code, relating to the prohibition of aerial hunting and the power of the commissioner to permit such under certain circumstances.

To Senate, 396  
 First reading, 403  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 821  
 Second reading, 849  
 Passed, 849  
 Returned to House, 886  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1147**

**House Bill No. 1147.** A Bill for an Act to create and enact section 43-18-11.1 of the North Dakota Century Code, relating to the need for a plumber's license; and to amend and reenact section 43-09-16 of the North Dakota Century Code, relating to the need for an electrician's license.

To Senate, 217  
 First reading, 265  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 1003  
 Amendments adopted, 1023  
 Second reading, 1127  
 Passed, 1128  
 Returned to House, amended, 1188  
 House concurs, 1239  
 Received from House, 1468  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1148**

**House Bill No. 1148.** A Bill for an Act to create and enact sections 37-17.1-20, 37-17.1-21, and 37-17.1-22 of the North Dakota Century Code, relating to the United States Disaster Relief Act of 1974.

To Senate, 722  
 First reading, 770  
 Referred to Committee on Appropriations  
 Reported back, amended, 1029  
 Amendments adopted, 1053  
 Second reading, 1212  
 Clincher motion, 1230  
 Passed, 1212  
 Returned to House, amended, 1257  
 House concurs, 1272  
 Received from House, 1468  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1151**

**House Bill No. 1151.** A Bill for an Act to repeal section 24-06-03 of the North Dakota Century Code, relating to a required election if a township wishes to spend more than four hundred dollars on road building equipment.

To Senate, 195  
 First reading, 221  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 727  
 Second reading, 760  
 Passed, 760  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

**House Bill No. 1154**

**House Bill No. 1154.** A Bill for an Act to amend and reenact section 19-10-21 of the North Dakota Century Code, relating to bond of dealer in petroleum products.

To Senate, 127  
 First reading, 132  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 727  
 Second reading, 760  
 Passed, 760  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

**House Bill No. 1155**

**House Bill No. 1155.** A Bill for an Act to amend and reenact section 19-08-05 of the North Dakota Century Code, relating to beverage licenses.

To Senate, 168  
 First reading, 173  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 727  
 Committee report for indefinite postponement, adopted, 750  
 Returned to House, indefinitely postponed, 786

**House Bill No. 1158**

**House Bill No. 1158.** A Bill for an Act to amend and reenact section 11-18-16 of the 1973 Supplement to the North Dakota Century Code, relating to area limits of buried transmission facilities.

To Senate, 202  
 First reading, 221  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 727  
 Second reading, 760  
 Passed, 761  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

**House Bill No. 1159**

**House Bill No. 1159.** A Bill for an Act to create and enact a new subsection to section 39-22-04 of the North Dakota Century Code, to prohibit sales of motor vehicles to a minor under sixteen without the consent of the parent or guardian.



To Senate, 133  
 First reading, 148  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 795  
 Committee report for indefinite postponement, adopted, 816  
 Returned to House, indefinitely postponed, 859

#### House Bill No. 1160

**House Bill No. 1160.** A Bill for an Act to designate a march as the North Dakota state march which may be played at official state functions.

To Senate, 259  
 First reading, 265  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 345  
 Second reading, 370  
 Passed, 371  
 Clincher motion, 371  
 Returned to House, 396  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

#### House Bill No. 1161

**House Bill No. 1161.** A Bill for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, to provide for the exemption of military retirement pay from the state income tax, and to provide limitations.

To Senate, 327  
 First reading, 330  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 444  
 Amendments adopted, 465  
 Second reading, 740, 1399  
 Passed, 740, 1399  
 Returned to House, amended, 769  
 Conference Committee, 786, 788, 1320, 1366  
 Conference Committee report, 1320, 1398  
 Senate adopts, 1398  
 House does not adopt, 1320, 1366  
 House adopts, 1383  
 House does not concur, 786  
 Returned to House, 1403  
 Received from House, 1468  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1162

**House Bill No. 1162.** A Bill for an Act to amend and reenact section 37-01-12 of the North Dakota Century Code, relating to the exemption of members of the national guard from civil or criminal personal liability and to provide for furnishing lawyers at state expense for guardsmen in tort actions arising from acts committed while on state active duty.

To Senate, 168  
 First reading, 173

Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 292  
 Amendments adopted, 315  
 Second reading, 359  
 Passed, 359  
 Returned to House, amended, 376  
 House concurs, 397  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

#### House Bill No. 1164

**House Bill No. 1164.** A Bill for an Act to create and enact section 57-50-03.1 of the North Dakota Century Code, relating to the refund of taxes paid on gasoline and special fuels used and taxed in another state; and to provide an effective date.

To Senate, 286  
 First reading, 296  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 621  
 Second reading, 740  
 Passed, 741  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1165

**House Bill No. 1165.** A Bill for an Act to amend and reenact section 29-26-22 of the North Dakota Century Code, relating to criminal sentences and the imposition of costs; and to repeal section 33-12-33 of the North Dakota Century Code, relating to the disposition of fines assessed by a county justice.

To Senate, 195  
 First reading, 221  
 Referred to Committee on Judiciary  
 Reported back, do pass, 621  
 Second reading, 741  
 Passed, 741  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1169

**House Bill No. 1169.** A Bill for an Act to amend and reenact section 57-15-41 of the North Dakota Century Code, relating to fund transfer.

To Senate, 195  
 First reading, 222  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 727  
 Second reading, 761  
 Passed, 761  
 Returned to House, 786

Received from House, 965  
Signed by President, 990  
Returned to House, 991

#### House Bill No. 1170

**House Bill No. 1170.** 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 minimum tax assessable for the business and corporation privilege tax, and to provide for an effective date.

To Senate, 434  
First reading, 436  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 1029  
Second reading, 1090  
Passed, 1090  
Returned to House, 1151  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

#### House Bill No. 1171

**House Bill No. 1171.** A Bill for an Act to amend and reenact subsection 8 of section 39-03A-01, 39-03A-09, 39-03A-11, 39-03A-12, 39-03A-13, 39-03A-14, 39-03A-16, 39-03A-21, and 39-03A-21.1 of the North Dakota Century Code, relating to the North Dakota highway patrolmen's retirement system.

To Senate, 217  
First reading, 265  
Referred to Committee on State & Federal Government  
Reported back, do pass, 422  
Amendments adopted, 921  
Second reading, 761, 921  
Amended from floor, 921  
Passed, 761, 922  
Returned to House, 786  
Returned to House, amended, 963  
House concurs, 1051  
Senate requests return, 890  
Returned to Senate, 900  
Reconsidered, 921  
Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

#### House Bill No. 1172

**House Bill No. 1172.** A Bill for an Act to provide for classification of the Little Missouri River as a state scenic river, and for its protection and preservation as a free-flowing and navigable river.

To Senate, 217  
First reading, 265  
Referred to Committee on State & Federal Government  
Reported back, amended, 795  
Amendments adopted, 815  
Second reading, 849  
Passed, 849  
Returned to House, amended, 886

House concurs, 888  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

**House Bill No. 1173**

**House Bill No. 1173.** A Bill for an Act to amend and reenact sections 21-10-02, 21-10-03, 21-10-04, 21-10-09, and 21-10-10 of the North Dakota Century Code, relating to the powers of the state investment board and the appointment of the investment director or advisory service and agents; providing for the president of the Bank of North Dakota as secretary of the board; coordination of activities with the Bank of North Dakota; the penalty for a violation of the chapter and the cost of operations of the board.

To Senate, 259  
 First reading, 265  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 423  
 Second reading, 741  
 Passed, 742  
 Returned to House, 769  
 Received from House, 935  
 Signed by President, 961  
 Returned to House, 962

**House Bill No. 1174**

**House Bill No. 1174.** A Bill for an Act to amend and reenact subsection 5 of section 41-09-42, subsections 1 and 2 of section 41-09-44, section 41-09-45, and subsection 2 of section 41-09-46 of the North Dakota Century Code, relating to fees charged by the filing officer under the Uniform Commercial Code.

To Senate, 168  
 First reading, 173  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 226  
 Second reading, 306  
 Passed, 306  
 Returned to House, 327  
 Received from House, 913  
 Signed by President, 933  
 Returned to House, 933

**House Bill No. 1175**

**House Bill No. 1175.** A Bill for an Act to repeal chapter 50-24 of the North Dakota Century Code, relating to aid to aged, blind or disabled program, but continuing certain provisions in effect.

To Senate, 195  
 First reading, 222  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, indefinitely postponed, 292  
 Committee report for indefinite postponement, adopted, 320  
 Returned to House, 342

**House Bill No. 1176**

**House Bill No. 1176.** A Bill for an Act to create and enact subsections 9,

10, and 11 of section 26-30-04 and section 26-30-04.1 of the North Dakota Century Code; to amend and reenact subsection 1 of section 26-30-04 and sections 26-30-07 and 26-30-08 of the North Dakota Century Code; and to repeal section 26-30-09 of the North Dakota Century Code, all relating to unfair insurance practices; and providing a penalty.

To Senate, 217  
 First reading, 266  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 1003  
 Amendments adopted, 1023  
 Second reading, 1090  
 Passed, 1090  
 Returned to House, amended, 1145  
 House concurs, 1308  
 Received from House, 1468  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1177

**House Bill No. 1177.** A Bill for an Act to amend and reenact subsection 1 of section 54-35-10 of the North Dakota Century Code, relating to the per diem compensation of legislative council members, and declaring an emergency.

To Senate, 411  
 First reading, 413  
 Referred to Committee on Appropriations  
 Reported back, do pass, 728  
 Amendments adopted, 871  
 Second reading, 762, 871  
 Amended from floor, 871  
 Passed, 762, 871  
 Emergency lost, 762  
 Emergency carried, 871  
 Returned to House, 786  
 Returned to House, amended, 911  
 House concurs, 1095  
 Senate requests return, 815  
 Returned to Senate, 860  
 Reconsidered, 870  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

#### House Bill No. 1178

**House Bill No. 1178.** A Bill for an Act to create and enact section 6-08-16.2 of the North Dakota Century Code, relating to the issuance of checks without an account or with insufficient funds and providing a penalty; and to repeal sections 6-08-16 and 6-08-16.1 of the North Dakota Century Code, relating to issuance of checks without an account or with insufficient funds.

To Senate, 307  
 First reading, 313  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 974  
 Committee report for indefinite postponement, adopted, 995  
 Returned to House, indefinitely postponed, 1094

**House Bill No. 1180**

**House Bill No. 1180.** A Bill for an Act to provide for the creation of a commission on uniform state laws, the appointment of commissioners thereto, and prescribing the duties of commissioners.

To Senate, 360

First reading, 366

Referred to Committee on State & Federal Government

Reported back, do pass, 893

Second reading, 929

Lost, 929

Returned to House, indefinitely postponed, 986

**House Bill No. 1182**

**House Bill No. 1182.** A Bill for an Act to amend and reenact section 6-03-59.1 of the North Dakota Century Code, relating to leasing of personal property, regarding limitation and amount.

To Senate, 202

First reading, 222

Referred to Committee on Industry, Business & Labor

Reported back, do pass, 795

Second reading, 828

Passed, 828

Returned to House, 860

Received from House, 1109

Signed by President, 1110

Returned to House, 1111

**House Bill No. 1183**

**House Bill No. 1183.** A Bill for an Act to amend and reenact section 6-09-15.2 of the North Dakota Century Code, relating to investments of the state Bank of North Dakota.

To Senate, 217

First reading, 266

Referred to Committee on Industry, Business & Labor

Reported back, do pass, 844

Second reading, 881

Passed, 882

Returned to House, 911

Received from House, 1152

Signed by President, 1186

Returned to House, 1186

**House Bill No. 1184**

**House Bill No. 1184.** A Bill for an Act to repeal subsection 5 of section 54-11-01 of the North Dakota Century Code, relating to duties of the state treasurer.

To Senate, 195

First reading, 222

Referred to Committee on State & Federal Government

Reported back, do pass, 444

Second reading, 742

Passed, 742

Returned to House, 769

Received from House, 935

Signed by President, 961  
Returned to House, 962

**House Bill No. 1185**

**House Bill No. 1185.** A Bill for an Act to amend and reenact section 6-05-04 of the North Dakota Century Code, relating to surety deposit investments.

To Senate, 217  
First reading, 266  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 894  
Second reading, 929  
Passed, 929  
Returned to House, 962  
Received from House, 1152  
Signed by President, 1186  
Returned to House, 1186

**House Bill No. 1189**

**House Bill No. 1189.** A Bill for an Act to amend and reenact sections 44-08-04, 54-03-20 and 54-06-09 of the North Dakota Century Code, relating to the mileage and expense reimbursement for state officers and employees, and declaring an emergency.

To Senate, 259  
First reading, 266  
Referred to Committee on State & Federal Government  
Reported back, amended, 894, 1029-1030  
Re-referred to Committee on Appropriations, 915  
Amendments adopted, 915, 1053  
Second reading, 1139  
Passed, 1139  
Emergency carried, 1139  
Returned to House, amended, 1188  
House concurs, 1239  
Received from House, 1468  
Signed by President, 1471  
Returned to House, 1473

**House Bill No. 1190**

**House Bill No. 1190.** A Bill for an Act to provide for a real estate education, research, and recovery fund, and the administration thereof, for hearings, payments, and purposes; and to amend and reenact section 43-23-09 of the North Dakota Century Code, relating to license applications and bonds.

To Senate, 341  
First reading, 346  
Referred to Committee on Judiciary  
Reported back, do pass, 974  
Second reading, 1045  
Passed, 1046  
Returned to House, 1108  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

**House Bill No. 1191**

**House Bill No. 1191.** A Bill for an Act to provide for a severance tax upon coal; to provide procedures for the imposition, collection, and administration of such tax; to provide for the allocation of the proceeds of such tax; to provide a penalty; and to provide that this Act shall be temporary.

To Senate, 722

First reading, 770

Referred to Committee on Finance & Taxation

Reported back, indefinitely postponed, 1030

Committee report for indefinite postponement, adopted, 1054

Returned to House, indefinitely postponed, 1151

**House Bill No. 1194**

**House Bill No. 1194.** A Bill for an Act to create and enact section 20.1-02-14.1 of the North Dakota Century Code, providing for a uniform complaint and summons to be used in cases involving violations of Title 20.1 of the North Dakota Century Code, the game, fish, predator, and boating regulations.

To Senate, 286

First reading, 296

Referred to Committee on Natural Resources

Reported back, do pass, 728

Second reading, 762

Passed, 762

Returned to House, 786

Received from House, 990

Signed by President, 1016

Returned to House, 1016

**House Bill No. 1198**

**House Bill No. 1198.** A Bill for an Act to amend and reenact section 6-01-20 of the North Dakota Century Code, relating to the Bank of North Dakota being entitled to records.

To Senate, 217

First reading, 266

Referred to Committee on State & Federal Government

Reported back, do pass, 774

Second reading, 802

Passed, 802

Returned to House, 834

Received from House, 990

Signed by President, 1016

Returned to House, 1016

**House Bill No. 1199**

**House Bill No. 1199.** A Bill for an Act to amend and reenact sections 15-21-01 and 44-01-03 of the North Dakota Century Code, relating to the term of office of the superintendent of public instruction and to the time when state and district officers shall qualify for office.

To Senate, 202

First reading, 222

Referred to Committee on Judiciary

Reported back, do pass, 621



Second reading, 742  
 Passed, 742  
 Returned to House, 769  
 Received from House, 936  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1201

**House Bill No. 1201.** A Bill for an Act to amend and reenact sections 15-39.1-09, 15-39.1-10, 15-39.1-15, 15-39.1-17, 15-39.1-19, 15-39.1-20, and subsections 1 and 3 of section 15-39.1-24, and to repeal subdivision c of subsection 1 of section 15-39.1-04 of the North Dakota Century Code, relating to the teachers' fund for retirement.

To Senate, 327  
 First reading, 330  
 Referred to Committee on Education  
 Reported back, do pass, 752  
 Second reading, 782  
 Passed, 782  
 Returned to House, 811  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

#### House Bill No. 1204

**House Bill No. 1204.** A Bill for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of the county welfare boards.

To Senate, 360  
 First reading, 367  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 621, 1067  
 Reconsidered and re-referred to Committee on Social Welfare & Veterans Affairs, 779  
 Second reading, 1131  
 Passed, 1131  
 Returned to House, 1188  
 Received from House, 1468  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1206

**House Bill No. 1206.** A Bill for an Act to create and enact a new section to chapter 36-21.1 of the North Dakota Century Code, relating to administration of the chapter by the state livestock sanitary board; to amend and reenact sections 36-21.1-01 36-21.1-06 and 36-21.1-11 of the North Dakota Century Code, relating to definitions and the authority to dispose of exposed animals; providing a penalty; and providing an appropriation.

To Senate, 286  
 First reading, 296  
 Referred to Committee on Agriculture  
 Reported back, amended, 944-945  
 Amendments adopted, 968  
 Second reading, 1046

Passed, 1046  
 Returned to House, amended, 1108  
 House concurs, 1150  
 Received from House, 1447  
 Signed by President, 1448  
 Returned to House, 1449

#### House Bill No. 1207

**House Bill No. 1207.** A Bill for an Act to create and enact section 29-26-22.1, and to amend section 28-26-01, of the North Dakota Century Code, relating to the awarding of costs and attorney's fees to the prevailing defendant in either a civil or criminal case.

To Senate, 286  
 First reading, 297  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 894  
 Committee report for indefinite postponement, adopted, 916  
 Returned to House, indefinitely postponed, 986

#### House Bill No. 1208

**House Bill No. 1208.** A Bill for an Act to create and enact a poultry division within the Department of Agriculture, to define the duties of the commissioner of agriculture; to provide for an advisory board and licensing and bonding of poultry buyers; to repeal chapter 4-13 of the North Dakota Century Code relating to the North Dakota Poultry Improvement Board; providing a penalty; and providing transfer of appropriation.

To Senate, 307  
 First reading, 313  
 Referred to Committee on Agriculture  
 Reported back, do pass, 728  
 Second reading, 762  
 Passed, 763  
 Returned to House, 786  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1209

**House Bill No. 1209.** A Bill for an Act to create and enact section 54-01-27 of the North Dakota Century Code, relating to the acceptance of legislative jurisdiction by the state of North Dakota, over lands owned or controlled by the United States of America, where the United States of America relinquishes partially or entirely legislative jurisdiction over same.

To Senate, 202  
 First reading, 222  
 Referred to Committee on Judiciary  
 Reported back, do pass, 867  
 Second reading, 907  
 Passed, 907  
 Returned to House, 935  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

**House Bill No. 1210**

**House Bill No. 1210.** A Bill for an Act to amend and reenact subsection 2 of section 57-14-08 of the North Dakota Century Code, relating to appointment and compensation of special assessors.

To Senate, 341  
 First reading, 346  
 Referred to Committee on Political Subdivisions  
 Reported back, amended, 728  
 Amendments adopted, 749  
 Second reading, 782, 1328  
 Passed, 783, 1328  
 Returned to House, amended, 811  
 Conference Committee, 812, 826  
 Conference Committee report, 1319, 1327  
 Senate adopts, 1319, 1328  
 House does not concur, 812  
 Returned to House, 1342  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1212**

**House Bill No. 1212.** A Bill for an Act to amend and reenact section 54-07-06 of the North Dakota Century Code, relating to the creation of the Division of Economic Opportunity.

To Senate, 307  
 First reading, 313  
 Referred to Committee on State & Federal Government  
 Reported back without recommendation, 774  
 Second reading, 803  
 Lost, 803  
 Returned to House, indefinitely postponed, 835  
 Returned to House, 886  
 Senate requests return, 841  
 Returned to Senate, 841  
 Senate failed to reconsider, 841

**House Bill No. 1213**

**House Bill No. 1213.** A Bill for an Act to amend and reenact section 4-12-04 of the North Dakota Century Code, relating to beekeeper's licensing fees; and declaring an emergency.

To Senate, 286  
 First reading, 297  
 Referred to Committee on Agriculture  
 Reported back, do pass, 728  
 Second reading, 763  
 Passed, 763  
 Emergency carried, 763  
 Returned to House, 786  
 Received from House, 834  
 Signed by President, 834  
 Returned to House, 834

**House Bill No. 1214**

**House Bill No. 1214.** A Bill for an Act to provide for the compensation of injured persons resulting from motor vehicle accidents; for security for motor vehicles on a compulsory basis; for certain mandatory minimum insurance or self-insurance protection benefits payable regardless of fault in cases of accidental bodily injury; for an exemption for secured persons from general damages; for subrogation, intercompany arbitration, and offset of benefits paid against judgments; for an assigned claims plan; for a mandatory offering of excess optional no-fault benefits; to create and enact new subsections to sections 39-04-05 and 39-04-06 relating to the suspension or revocation of motor vehicle registration for failure to have security in effect as required by this Act; providing an effective date; and providing an appropriation.

To Senate, 722

First reading, 770

Referred to Committee on Industry, Business & Labor

Reported back, do pass, 974

Re-referred to Committee on Appropriations, 974

Placed on calendar without recommendation, 1067

Second reading, 1213

Clincher motion, 1213

Passed, 1213

Returned to House, 1257

Received from House, 1469

Signed by President, 1471

Returned to House, 1473

#### **House Bill No. 1215**

**House Bill No. 1215.** A Bill for an Act to amend and reenact section 57-13-03 of the North Dakota Century Code, relating to changing the meeting date of the state board of equalization from the fourth to the second Tuesday in August

To Senate, 232

First reading, 266

Referred to Committee on Political Subdivisions

Reported back, do pass, 728

Second reading, 763

Passed, 763

Returned to House, 786

Received from House, 965

Signed by President, 990

Returned to House, 991

#### **House Bill No. 1216**

**House Bill No. 1216.** A Bill for an Act to create and enact a new subsection to section 57-01-02 of the North Dakota Century Code, relating to the powers and duties of the tax commissioner, and providing the authority to remove certain uncollectable accounts from the tax commissioner's records.

To Senate, 217

First reading, 266

Referred to Committee on Finance & Taxation

Reported back, do pass, 621

Second reading, 742

Passed, 743

Returned to House, 769

Received from House, 936  
Signed by President, 961  
Returned to House, 962

#### House Bill No. 1217

**House Bill No. 1217.** A Bill for an Act to amend and reenact subsection 1 of section 57-39.2-11 of the North Dakota Century Code, relating to an extension of time to file a return and make payment and providing for interest on such delayed payment.

To Senate, 411  
First reading, 413  
Referred to Committee on Finance & Taxation  
Reported back, amended, 752  
Amendments adopted, 776  
Second reading, 803  
Passed, 803  
Returned to House, amended, 835  
House concurs, 936  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

#### House Bill No. 1219

**House Bill No. 1219.** A Bill for an Act to amend and reenact subsection 4 of section 57-39.2-04 of the North Dakota Century Code, relating to the exemption from sales tax of the receipts from educational, religious or charitable activities, and providing for the exemption of the net receipts from such activities.

To Senate, 202  
First reading, 222  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 728  
Second reading, 764  
Passed, 764  
Returned to House, 786  
Received from House, 965  
Signed by President, 990  
Returned to House, 991

#### House Bill No. 1221

**House Bill No. 1221.** A Bill for an Act to provide a tax for a privilege tax on certain coal conversion plants, to provide that such tax shall be in lieu of certain other taxes, to provide for the administration and collection of such taxes, to provide powers and duties of the state tax commissioner, to provide for the allocation of revenues collected, and to provide a penalty.

To Senate, 722  
First reading, 771  
Referred to Committee on Finance & Taxation  
Reported back, amended, 1067-1070  
Amendments adopted, 1098  
Second reading, 1140, 1421  
Clincher motion, 1422  
Passed, 1140, 1422  
Returned to House, amended, 1188

Conference Committee, 1240, 1266  
 Conference Committee report, 1416-1421  
 Senate adopts, 1421  
 House adopts, 1415  
 House does not concur, 1239  
 Returned to House, 1423  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1222

**House Bill No. 1222.** A Bill for an Act to create and enact section 26-15-02.1 of the North Dakota Century Code and to amend sections 26-15-05, 26-15-08, 26-15-13, 26-15-15 and 26-15-18 of the North Dakota Century Code relating to the maximum insurance on a single risk, extending the territorial limits of a county mutual insurance company and authorizing county mutual insurance companies to charge premiums.

To Senate, 307  
 First reading, 313  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 1003  
 Amendments adopted, 1023  
 Second reading, 1128  
 Passed, 1128  
 Returned to House, amended, 1188  
 House concurs, 1239  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1223

**House Bill No. 1223.** A Bill for an Act to amend and reenact sections 57-20-06 and 57-20-07.1 of the North Dakota Century Code, relating to the dates for delivering tax lists to county treasurers and for mailing property tax statements.

To Senate, 411  
 First reading, 413  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 752  
 Second reading, 783  
 Passed, 783  
 Returned to House, 811  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

#### House Bill No. 1224

**House Bill No. 1224.** A Bill for an Act to amend and reenact section 57-15-06 of the North Dakota Century Code, relating to the limitations on county tax levies.

To Senate, 396  
 First reading, 403  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 1030-1031  
 Amendments adopted, 1053

Second reading, 1131, 1354  
Passed, 1131, 1354  
Returned to House, amended, 1188  
Conference Committee, 1240, 1259, 1266  
Conference Committee report, 1320, 1354  
House does not adopt, 1320  
Senate adopts, 1354  
House adopts, 1352  
House does not concur, 1239  
Returned to House, 1363  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

#### House Bill No. 1225

**House Bill No. 1225.** A Bill for an Act to amend and reenact section 57-38-62 of the North Dakota Century Code, relating to the filing of declarations of estimated income tax by nonresidents and residents and providing for an effective date.

To Senate, 286  
First reading, 297  
Referred to Committee on Finance & Taxation  
Reported back, indefinitely postponed, 621  
Committee report for indefinite postponement, adopted, 725  
Returned to House, 769

#### House Bill No. 1226

**House Bill No. 1226.** A Bill for an Act to amend and reenact section 57-38-06.1 of the North Dakota Century Code, relating to exemptions for nonresident individuals.

To Senate, 286  
First reading, 297  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 621  
Second reading, 743  
Passed, 743  
Returned to House, 769  
Received from House, 936  
Signed by President, 961  
Returned to House, 962

#### House Bill No. 1229

**House Bill No. 1229.** A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the 1973 Supplement to the North Dakota Century Code, relating to the definition of "purchase price".

To Senate, 327  
First reading, 330  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 444  
Second reading, 803  
Passed, 804  
Returned to House, 834  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1230**

**House Bill No. 1230.** A Bill for an Act to create and enact subsection 14 of section 61-24-08 of the North Dakota Century Code, relating to the powers and duties of the Garrison conservancy district board of directors, and declaring an emergency.

To Senate, 286  
 First reading, 297  
 Referred to Committee on Agriculture  
 Reported back, amended, 728-729  
 Amendments adopted, 749  
 Second reading, 783  
 Passed, 784  
 Emergency carried, 784  
 Returned to House, amended, 811  
 House concurs, 860  
 Received from House, 960  
 Signed by President, 961  
 Returned to House, 969

**House Bill No. 1232**

**House Bill No. 1232.** A Bill for an Act to amend and reenact sections 15-38-04.1, 15-40.1-09, and 15-47-33 of the North Dakota Century Code, relating to the length of elementary and secondary school terms.

To Senate, 496  
 First reading, 522  
 Referred to Committee on Education  
 Reported back, amended, 1003-1004  
 Amendments adopted, 1023  
 Second reading, 1091  
 Passed, 1091  
 Returned to House, amended, 1145  
 House concurs, 1240  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1233**

**House Bill 1233.** A Bill for an Act to amend and reenact subsection 1 of section 15-39.1-04 of the North Dakota Century Code, relating to persons to be covered by Teacher's Fund for Retirement.

To Senate, 411  
 First reading, 413  
 Referred to Committee on Education  
 Reported back, amended, 894  
 Amendments adopted, 915  
 Second reading, 959  
 Passed, 959  
 Returned to House, 986  
 Conference Committee, 1013, 1021  
 Conference Committee report, 1319, 1328  
 Senate adopts, 1319, 1328  
 House does not concur, 1013  
 Returned to House, 1342  
 Received from House, 1469



Signed by President, 1471  
Returned to House, 1473

#### House Bill No. 1234

**House Bill No. 1234.** A Bill for an Act to amend and reenact section 57-15-16 of the North Dakota Century Code relating to tax levies for building funds in school districts.

To Senate, 327  
First reading, 330  
Referred to Committee on Education  
Reported back, do pass, 752  
Second reading, 784  
Passed, 784  
Returned to House, 811  
Received from House, 965  
Signed by President, 990  
Returned to House, 991

#### House Bill No. 1235

**House Bill No. 1235.** A Bill for an Act to amend and reenact section 15-39.1-28 of the North Dakota Century Code, relating to a mill levy for teachers' retirement.

To Senate, 327  
First reading, 330  
Referred to Committee on Education  
Reported back, do pass, 752  
Second reading, 784  
Passed, 785  
Returned to House, 811  
Received from House, 965  
Signed by President, 990  
Returned to House, 991

#### House Bill No. 1237

**House Bill No. 1237.** A Bill for an Act to amend and reenact subsection 2 of section 27-20-05 of the North Dakota Century Code, relating to salaries of juvenile supervisors.

To Senate, 259  
First reading, 266  
Referred to Committee on Judiciary  
Reported back, amended, 867  
Amendments adopted, 890  
Second reading, 930  
Passed, 930  
Returned to House, amended, 963  
House concurs, 1095  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

#### House Bill No. 1239

**House Bill No. 1239.** A Bill for an Act to amend and reenact subsection 1 of section 57-38-01.3 of the North Dakota Century Code, relating to adjustments to taxable income for corporations; and to provide an effective date.

To Senate, 664  
 First reading, 695  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 1031  
 Second reading, 1091  
 Passed, 1092  
 Returned to House, 1151  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

#### House Bill No. 1240

**House Bill No. 1240.** A Bill for an Act relating to the interest earned on the surplus property special fund.

To Senate, 307  
 First reading, 314  
 Referred to Committee on Appropriations  
 Reported back, do pass, 423  
 Second reading, 743  
 Passed, 744  
 Returned to House, 769  
 Received from House, 936  
 Signed by President, 961  
 Returned to House, 962

#### House Bill No. 1241

**House Bill No. 1241.** A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to the filing of separate income tax returns by a husband and wife after joint income tax returns have been filed, and providing for an effective date.

To Senate, 286  
 First reading, 297  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 729  
 Second reading, 764  
 Passed, 764  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

#### House Bill No. 1242

**House Bill No. 1242.** A Bill for an Act to create and enact a new section to the North Dakota Century Code, relating to the gift of game or fish.

To Senate, 259  
 First reading, 266  
 Referred to Committee on Natural Resources  
 Reported back, amended, 729  
 Reported back, indefinitely postponed, 795-796  
 Committee report for indefinite postponement, adopted, 816  
 Re-referred to Committee on Natural Resources, 785  
 Amendments adopted, 749  
 Returned to House, indefinitely postponed, 860

#### House Bill No. 1244

**House Bill No. 1244.** A Bill for an Act to create and enact sections 26-26-01.1, 26-27-02.1, 26-27.1-02.1 and 26-27.2-02.1 of the North Dakota Century Code, relating to hospital service corporations, medical service corporations, dental service corporations and vision service corporations and providing that unfair insurance practices applies to them.

To Senate, 217  
 First reading, 266  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1004  
 Second reading, 1090  
 Passed, 1091  
 Returned to House, 1151  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

**House Bill No. 1245**

**House Bill No. 1245.** A Bill for an Act to create and enact section 15-20.1-16.1 of the North Dakota Century Code, relating to the authorization of the State Board for Vocational Education to accept and use gifts.

To Senate, 232  
 First reading, 267  
 Referred to Committee on Education  
 Reported back, do pass, 844  
 Second reading, 882  
 Passed, 882  
 Returned to House, 911  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1246**

**House Bill No. 1246.** A Bill for an Act to provide for the creation of the municipal bond assurance fund and constituting the municipal bond assurance act.

To Senate, 202  
 First reading, 222  
 Referred to Committee on Political Subdivisions  
 Returned to Senate & re-referred to Committee on Industry, Business & Labor, 745  
 Reported back, indefinitely postponed, 945  
 Committee report for indefinite postponement, adopted, 970  
 Returned to House, indefinitely postponed, 1049

**House Bill No. 1247**

**House Bill No. 1247.** A Bill for an Act to amend and reenact section 57-07-01 of the North Dakota Century Code, relating to the duty of the tax commissioner upon omission or false statement in assessment.

To Senate, 496  
 First reading, 522  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 1031  
 Committee report for indefinite postponement, adopted, 1055  
 Returned to House, indefinitely postponed, 1151

**House Bill No. 1250**

**House Bill No. 1250.** A Bill for an Act to repeal sections 39-04-16, 39-04-27, 39-05-02, and 39-05-26 of the North Dakota Century Code, relating to registration and titling of motor vehicles.

To Senate, 722  
 First reading, 771  
 Referred to Committee on Transportation  
 Reported back, do pass, 923  
 Second reading, 977  
 Passed, 977  
 Returned to House, 1049  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

**House Bill No. 1251**

**House Bill No. 1251.** A Bill for an Act to create and enact a new subsection to section 50-06-05.1 of the North Dakota Century Code, relating to the investigation of births out of wedlock and authorizing the provision of protective services.

To Senate, 273  
 First reading, 297  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 622  
 Second reading, 744  
 Lost, 744  
 Returned to House, 769

**House Bill No. 1252**

**House Bill No. 1252.** A Bill for an Act to create and enact a new subsection to section 57-39.2-14 of the North Dakota Century Code, relating to "transient merchants".

To Senate, 286  
 First reading, 297  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 867  
 Committee report for indefinite postponement, adopted, 891  
 Returned to House, indefinitely postponed, 934

**House Bill No. 1253**

**House Bill No. 1253.** A Bill for an Act to amend and reenact sections 39-04-09 and 39-04-12 of the North Dakota Century Code, relating to the registration plates of motor vehicles.

To Senate, 341  
 First reading, 346  
 Referred to Committee on Transportation  
 Reported back, do pass, 462  
 Second reading, 744  
 Passed, 744  
 Returned to House, 769  
 Received from House, 936  
 Signed by President, 961  
 Returned to House, 962

**House Bill No. 1254**

**House Bill No. 1254.** A Bill for an Act to provide notice and opportunity for hearing prior to cancellations, revocation, suspension or rescision of a motor vehicle registration or a certificate of title to a motor vehicle.

To Senate, 569  
 First reading, 613  
 Referred to Committee on Transportation  
 Reported back, do pass, 796  
 Amendments adopted, 832  
 Second reading, 828, 832  
 Amended from floor, 832  
 Passed, 828, 833  
 Returned to House, amended, 860  
 House concurs, 888  
 Reconsidered, 832  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1255**

**House Bill No. 1255.** A Bill for an Act to amend and reenact section 39-02-03 of the North Dakota Century Code, relating to the office of the motor vehicle registrar.

To Senate, 694  
 First reading, 719  
 Referred to Committee on Transportation  
 Reported back, do pass, 796  
 Second reading, 828  
 Passed, 829  
 Returned to House, 860  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

**House Bill No. 1257**

**House Bill No. 1257.** A Bill for an Act relating to the mandatory reporting of child abuse and neglect by designated professional persons, relating to the permissive reporting of child abuse and neglect by other persons, providing for protective services, providing for the appointment of a guardian ad litem, providing immunity from liability, providing a penalty for failure to report abuse, and providing for confidentiality of records, and providing a penalty for unauthorized disclosure of reports; and to repeal chapter 50-25 of the North Dakota Century Code relating to the reporting of physical injury and neglect by physicians and other persons.

To Senate, 286, 496  
 First reading, 297, 522  
 Referred to Committee on Social Welfare & Veterans Affairs  
 House requests return, 386  
 Returned, 396  
 Reported back, do pass, 729  
 Second reading, 764  
 Passed, 765  
 Returned to House, 786  
 Received from House, 990

Signed by President, 1016  
Returned to House, 1016

**House Bill No. 1258**

**House Bill No. 1258.** A Bill for an Act to amend and reenact section 54-44-11 of the North Dakota Century Code to provide for an increase in working capital in the state purchasing department operating fund.

To Senate, 307  
First reading, 314  
Referred to Committee on Appropriations  
Reported back, do pass, 444  
Second reading, 744  
Passed, 745  
Returned to House, 769  
Received from House, 936  
Signed by President, 961  
Returned to House, 962

**House Bill No. 1259**

**House Bill No. 1259.** A Bill for an Act to amend and reenact sections 39-05-05, 39-05-09.1, and 39-05-19 of the North Dakota Century Code, relating to fees for various motor vehicle office services.

To Senate, 307  
First reading, 314  
Referred to Committee on Transportation  
Reported back, do pass, 384  
Second reading, 432  
Passed, 432  
Returned to House, 455  
Received from House, 936  
Signed by President, 961  
Returned to House, 962

**House Bill No. 1261**

**House Bill No. 1261.** A Bill for an Act to amend and reenact subsection 1 of section 14-15-11, of the North Dakota Century Code, relating to persons entitled to notice of petition for adoption.

To Senate, 273  
First reading, 298  
Referred to Committee on Judiciary  
Reported back, do pass, 895  
Second reading, 930  
Passed, 930  
Returned to House, 962  
Received from House, 1152  
Signed by President, 1186  
Returned to House, 1186

**House Bill No. 1263**

**House Bill No. 1263.** A Bill for an Act to provide that state employees receive payroll checks on a semimonthly or biweekly basis, and to amend and reenact the initial paragraph of section 44-08-04 of the North Dakota Century Code, relating to the reimbursement of traveling expenses on a semimonthly or biweekly basis.

To Senate, 521  
First reading, 569  
Referred to Committee on Appropriations  
Reported back, indefinitely postponed, 844  
Committee report for indefinite postponement, adopted, 869  
Returned to House, indefinitely postponed, 911

#### House Bill No. 1266

**House Bill No. 1266.** A Bill for an Act to amend and reenact section 39-18-02 of the North Dakota Century Code, relating to mobile home dealers' bond, and to amend and reenact section 39-18-03 of the 1973 Supplement to the North Dakota Century Code, relating to transfer of title by an owner of a travel trailer, house trailer, or mobile home, and providing a penalty.

To Senate, 694  
First reading, 719  
Referred to Committee on Transportation  
Reported back, amended, 945  
Amendments adopted, 968  
Second reading, 1046  
Passed, 1046  
Returned to House, amended, 1108  
House concurs, 1150  
Received from House, 1448  
Signed by President, 1448  
Returned to House, 1449

#### House Bill No. 1271

**House Bill No. 1271.** A Bill for an Act to create and enact a new chapter to title 20.1 of the North Dakota Century Code, providing for the use of falcons in hunting, and providing a penalty.

To Senate, 360  
First reading, 367  
Referred to Committee on Natural Resources  
Reported back, do pass, 821  
Second reading, 850  
Passed, 850  
Returned to House, 886  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

#### House Bill No. 1273

**House Bill No. 1273.** A Bill for an Act to create and enact a new subsection to section 4-22-06 and a new subsection to section 4-22-26 of the North Dakota Century Code, relating to the powers and duties of the state soil conservation committee and the powers and duties of soil conservation districts and supervisors, respectively.

To Senate, 341  
First reading, 346  
Referred to Committee on Agriculture  
Reported back, do pass, 821  
Second reading, 850  
Passed, 851  
Returned to House, 886  
Received from House, 1109

Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1274**

**House Bill No. 1274.** A Bill for an Act to amend and reenact section 40-08-10 of the North Dakota Century Code, relating to the meetings of city councils.

To Senate, 273  
First reading, 298  
Referred to Committee on Political Subdivisions  
Reported back, amended, 821  
Amendments adopted, 839  
Second reading, 882  
Passed, 882  
Returned to House, amended, 911  
House concurs, 1095  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

**House Bill No. 1277**

**House Bill No. 1277.** A Bill for an Act to amend and reenact sections 43-09-04 and 43-09-05 of the North Dakota Century Code, relating to the members of the state electrical board and to the powers and duties of the state electrical board.

To Senate, 232  
First reading, 267  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 1004  
Second reading, 1083  
Passed, 1083  
Returned to House, 1151  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

**House Bill No. 1278**

**House Bill No. 1278.** A Bill for an Act to amend and reenact sections 43-10.1-03, 43-10.1-04, 43-10.1-05, 43-10.1-06, 43-10.1-07, and 43-10.1-08 of the North Dakota Century Code, relating to reports required in relation to pre-need funeral services.

To Senate, 496  
First reading, 522  
Referred to Committee on Judiciary  
Reported back, amended, 895-896  
Amendments adopted, 916  
Second reading, 959  
Passed, 960  
Returned to House, amended, 986  
House concurs, 1095  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

**House Bill No. 1279**



**House Bill No. 1279.** A Bill for an Act to amend and reenact section 18-10-08 of the North Dakota Century Code, relating to indebtedness of rural fire protection districts, and declaring an emergency.

To Senate, 361  
 First reading, 367  
 Referred to Committee on Political Subdivisions  
 Reported back, amended, 821  
 Amendments adopted, 839  
 Second reading, 882  
 Passed, 883  
 Emergency carried, 883  
 Returned to House, amended, 911  
 House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

**House Bill No. 1281**

**House Bill No. 1281.** A Bill for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, deleting election day as a holiday.

To Senate, 521  
 First reading, 569  
 Referred to Committee on Judiciary  
 Reported back, do pass, 796  
 Second reading, 829  
 Passed, 829  
 Returned to House, 860  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1282**

**House Bill No. 1282.** A Bill for an Act defining "membership subscription plans" and requiring an affirmative response by members of such plans before acceptance of merchandise is acknowledged; and providing a penalty.

To Senate, 307  
 First reading, 314  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 896  
 Committee report for indefinite postponement, adopted, 917  
 Returned to House, indefinitely postponed, 986

**House Bill No. 1283**

**House Bill No. 1283:** A Bill for an Act to amend and reenact section 44-06-12 and 44-08-06 of the North Dakota Century Code, relating to notary public seal, date of expiration, and seal dimensions.

To Senate, 273  
 First reading, 298  
 Referred to Committee on Judiciary  
 Reported back, do pass, 752  
 Second reading, 785  
 Passed, 785  
 Returned to House, 811  
 Received from House, 965

Signed by President, 990  
Returned to House, 991

**House Bill No. 1284**

**House Bill No. 1284.** A Bill for an Act to authorize the public service commission to fix the terms under which the facilities of one public utility will be permitted to cross those of another public utility.

To Senate, 307  
First reading, 314  
Referred to Committee on State & Federal Government  
Reported back, do pass, 845  
Second reading, 883  
Passed, 883  
Returned to House, 911  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1285**

**House Bill No. 1285.** A Bill for an Act to amend and reenact subsection 5 of section 11-10-10 of the North Dakota Century Code, relating to salaries of county officers.

To Senate, 612  
First reading, 664  
Referred to Committee on Political Subdivisions  
Reported back, indefinitely postponed, 923  
Committee report for indefinite postponement, adopted, 942  
Returned to House, indefinitely postponed, 1014

**House Bill No. 1288**

**House Bill No. 1288.** A Bill for an Act to amend and reenact section 7-02-02 of the North Dakota Century Code relating to issuance of shares in savings and loan associations.

To Senate, 232  
First reading, 267  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 946  
Second reading, 1009  
Passed, 1009  
Returned to House, 1094  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

**House Bill No. 1290**

**House Bill No. 1290.** A Bill for an Act to amend and reenact subsection 1 of section 57-02-08 of the North Dakota Century Code, relating to exemption from taxation of property of the United States.

To Senate, 327  
First reading, 330  
Referred to Committee on State & Federal Government  
Reported back, do pass, 729  
Second reading, 765  
Passed, 765

Returned to House, 786  
Received from House, 965  
Signed by President, 990  
Returned to House, 991

#### House Bill No. 1291

**House Bill No. 1291.** A Bill for an Act to amend and reenact subdivision a of subsection 6 of section 50-09-01 of the North Dakota Century Code, relating to the definition of a dependent child.

To Senate, 273  
First reading, 298  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, do pass, 622  
Second reading, 745  
Passed, 745  
Returned to House, 769  
Received from House, 936  
Signed by President, 961  
Returned to House, 962

#### House Bill No. 1292

**House Bill No. 1292.** A Bill for an Act to amend and reenact section 43-11-06 and 43-11-35 of the North Dakota Century Code, relating to compensation granted to members of the board of hairdressers and cosmetologists, and for a penalty; and to repeal subsection 3 and paragraph d of subsection 8 of section 43-11-16 of the North Dakota Century Code, relating to qualifications for registration of schools of hair-dressing and cosmetology.

To Senate, 474  
First reading, 522  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 1004  
Second reading, 1084  
Passed, 1084  
Returned to House, 1151  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1382

#### House Bill No. 1294

**House Bill No. 1294.** A Bill for an Act to prohibit fetal experimentation, and providing a penalty.

To Senate, 273  
First reading, 298  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, do pass, 729  
Second reading, 765  
Passed, 765  
Returned to House, 786  
Received from House, 965  
Signed by President, 990  
Returned to House, 991

#### House Bill No. 1295

To Senate, 327  
 First reading, 330  
 Referred to Committee on Judiciary  
 Reported back, do pass, 897  
 Second reading, 930  
 Passed, 931  
 Emergency carried, 931  
 Returned to House, 962  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

#### House Bill No. 1298

**House Bill No. 1298.** A Bill for an Act to amend and reenact section 34-01-12 of the North Dakota Century Code, relating to payment of wages due a deceased employee.

To Senate, 307  
 First reading, 314  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 1004  
 Amendments adopted, 1023  
 Second reading, 1092  
 Passed, 1092  
 Returned to House, amended, 1145  
 House concurs, 1272  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1299

**House Bill No. 1299.** A Bill for an Act to amend and reenact sections 11-11-35, 11-25-01, 21-05-07, 40-01-13, 40-09-13, subsection 15 of section 40-16-03, section 40-49-14, subsection 3 of section 40-58-16, and sections 40-61-07, 58-08-02, and 58-11-06 of the North Dakota Century Code, relating to the method of approval of vouchers for claims and accounts submitted to the governing bodies of cities, counties, and townships, city park districts, urban renewal agencies, and municipal parking authorities.

To Senate, 327  
 First reading, 330  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 796  
 Second reading, 829  
 Passed, 829  
 Returned to House, 860  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

#### House Bill No. 1300

**House Bill No. 1300.** A Bill for an Act to amend and reenact section 15-40.1-05 of the North Dakota Century Code, relating to the distribution of payments to county equalization funds.

To Senate, 327  
 First reading, 330  
 Referred to Committee on Political Subdivisions

Reported back, do pass, 796  
 Second reading, 830  
 Passed, 830  
 Returned to House, 860  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

#### House Bill No. 1301

**House Bill No. 1301.** A Bill for an Act to amend and reenact section 26-07-08 of the North Dakota Century Code, relating to publication of abstracts of annual statements of insurance companies.

To Senate, 307  
 First reading, 314  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 1004  
 Committee report for indefinite postponement, adopted, 1025  
 Returned to House, indefinitely postponed, 1108

#### House Bill No. 1302

**House Bill No. 1302.** A Bill for an Act to amend and reenact sections 14-03-01 and 14-03-02 of the North Dakota Century Code, relating to the contract of marriage and the lawful age for marriage.

To Senate, 474  
 First reading, 523  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, amended, 821-822  
 Amendments adopted, 839  
 Second reading, 883  
 Passed, 883  
 Returned to House, amended, 911  
 House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1382

#### House Bill No. 1305

**House Bill No. 1305.** 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 installation of tangible personal property into real estate located outside of North Dakota and providing for an exemption.

To Senate, 694  
 First reading, 719  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 1031  
 Second reading, 1092  
 Passed, 1092  
 Returned to House, 1151  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

#### House Bill No. 1306

**House Bill No. 1306.** A Bill for an Act to amend and reenact section 40-

19-03 of the North Dakota Century Code, relating to return of the assessment roll by the city assessor.

To Senate, 327  
 First reading, 331  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 796  
 Second reading, 830  
 Passed, 830  
 Returned to House, 860  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

**House Bill No. 1307**

**House Bill No. 1307.** A Bill for an Act to amend and reenact subsection 10 of section 37-01-40 and section 37-14-03.3 of the North Dakota Century Code, relating to the Vietnam era service dates for veterans.

To Senate, 327  
 First reading, 331  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 923  
 Second reading, 960  
 Passed, 960  
 Returned to House, 986  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

**House Bill No. 1310**

**House Bill No. 1310.** A Bill for an Act to limit the amount by which the current assessment on a unit of real property may be increased over the preceding assessment for real estate tax purposes; and providing an effective date.

To Senate, 455  
 First reading, 462  
 Referred to Committee on Finance & Taxation  
 Reported back, indefinitely postponed, 1032  
 Committee report for indefinite postponement, adopted, 1055  
 Returned to House, indefinitely postponed, 1151

**House Bill No. 1311**

**House Bill No. 1311.** A Bill for an Act to amend and reenact section 15-40.2-08 of the North Dakota Century Code relating to residency determination of nonresident school pupils.

To Senate, 411  
 First reading, 413  
 Referred to Committee on Education  
 Reported back, do pass, 867  
 Second reading, 908  
 Passed, 908  
 Returned to House, 935  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1313**

**House Bill No. 1313.** A Bill for an Act to amend and reenact section 4-28.1-01 of the North Dakota Century Code, relating to a tax levy on flax.

To Senate, 327  
First reading, 331  
Referred to Committee on Agriculture  
Reported back, do pass, 796  
Second reading, 830  
Passed, 831  
Returned to House, 860  
Received from House, 990  
Signed by President, 1016  
Returned to House, 1016

**House Bill No. 1315**

**House Bill No. 1315.** A Bill for an Act to transfer the custody and control of the former executive mansion from the director of institutions to the state historical board, and to repeal chapter 342 of the 1957 Session Laws of North Dakota.

To Senate, 455  
First reading, 462  
Referred to Committee on State & Federal Government  
Reported back, do pass, 774  
Second reading, 804  
Passed, 804  
Returned to House, 834  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1317**

**House Bill No. 1317.** A Bill for an Act to amend and reenact section 44-02-08 of the North Dakota Century Code, relating to the appointment and term of persons appointed to fill elective offices.

To Senate, 286  
First reading, 298  
Referred to Committee on Judiciary  
Reported back, do pass, 868  
Second reading, 908  
Passed, 908  
Returned to House, 935  
Received from House, 1109  
Signed by President, 1110  
Returned to House, 1111

**House Bill No. 1318**

**House Bill No. 1318.** A Bill for an Act to amend and reenact section 7-02-13 of the North Dakota Century Code, relating to savings and loan association investment in a service corporation.

To Senate, 307  
First reading, 314  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 845  
Second reading, 883

Passed, 884  
 Returned to House, 911  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1319**

**House Bill No. 1319.** A Bill for an Act to provide for a permanent Bird Day in North Dakota on April 26 of each year.

To Senate, 327  
 First reading, 331  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 729  
 Second reading, 766  
 Passed, 766  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

**House Bill No. 1320**

**House Bill No. 1320.** A Bill for an Act to amend and reenact section 4-28-05 of the North Dakota Century Code, relating to meetings and expenses of the wheat commission.

To Senate, 341  
 First reading, 346  
 Referred to Committee on Agriculture  
 Reported back, do pass, 796, 1004  
 Re-referred to Committee on Appropriations, 796  
 Second reading, 1084  
 Passed, 1084  
 Returned to House, 1151  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

**House Bill No. 1322**

**House Bill No. 1322.** A Bill for an Act to amend and reenact subsection 1 of section 57-37-11 and subsections 2, 3, and 6 of section 57-37-24 of the North Dakota Century Code, relating to deduction of exemptions for estate tax purposes and to collection, distribution and refund of estate taxes; and providing an effective date.

To Senate, 569  
 First reading, 613  
 Referred to Committee on Finance & Taxation  
 Committee report for indefinite postponement, 995 adopted  
 Reported back, indefinitely postponed, 974  
 Returned to House, indefinitely postponed, 1094

**House Bill No. 1323**

**House Bill No. 1323.** 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 counties and cities.

To Senate, 664



First reading, 695  
 Referred to Committee on Transportation  
 Reported back, amended, 1070-1071  
 Amendments adopted, 1098  
 Second reading, 1182  
 Clincher motion, 1182  
 Lost, 1182  
 Returned to House, indefinitely postponed, 1257

#### House Bill No. 1327

**House Bill No. 1327.** A Bill for an Act to amend and reenact section 7-02-14 of the North Dakota Century Code, relating to extending powers granted federally chartered savings and loan associations to state-chartered associations.

To Senate, 307  
 First reading, 314  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 946  
 Committee report for indefinite postponement, 971 adopted  
 Returned to House, indefinitely postponed, 1049

#### House Bill No. 1328

**House Bill No. 1328.** A Bill for an Act to amend and reenact subsection 1 of section 26-01-11 of the North Dakota Century Code, to provide for the exemption of considerations for annuities from the insurance premium tax.

To Senate, 521  
 First reading, 569  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 1071  
 Second reading, 1132  
 Passed, 1132  
 Returned to House, 1188  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1330

**House Bill No. 1330.** A Bill for an Act to amend and reenact section 40-51.2-06, subsection 3 of section 40-51.2-07, and section 40-51.2-16 of the North Dakota Century Code, relating to the annexation of land by a municipal corporation.

To Senate, 341  
 First reading, 346  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 796  
 Second reading, 831  
 Passed, 831  
 Returned to House, 860  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1332

**House Bill No. 1332.** A Bill for an Act to amend and reenact section 57-

12-09 of the North Dakota Century Code, relating to notification of increase in assessed valuation.

To Senate, 341  
 First reading, 346  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 923  
 Amendments adopted, 941  
 Second reading, 1009, 1400  
 Passed, 1010, 1400  
 Returned to House, amended, 1094  
 Conference Committee, 1115, 1120  
 Conference Committee report, 1399  
 Senate adopts, 1400  
 House adopts, 1383  
 House does not concur, 1115  
 Returned to House, 1403  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1333

**House Bill No. 1333.** A Bill for an Act to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, relating to property exempt from taxation belonging to disabled veterans or their unremarried widows.

To Senate, 341  
 First reading, 346  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, do pass, 729  
 Second reading, 766  
 Passed, 766  
 Returned to House, 786  
 Received from House, 1109  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1334

**House Bill No. 1334.** A Bill for an Act to amend and reenact section 40-45-08 and 40-45-09 of the North Dakota Century Code, relating to police pensions in cities, membership fees and assessments, and who may be retired on pension.

To Senate, 341  
 First reading, 346  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 822  
 Second reading, 854  
 Passed, 854  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1110  
 Returned to House, 1111

#### House Bill No. 1335

**House Bill No. 1335.** A Bill for an Act to require the installation, on all public scales used for weighing grain and on all scales used by grain

buyers, of a device which will print the weight upon a ticket, and providing a penalty.

To Senate, 474  
First reading, 523  
Referred to Committee on Agriculture  
Reported back, indefinitely postponed, 923  
Committee report for indefinite postponement, 943 adopted  
Returned to House, indefinitely postponed, 1014

#### House Bill No. 1338

**House Bill No. 1338.** A Bill for an Act to create a new section to chapter 11-18 of the North Dakota Century Code, to provide a fee for recording instruments with the register of deeds based upon the number of sections described in an instrument which describes land in which the mineral acres have been severed from the surface estate.

To Senate, 612  
First reading, 664  
Referred to Committee on Political Subdivision  
Reported back, amended, 974-975  
Amendments adopted, 994  
Second reading, 1084  
Passed, 1085  
Returned to House, amended, 1145  
House concurs, 1240  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

#### House Bill No. 1339

**House Bill No. 1339.** A Bill for an Act to amend and reenact section 15-47-01 of the North Dakota Century Code, relating to school age.

To Senate, 327  
First reading, 331  
Referred to Committee on Education  
Reported back, do pass, 897  
Second reading, 931  
Passed, 931  
Returned to House, 962  
Received from House, 1152  
Signed by President, 1186  
Returned to House, 1186

#### House Bill No. 1344

**House Bill No. 1344.** A Bill for an Act to amend and reenact section 57-55-04 of the North Dakota Century Code, relating to the distribution of mobile home tax revenues.

To Senate, 327  
First reading, 331  
Referred to Committee on Finance & Taxation  
Reported back, amended, 444  
Amendments adopted, 465  
Second reading, 804  
Passed, 804  
Returned to House, amended, 835

House concurs, 936  
 Received from House, 1110  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1348**

**House Bill No. 1348.** A Bill for an Act making an appropriation for the payment of salary adjustments.

To Senate, 694  
 First reading, 719  
 Referred to Committee on Appropriations  
 Reported back without recommendation, 1071  
 Second reading, 1441  
 Lost, 1442  
 Returned to House, indefinitely postponed, 1445

**House Bill No. 1352**

**House Bill No. 1352.** A Bill for an Act to amend and reenact section 57-15-19.4 of the North Dakota Century Code, relating to use of the township five-mill levy for federal aid farm to market roads.

To Senate, 474  
 First reading, 523  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 822  
 Second reading, 854  
 Passed, 855  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1110  
 Returned to House, 1111

**House Bill No. 1354**

**House Bill No. 1354.** A Bill for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to motor vehicle registration fees and mile tax.

To Senate, 474  
 First reading, 523  
 Referred to Committee on Transportation  
 Reported back, do pass, 622  
 Second reading, 766  
 Passed, 767  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

**House Bill No. 1356**

**House Bill No. 1356.** A Bill for an Act to amend and reenact section 18-02-07 of the North Dakota Century Code, relating to aid, contracts, and cooperation between the state forester and other entities, and to provide an appropriation therefor.

To Senate, 411  
 First reading, 414  
 Referred to Committee on Appropriations

Reported back, do pass, 845  
 Second reading, 884  
 Passed, 884  
 Returned to House, 911  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

**House Bill No. 1357**

**House Bill No. 1357.** A Bill for an Act to require certain elementary and secondary teachers to take college-level courses in Indian studies.

To Senate, 411  
 First reading, 414  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 897  
 Committee report for indefinite postponement, 917 adopted  
 Returned to House, indefinitely postponed, 986

**House Bill No. 1358**

**House Bill No. 1358.** A Bill for an Act to amend and reenact section 21-03-26 and 21-03-31 of the North Dakota Century Code, relating to notices and advertisements required in conjunction with municipal bond sales.

To Senate, 307  
 First reading, 314  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 774  
 Second reading, 805  
 Passed, 805  
 Returned to House, 834  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1111

**House Bill No. 1359**

**House Bill No. 1359.** A Bill for an Act to amend and reenact section 20.1-01-07 and subsection 11 of section 20.1-02-05 of the North Dakota Century Code, relating to the use of motor vehicles in hunting.

To Senate, 361  
 First reading, 367  
 Referred to Committee on Natural Resources  
 Reported back, amended, 1032  
 Reported back, indefinitely postponed, 822  
 Committee report for indefinite postponement, 840 adopted  
 Rereferred to Committee on Natural Resources, 892  
 Amendments adopted, 1053  
 Second reading, 1132  
 Passed, 1132  
 Returned to House, amended, 1188  
 House concurs, 1308  
 Reconsidered, 892  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1360**

**House Bill No. 1360.** A Bill for an Act relating to the establishment of guidelines for the management and use of investments held by educational, religious, or charitable institutions; and to repeal section 15-10-35 of the North Dakota Century Code, relating to investment of endowment funds by institutions under board of higher education control.

To Senate, 307  
 First reading, 314  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 897  
 Second reading, 931  
 Passed, 932  
 Returned to House, 962  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

**House Bill No. 1361**

**House Bill No. 1361.** A Bill for an Act to amend and reenact subsection 5 of section 28-26-06 of the North Dakota Century Code, relating to expert witness court fees.

To Senate, 396  
 First reading, 403  
 Referred to Committee on Judiciary  
 Reported back, do pass, 752  
 Second reading, 785  
 Passed, 785  
 Returned to House, 811  
 Received from House, 965  
 Signed by President, 990  
 Returned to House, 991

**House Bill No. 1363**

**House Bill No. 1363.** A Bill for an Act to ban pay toilets in public establishments.

To Senate, 307  
 First reading, 315  
 Referred to Committee on State & Federal Government  
 Reported back without recommendation, 774  
 Second reading, 805  
 Lost, 805  
 Returned to House, indefinitely postponed, 835

**House Bill No. 1364**

**House Bill No. 1364.** A Bill for an Act to amend and reenact sections 4-30-18 and 64-02-13 of the North Dakota Century Code, relating to the transfer of responsibility for inspection and testing of farm milk tank equipment from the department of weights and measures of the public service commission to the state dairy department.

To Senate, 664  
 First reading, 695  
 Referred to Committee on Agriculture  
 Reported back, do pass, 924

Second reading, 977  
 Passed, 977  
 Returned to House, 1049  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

**House Bill No. 1367**

**House Bill No. 1367.** A Bill for an Act to amend and reenact section 16-13-47.1 of the North Dakota Century Code, relating to the procedure for recounts in congressional, state, and county elections.

To Senate, 496  
 First reading, 523  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 975  
 Committee report for indefinite postponement, 996 adopted  
 Returned to House, indefinitely postponed, 1095

**House Bill No. 1368**

**House Bill No. 1368.** A Bill for an Act to provide for the sale of state lands to the City of Bismarck, North Dakota, for its airport.

To Senate, 307  
 First reading, 315  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 730  
 Second reading, 767  
 Passed, 767  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 991  
 Returned to House, 991

**House Bill No. 1376**

**House Bill No. 1376.** A Bill for an Act to require the state game and fish department to publish notice of its intent to purchase state land.

To Senate, 411  
 First reading, 414  
 Referred to Committee on Natural Resources  
 Reported back, indefinitely postponed, 822  
 Committee report for indefinite postponement, 840 adopted  
 Returned to House, indefinitely postponed, 911

**House Bill No. 1377**

**House Bill No. 1377.** A Bill for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to definitions used in Title 39.

To Senate, 474  
 First reading, 523  
 Referred to Committee on Transportation  
 Reported back, amended, 730  
 Amendments adopted, 750  
 Second reading, 805  
 Passed, 806

Returned to House, amended, 835  
 House concurs, 936  
 House fails to pass, 936

**House Bill No. 1378**

**House Bill No. 1378.** A Bill for an Act to amend and reenact section 39-12-05.1 of the North Dakota Century Code, relating to weight limitations for vehicles on designated highways.

To Senate, 612  
 First reading, 664  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 946  
 Committee report for indefinite postponement, 971 adopted  
 Returned to House, indefinitely postponed, 1050

**House Bill No. 1380**

**House Bill No. 1380.** A Bill for an Act to create and enact section 51-07-01.1 of the North Dakota Century Code, relating to franchise and other sales arrangements between retailers and distributors, manufacturers, and wholesalers; providing that such arrangements cannot be terminated except for good cause; and defining good cause.

To Senate, 569  
 First reading, 613  
 Referred to Committee on Judiciary  
 Returned to Senate and re-referred to Committee on Industry, Business & Labor, 617  
 Reported back, do pass, 752  
 Second reading, 806  
 Passed, 806  
 Returned to House, 834  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1111

**House Bill No. 1382**

**House Bill No. 1382.** A Bill for an Act to amend and reenact section 57-15-42 of the North Dakota Century Code, relating to city fire department reserve fund levy.

To Senate, 341  
 First reading, 346  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 822  
 Second reading, 855  
 Passed, 855  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1111

**House Bill No. 1386**

**House Bill No. 1386.** A Bill for an Act to create and enact section 47-19A-03.1 of the North Dakota Century Code, relating to failure to file notice of a right of reentry or repossession for breach of a condition subsequent contained in a deed of conveyance of property; and to amend and reenact sections 47-19A-04 and 47-19A-05 of the North Dakota Century Code, relating to filing of notice of claim of interest in a deed of conveyance.



To Senate, 496  
 First reading, 523  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 1071  
 Committee report for indefinite postponement, 1100 adopted  
 Returned to House, indefinitely postponed, 1187

**House Bill No. 1388**

**House Bill No. 1388.** A Bill for an Act to create and enact a new section to chapter 40-61 of the North Dakota Century Code, relating to the termination of a municipal parking authority.

To Senate, 664  
 First reading, 695  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 946  
 Second reading, 1010  
 Passed, 1010  
 Returned to House, 1094  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

**House Bill No. 1391**

**House Bill No. 1391.** A Bill for an Act to amend and reenact section 58-04-05 of the North Dakota Century Code, relating to the organization of annual or special township meetings.

To Senate, 361  
 First reading, 367  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 822  
 Second reading, 855  
 Passed, 855  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1111

**House Bill No. 1393**

**House Bill No. 1393.** A Bill for an Act to amend and reenact section 61-21-46 of the North Dakota Century Code, relating to the maximum levy for cleaning and repairing drains.

To Senate, 569  
 First reading, 613  
 Referred to Committee on Agriculture  
 Reported back, do pass, 823  
 Second reading, 855  
 Passed, 856  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

**House Bill No. 1397**

**House Bill No. 1397.** A Bill for an Act to amend and reenact subsections 1 and 2 of section 57-02-08.1 and section 57-02-08.2 of the North Dakota

Century Code, relating to the homestead credit and providing for full state reimbursement for the loss of revenue to counties and other taxing districts; and providing an appropriation.

To Senate, 699  
 First reading, 745  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 975, 1071  
 Re-referred to Committee on Appropriations, 975  
 Second reading, 1262  
 Passed, 1263  
 Returned to House, 1294  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1398**

**House Bill No. 1398.** A Bill for an Act to amend and reenact section 54-02-01 of the North Dakota Century Code, relating to the great seal of the state and providing a penalty for its commercial use, and declaring an emergency.

To Senate, 396  
 First reading, 403  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 774  
 Amendments adopted, 791  
 Second reading, 831  
 Passed, 831  
 Emergency carried, 831  
 Returned to House, amended, 860  
 House concurs, 936  
 Received from House, 960  
 Signed by President, 961  
 Returned to House, 969

**House Bill No. 1399**

**House Bill No. 1399.** A Bill for an Act to allow for the creation of county judicial coordinating councils, and to provide for their membership and operation.

To Senate, 496  
 First reading, 523  
 Referred to Committee on Judiciary  
 Reported back, do pass, 730  
 Second reading, 767  
 Passed, 767  
 Returned to House, 786  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

**House Bill No. 1402**

**House Bill No. 1402.** A Bill for an Act to create and enact a new section to chapter 15-40.2 of the North Dakota Century Code, relating to the residency of a child for school purposes.

To Senate, 434  
 First reading, 436

Referred to Committee on Education  
 Reported back, indefinitely postponed, 897  
 Committee report for indefinite postponement, 917 adopted  
 Returned to House, indefinitely postponed, 986

#### House Bill No. 1403

**House Bill No. 1403.** A Bill for an Act to provide for supplementary workmen's compensation benefits to persons receiving benefits under previous benefit allowances; payment of supplementary benefits; and establishment of a supplementary benefit fund within the workmen's compensation fund.

To Senate, 694  
 First reading, 719  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 946  
 Committee report for indefinite postponement, 996 adopted  
 Returned to House, indefinitely postponed, 1095

#### House Bill No. 1404

**House Bill No. 1404.** A Bill for an Act to amend and reenact section 43-01-18 of the North Dakota Century Code, relating to the fees of abstracters.

To Senate, 496  
 First reading, 523  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1005  
 Second reading, 1085  
 Passed, 1085  
 Returned to House, 1151  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1405

**House Bill No. 1405.** A Bill for an Act to amend and reenact section 46-05-03 of the North Dakota Century Code, relating to legal notices and fees.

To Senate, 722  
 First reading, 771  
 Referred to Committee on Judiciary  
 Reported back without recommendation, 1071  
 Reported back, do pass, 975  
 Re-referred to Committee on Appropriations, 975  
 Second reading, 1218  
 Clincher motion, 1219  
 Passed, 1219  
 Returned to House, 1257  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1407

**House Bill No. 1407.** A Bill for an Act to provide that franchise dealers in recreation vehicles shall be reimbursed for vehicles and equipment inventory on hand when franchise or dealership arrangement is cancelled.

To Senate, 521  
 First reading, 569  
 Referred to Committee on Industry, Business & Labor  
 Reported back, amended, 1005  
 Amendments adopted, 1024, 1092  
 Second reading, 1092, 1093  
 Amended from floor, 1092  
 Passed, 1093  
 Returned to House, amended, 1145  
 House concurs, 1240  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1409**

**House Bill No. 1409.** A Bill for an Act to amend and reenact subsection 2 of section 11-11-53 of the North Dakota Century Code, relating to county mill levies for historical works.

To Senate, 694  
 First reading, 719  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 946  
 Second reading, 1010  
 Passed, 1010  
 Returned to House, 1094  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

**House Bill No. 1411**

**House Bill No. 1411.** A Bill for an Act to create and enact a new subsection to section 54-12-01 of the North Dakota Century Code, relating to the prosecutorial duties of the attorney general.

To Senate, 664  
 First reading, 695  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 868  
 Committee report for indefinite postponement, 891 adopted  
 Returned to House, indefinitely postponed, 934

**House Bill No. 1412**

**House Bill No. 1412.** A Bill for an Act to amend and reenact subsection 1 of section 57-55-10 of the North Dakota Century Code, relating to exemption of mobile homes from taxation.

To Senate, 411  
 First reading, 414  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 845  
 Second reading, 884  
 Passed, 885  
 Returned to House, 911  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

**House Bill No. 1413**

To Senate, 694  
First reading, 719  
Referred to Committee on State & Federal Government  
Returned to Senate and re-referred to Committee on Political Sub-  
divisions, 794  
Reported back, amended, 1071-1072  
Amendments adopted, 1098  
Second reading, 1126, 1372  
Passed, 1126, 1373  
Returned to House, amended, 1188  
Conference Committee, 1240, 1255  
Conference Committee report, 1370-1371  
Senate adopts, 1372  
House adopts, 1366  
House does not concur, 1239  
Returned to House, 1375  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

**House Bill No. 1414**

**House Bill No. 1414.** A Bill for an Act to amend and reenact section 27-05-05 of the North Dakota Century Code, relating to the method by which presiding judges of district courts are determined.

To Senate, 474  
First reading, 524  
Referred to Committee on Judiciary  
Reported back, do pass, 774  
Second reading, 806  
Passed, 806  
Returned to House, 834  
Received from House, 990  
Signed by President, 1016  
Returned to House, 1016

**House Bill No. 1415**

**House Bill No. 1415.** A Bill for an Act to repeal section 27-03-10 of the North Dakota Century Code, relating to the furnishing of opinions, abstracts and briefs by the clerk of the supreme court to the supreme court reporter.

To Senate, 396  
First reading, 403  
Referred to Committee on Judiciary  
Reported back, do pass, 753  
Second reading, 807  
Passed, 807  
Returned to House, 834  
Received from House, 990  
Signed by President, 1016  
Returned to House, 1016

**House Bill No. 1416**

**House Bill No. 1416.** A Bill for an Act to transfer moneys from the accumulated and undivided profits of the Bank of North Dakota to the general fund of the state.

To Senate, 434  
 First reading, 436  
 Referred to Committee on Appropriations  
 Reported back, do pass, 730  
 Second reading, 767  
 Passed, 768  
 Returned to House, 786  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

#### House Bill No. 1418

**House Bill No. 1418.** A Bill for an Act to provide for the construction and operation of county nursing homes by county nursing home authorities.

To Senate, 612  
 First reading, 664  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, amended, 823  
 Amendments adopted, 839  
 Second reading, 900, 1355  
 Passed, 901, 1355  
 Returned to House, amended, 935  
 Conference Committee, 965, 968, 1329, 1352  
 Conference Committee report, 1319, 1328, 1354-1355  
 Senate reconsiders adoption, 1329  
 Senate adopts, 1319, 1328, 1355  
 House adopts, 1352  
 House does not concur, 965  
 Reconsidered, 1329  
 Returned to House, 1342, 1363  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1420

**House Bill No. 1420.** A Bill for an Act to amend and reenact section 40-24-18 of the North Dakota Century Code, relating to a fund for special improvement moneys.

To Senate, 496  
 First reading, 524  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 823  
 Second reading, 856  
 Passed, 856  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

#### House Bill No. 1423

**House Bill No. 1423.** A Bill for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state.

To Senate, 434  
 First reading, 436

Referred to Committee on Appropriations  
 Reported back, do pass, 730  
 Second reading, 768  
 Passed, 768  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 991  
 Returned to House, 991

**House Bill No. 1424**

**House Bill No. 1424.** A Bill for an Act to create and enact section 26-19-07 of the North Dakota Century Code, relating to the filing of rates for hail insurance; and to amend and reenact section 26-19-01 and the initial language of section 26-29-02 of the North Dakota Century Code, relating to the effective date of hail insurance coverage and to the application of chapter 26-29 to hail insurance.

To Senate, 569  
 First reading, 613  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 897  
 Committee report for indefinite postponement, 918 adopted  
 Returned to House, indefinitely postponed, 986

**House Bill No. 1425**

**House Bill No. 1425.** A Bill for an Act to amend and reenact sections 12-51-05, 12-59-05, 12-59-07, 12-59-15, and 12-59-16 of the North Dakota Century Code, to provide that inmates at the state farm are eligible for parole.

To Senate, 411  
 First reading, 414  
 Referred to Committee on Judiciary  
 Reported back, do pass, 753  
 Second reading, 807  
 Passed, 807  
 Returned to House, 834  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

**House Bill No. 1426**

**House Bill No. 1426.** A Bill for an Act to create a new section to chapter 11-09 of the North Dakota Century Code, relating to the formation of a county manager form of county government.

To Senate, 612  
 First reading, 664  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 924  
 Second reading, 960  
 Passed, 960  
 Returned to House, 986  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

**House Bill No. 1428**

**House Bill No. 1428.** 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 1971 Bond Validating Act” to “The 1975 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, 1975.

To Senate, 474  
 First reading, 524  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 910  
 Second reading, 932  
 Passed, 932  
 Returned to House, 962  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

**House Bill No. 1429**

**House Bill No. 1429.** A Bill for an Act to amend and reenact sections 20.1-01-07 and 20.1-01-11 of the North Dakota Century Code, relating to the use of motor vehicles for hunting.

To Senate, 434  
 First reading, 436  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 823  
 Second reading, 856  
 Passed, 856  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

**House Bill No. 1430**

**House Bill No. 1430.** A Bill for an Act to amend and reenact sections 16-20-08 and 16-20-09 of the North Dakota Century Code, relating to prohibiting labor organizations, occupational and professional associations, farm organizations, and cooperative associations from using funds in political campaigns.

To Senate, 694  
 First reading, 719  
 Referred to Committee on Judiciary  
 Reported back, do pass, 897  
 Second reading, 932  
 Passed, 933  
 Returned to House, 962, 1013  
 Senate requests return, 969  
 Returned, 979  
 Motion to reconsider lost, 981  
 Received from House, 1331  
 Signed by President 1337  
 Returned to House, 1342

**House Bill No. 1432**

**House Bill No. 1432.** A Bill for an Act to amend and reenact section 36-13-03 of the North Dakota Century Code, relating to the sale of unclaimed estrays.

To Senate, 411  
 First reading, 414



Referred to Committee on Judiciary  
 Reported back, do pass, 730  
 Second reading, 768  
 Passed, 768  
 Returned to House, 786  
 Received from House, 965  
 Signed by President, 991  
 Returned to House, 991

#### House Bill No. 1434

**House Bill No. 1434.** 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 engrossing and enrolling of legislative measures.

To Senate, 496  
 First reading, 524  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 897  
 Committee report for indefinite postponement, 918 not adopted  
 Second reading, 1011  
 Passed, 1011  
 Returned to House, 1094  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1436

**House Bill No. 1436.** A Bill for an Act to amend and reenact subsections 2 and 3 of section 40-40-06 of the North Dakota Century Code, relating to notice of municipal preliminary budget statements.

To Senate, 434  
 First reading, 436  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 823  
 Second reading, 857  
 Passed, 857  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

#### House Bill No. 1437

**House Bill No. 1437.** A Bill for an Act to amend and reenact section 49-18-04 of the North Dakota Century Code, relating to contract motor carriers.

To Senate, 455  
 First reading, 462  
 Referred to Committee on Transportation  
 Reported back, do pass, 730  
 Second reading, 777  
 Passed, 778  
 Returned to House, 811  
 Received from House, 965  
 Signed by President, 991  
 Returned to House, 991

**House Bill No. 1438**

**House Bill No. 1438.** A Bill for an Act to amend and reenact section 54-52-05, the last paragraph of section 54-52-10, and sections 54-52-11 and 54-52-18 of the North Dakota Century Code, relating to the public employees' retirement system, to employees' interests in their contributions, and to the fee for membership in the system.

To Senate, 396

First reading, 403

Referred to Committee on State & Federal Government

Reported back, indefinitely postponed, 775

Committee report for indefinite postponement, 792 adopted

Returned to House, indefinitely postponed, 835

**House Bill No. 1439**

**House Bill No. 1439.** A Bill for an Act to amend and reenact section 40-18-06 of the North Dakota Century Code, relating to salaries for municipal judges.

To Senate, 411

First reading, 414

Referred to Committee on Judiciary

Reported back, do pass, 753

Second reading, 807

Passed, 808

Returned to House, 834

Received from House, 990

Signed by President, 1016

Returned to House, 1016

**House Bill No. 1440**

**House Bill No. 1440.** A Bill for an Act to create and enact a new section to chapter 15-29, and 7 new subsections to section 15-29-09 of the North Dakota Century Code, relating to legislative intent and the duties of the clerks of public school districts; to amend and reenact subsection 1 of section 11-14-13 and sections 11-14-14, 11-14-15, 15-18-06, 15-29-03, 15-29-04, 15-29-11, 15-29-13, 15-44-04, 15-44-05, 15-44-09, 15-47-05, 15-47-08, 15-47-21, 15-49-05, 15-49-06, 15-55-19, subsection 2 of section 21-01-01, and sections 21-03-40 and 54-10-15 of the North Dakota Century Code, relating to duties of the treasurers and clerks of public school districts.

To Senate, 521

First reading, 569

Referred to Committee on Education

Reported back, amended, 1032-1037

Amendments adopted, 1053, 1133

Second reading, 1132, 1133

Amended from floor, 1132

Passed, 1133

Returned to House, amended, 1188

Conference Committee, 1239, 1255

Conference Committee dismissed, 1308

House concurs, 1308

House does not concur, 1239

House reconsiders, 1308

Received from House, 1469

Signed by President, 1471

Returned to House, 1473

**House Bill No. 1442**

**House Bill No. 1442.** A Bill for an Act to repeal section 40-14-07 of the North Dakota Century Code, relating to holding of other offices by city auditor.

To Senate, 434  
First reading, 436  
Referred to Committee on Political Subdivision  
Reported back, do pass, 823  
Second reading, 857  
Passed, 857  
Returned to House, 886  
Received from House, 1110  
Signed by President, 1111  
Returned to House, 1112

**House Bill No. 1443**

**House Bill No. 1443.** A Bill for an Act to create a department of human services; to direct a legislative council study of the structure of such a department; providing a delayed effective date; and providing an appropriation.

To Senate, 699  
First reading, 745  
Referred to Committee on Social Welfare & Veteran's Affairs  
Reported back, indefinitely postponed, 1038  
Committee report for indefinite postponement, 1055 adopted  
Returned to House, indefinitely postponed, 1151

**House Bill No. 1444**

**House Bill No. 1444.** A Bill for an Act to amend and reenact subsection 6 of section 57-02-11 of the North Dakota Century Code, relating to annual assessments of real property.

To Senate, 474  
First reading, 524  
Referred to Committee on Finance & Taxation  
Reported back, indefinitely postponed, 975  
Committee report for indefinite postponement, 996 adopted  
Returned to House, indefinitely postponed, 1095

**House Bill No. 1445**

**House Bill No. 1445.** A Bill for an Act to amend and reenact sections 40-08-07 and 40-09-06 of the North Dakota Century Code, relating to compensation of aldermen and city commissioners.

To Senate, 411  
First reading, 414  
Referred to Committee on State & Federal Government  
Reported back, do pass, 775  
Second reading, 808  
Passed, 808  
Returned to House, 834  
Received from House, 1110  
Signed by President, 1111  
Returned to House, 1112

**House Bill No. 1447**

**House Bill No. 1447.** A Bill for an Act to amend and reenact section 65-

04-01 of the North Dakota Century Code, as contained in section 11 of senate bill no. 2124 of the forty-fourth legislative assembly, relating to classification of employments by the workmen's compensation bureau.

To Senate, 722  
 First reading, 771  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 1005  
 Committee report for indefinite postponement, 1025 adopted  
 Returned to House, indefinitely postponed, 1108

**House Bill No. 1452**

**House Bill No. 1452.** A Bill for an Act to amend and reenact sections 11-10-15, 11-15-12, 15-22-05, 23-03-06, 58-06-02, 58-07-01, 58-08-01, and 58-09-02 of the North Dakota Century Code, relating to the mileage rate for county officials, sheriff's mileage, mileage rate for the county superintendent of schools, mileage rate of county board of health members and mileage rate for township supervisors, clerks, treasurers, and assessors; and declaring an emergency.

To Senate, 396  
 First reading, 403  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 797-798  
 Amendments adopted, 815  
 Second reading, 857  
 Passed, 858  
 Emergency carried, 858  
 Returned to House, amended, 886  
 Conference Committee, 888, 910  
 Conference Committee discharged, 1150  
 House concurs, 1150  
 House does not concur, 888  
 Reconsidered, 1150  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

**House Bill No. 1454**

**House Bill No. 1454.** A Bill for an Act to amend and reenact sections 54-46-08 and 54-46-08.1 of the North Dakota Century Code, relating to preservation and destruction of records.

To Senate, 396  
 First reading, 403  
 Referred to Committee on State & Federal Government  
 Reported back, indefinitely postponed, 775  
 Committee report for indefinite postponement, 793 adopted  
 Returned to House, indefinitely postponed, 835

**House Bill No. 1456**

**House Bill No. 1456.** A Bill for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to membership of the state board of higher education.

To Senate, 521  
 First reading, 569  
 Referred to Committee on Education  
 Reported back, indefinitely postponed, 730

Committee report for indefinite postponement, 751 adopted  
Returned to House, 786 indefinitely postponed

**House Bill No. 1458**

**House Bill No. 1458.** A Bill for an Act to provide an appropriation of federal funds for the restoration of Oxford House at the university of North Dakota.

To Senate, 612  
First reading, 665  
Referred to Committee on Appropriations  
Reported back, amended, 897-898  
Amendments adopted, 916  
Second reading, 977  
Passed, 978  
Returned to House, amended, 1049  
House concurs, 1095  
Received from House, 1381  
Signed by President, 1382  
Returned to House, 1383

**House Bill No. 1459**

**House Bill No. 1459.** A Bill for an Act to amend and reenact section 15-47-05 of the North Dakota Century Code relating to qualifications of school electors and officers.

To Senate, 496  
First reading, 524  
Referred to Committee on Education  
Reported back without recommendation, 924  
Reported back, do pass, 775  
Re-referred to Committee on Education, 816  
Second reading, 808, 978  
Lost, 808, 979  
Returned to House, indefinitely postponed, 1050  
Reconsidered, 816

**House Bill No. 1460**

**House Bill No. 1460.** A Bill for an Act to create and enact two new sections to chapter 40-45 and two new sections to chapter 40-46 of the North Dakota Century Code, relating to cost of living increases or decreases through the police pension fund and the city employees' pension fund.

To Senate, 612  
First reading, 665  
Referred to Committee on Political Subdivisions  
Reported back, do pass, 1038  
Amendments adopted, 1129  
Second reading, 1129, 1130  
Amended from floor, 1130  
Passed, 1130  
Returned to House, amended, 1188  
House concurs, 1240  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

**House Bill No. 1461**

**House Bill No. 1461.** A Bill for an Act to amend and reenact sections 27-

15-01, 27-15-02, and 27-15-10 of the North Dakota Century Code, relating to additional memberships on the judicial Council, and providing for the term of office and compensation for such additional members.

To Senate, 496  
 First reading, 524  
 Referred to Committee on Judiciary  
 Reported back, amended, 798  
 Amendments adopted, 815  
 Second reading, 858  
 Passed, 858  
 Returned to House, amended, 886  
 Conference Committee, 888, 910  
 Conference Committee report, 1319, 1329  
 Senate adopts, 1319, 1329  
 House does not concur, 888  
 Returned to House, 1342  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1463**

**House Bill No. 1463.** A Bill for an Act to amend and reenact subsection 1 of section 43-17-02 of the North Dakota Century Code, relating to persons exempt from provisions of chapter.

To Senate, 612  
 First reading, 665  
 Referred to Committee on Education  
 Reported back, do pass, 975  
 Second reading, 1047  
 Passed, 1047  
 Returned to House, 1108  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

**House Bill No. 1464**

**House Bill No. 1464.** A Bill for an Act to provide that all dead end roads and roads having an intersection on the state or county road systems have an approach or safety road.

To Senate, 612  
 First reading, 665  
 Referred to Committee on Transportation  
 Reported back, amended, 1005  
 Amendments adopted, 1024  
 Second reading, 1107  
 Passed, 1107  
 Returned to House, amended, 1187  
 House concurs, 1240  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1465**

**House Bill No. 1465.** A Bill for an Act to create the office of public defender, to establish districts, qualifications, powers and duties, methods of selection, and tenure; and to provide for an appropriation.

To Senate, 722  
 First reading, 771  
 Referred to Committee on Judiciary  
 Reported back, do pass, 975  
 Reported back, indefinitely postponed, 1072  
 Committee report for indefinite postponement, 1100 adopted  
 Re-referred to Committee on Appropriations, 975  
 Returned to House, indefinitely postponed, 1187

#### House Bill No. 1466

**House Bill No. 1466.** A Bill for an Act to amend and reenact section 27-18-03 of the North Dakota Century Code, relating to compensation of county justices.

To Senate, 434  
 First reading, 436  
 Referred to Committee on Judiciary  
 Reported back, do pass, 753  
 Second reading, 808  
 Passed, 809  
 Returned to House, 834  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

#### House Bill No. 1468

**House Bill No. 1468.** A Bill for an Act to provide for a conditional transfer of funds to a state capital construction fund, and providing an appropriation for the construction, additions to, remodeling, and equipping of buildings at state agencies, departments, and institutions.

To Senate, 722  
 First reading, 771  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 1005  
 Committee report for indefinite postponement, failed, 1119  
 Placed on Calendar, 1119  
 Amendments adopted, 1226  
 Second reading, 1222, 1249, 1435  
 Clincher motion, 1249, 1436  
 Amended from floor, 1222-1224  
 Passed, 1249, 1436  
 Returned to House, amended, 1256  
 Conference Committee, 1312, 1404, 1405, 1425, 1432  
 Conference Committee report, 1423-1425, 1433-1435  
 Senate adopts, 1435  
 Not adopted, 1425  
 House does not adopt, 1404  
 House adopts, 1422, 1433  
 House does not concur, 1312  
 Returned to House, 1445  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1469

**House Bill No. 1469.** A Bill for an Act to create and enact a new section to chapter 10-21 of the North Dakota Century Code, relating to involuntary

dissolution of a corporation by the secretary of state; to amend and reenact sections 10-21-13 and 10-21-14 of the North Dakota Century Code, relating to involuntary dissolution of a corporation by court decree in an action filed by the attorney general and to notifying the attorney general of all corporations which failed to file annual reports; and to repeal section 10-23-03.1 of the North Dakota Century Code, relating to corporations that fail to file annual reports.

To Senate, 663  
 First reading, 695  
 Referred to Committee on Judiciary  
 Reported back, do pass, 868  
 Second reading, 908  
 Passed, 909  
 Returned to House, 935  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

#### House Bill No. 1471

**House Bill No. 1471.** A Bill for an Act to amend and reenact subsection 8 of section 57-40.3-01 and section 57-40.3-07 of the North Dakota Century Code, relating to the exemption from the motor vehicle excise tax for motor vehicles, the registration of which is transferred because of business reorganizations.

To Senate, 612  
 First reading, 665  
 Referred to Committee on Transportation  
 Reported back, do pass, 946  
 Second reading, 1011  
 Passed, 1011  
 Returned to House, 1094  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1472

**House Bill No. 1472.** A Bill for an Act to amend and reenact sections 16-04-02 and 16-04-04 of the North Dakota Century Code, relating to the filing dates for candidates' petitions.

To Senate, 521  
 First reading, 569  
 Referred to Committee on Judiciary  
 Reported back, amended, 753-754  
 Amendments adopted, 776  
 Second reading, 809  
 Passed, 809  
 Returned to House, amended, 835  
 House concurs, 936  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

#### House Bill No. 1473

**House Bill No. 1473.** A Bill for an Act to amend and reenact section 43-29-11 of the North Dakota Century Code, relating to the disposition of fees



collected by the North Dakota state board of veterinary medical examiners.

To Senate, 434  
 First reading, 436  
 Referred to Committee on Appropriations  
 Reported back, do pass, 868  
 Second reading, 909  
 Passed, 909  
 Returned to House, 935  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

#### House Bill No. 1474

**House Bill No. 1474.** A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a final deadline date for any taxing district to amend its current budget.

To Senate, 455  
 First reading, 462  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 823  
 Second reading, 858  
 Passed, 858  
 Returned to House, 886  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

#### House Bill No. 1475

**House Bill No. 1475.** A Bill for an Act to provide for the licensing of food vending machines and the revocation of such licenses by the state laboratories department, to provide for the promulgation of rules and regulations, and to provide for the inspection of vending machines.

To Senate, 664  
 First reading, 696  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 823  
 Second reading, 858  
 Passed, 859  
 Returned to House, 886  
 Received from House, 960  
 Signed by President, 961  
 Returned to House, 969

#### House Bill No. 1477

**House Bill No. 1477.** A Bill for an Act to amend and reenact sections 35-09-01, 35-09-02, 35-09-03, and 35-09-04 of the North Dakota Century Code, relating to fertilizer, farm chemicals, and seed liens, procedure to obtain lien, priority of lien, and penalty for wrongful use of fertilizer, farm chemicals, and seed.

To Senate, 474  
 First reading, 524  
 Referred to Committee on Agriculture  
 Reported back, indefinitely postponed, 924

Committee report for indefinite postponement, 943 not adopted  
 Placed on Calendar, 943  
 Amendments adopted, 1012  
 Second reading, 1011, 1012  
 Amended from floor, 1011-1012  
 Passed, 1012  
 Returned to House, amended, 1094  
 House concurs, 1115  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1478

**House Bill No. 1478.** A Bill for an Act to amend and reenact sections 4-18.1-04, 4-18.1-07 (1), and 4-18.1-12 of the North Dakota Century Code, relating to the membership of the milk stabilization board, regulation of dairy farmer prices for all grade A milk, the amount of assessments for administration of the board.

To Senate, 722  
 First reading, 771  
 Referred to Committee on Agriculture  
 Reported back, amended, 946  
 Reported back, indefinitely postponed, 1072  
 Re-referred to Committee on Appropriations, 968  
 Committee report for indefinite postponement, 1101, not adopted  
 Placed on Calendar, 1101  
 Amendments adopted, 968, 1178, 1264  
 Second reading, 1178, 1179, 1216, 1264  
 Amended from floor, 1178, 1264  
 Clincher motion, 1265  
 Passed, 1179, 1265  
 Lost, 1217  
 Returned to House, 1294  
 House concurs, 1320  
 Reconsidered, 1216, 1264  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1479

**House Bill No. 1479.** A Bill for an Act to amend and reenact section 37-25-10 of the North Dakota Century Code, relating to the time limit for filing or receiving applications for the Vietnam bonus.

To Senate, 377  
 First reading, 385  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, do pass, 622  
 Second reading, 778  
 Passed, 778  
 Returned to House, 811  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

#### House Bill No. 1482

**House Bill No. 1482.** A Bill for an Act to amend and reenact sections 43-17-31 and 43-17-32 of the North Dakota Century Code, relating to refusal to

license or revocation of a physician's license by the state board of medical examiners, and appeal therefrom.

To Senate, 612  
 First reading, 665  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, do pass, 823  
 Amendments adopted, 980  
 Second reading, 859, 980  
 Amended from floor, 980  
 Passed, 859, 980  
 Returned to House, 886  
 Returned to House, amended, 1049  
 House concurs, 1095  
 Senate requests return, 967  
 Returned, 979  
 Reconsidered, 979  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1484

**House Bill No. 1484.** A Bill for an Act to create and enact subsection 10 of section 43-17-02 of the North Dakota Century Code, relating to the exemption of persons from the license requirements of the chapter.

To Senate, 699  
 First reading, 746  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, amended, 924  
 Amendments adopted, 941, 1012  
 Second reading, 1012, 1330  
 Amended from floor, 1012  
 Passed, 1013, 1330  
 Returned to House, amended, 1094  
 Conference Committee, 1150, 1153  
 Conference Committee report, 1319, 1329  
 House adopts 1319 1330  
 House does not concur, 1150  
 Returned to House, 1342  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1485

**House Bill No. 1485.** A Bill for an Act to amend and reenact section 40-48-20 of the North Dakota Century Code, relating to the requirements of subdivision regulations adopted by a city planning commission.

To Senate, 455  
 First reading, 462  
 Referred to Committee on Political Subdivision  
 Reported back, indefinitely postponed, 823  
 Committee report for indefinite postponement, 841 adopted  
 Returned to House, indefinitely postponed, 911

#### House Bill No. 1486

**House Bill No. 1486.** A Bill for an Act to provide that district courts may assign certain duties to juvenile supervisors; and to create and enact a

new subdivision to subsection 1 of section 27-20-06 of the North Dakota Century Code, relating to the powers and duties of juvenile supervisors.

To Senate, 496  
 First reading, 524  
 Referred to Committee on Judiciary  
 Reported back, do pass, 731  
 Second reading, 778  
 Passed, 779  
 Returned to House, 811  
 Received from House, 965  
 Signed by President, 991  
 Returned to House, 991

**House Bill No. 1488**

**House Bill No. 1488.** A Bill for an Act to amend and reenact sections 43-05-01, 43-05-02, 43-05-03, 43-05-09, 43-05-10, 43-05-11, 43-05-12, 43-05-14, 43-05-15, 43-05-16, and 43-05-17 of the North Dakota Century Code, relating to definitions of podiatrists, and providing a penalty.

To Senate, 496  
 First reading, 524  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, amended, 824  
 Amendments adopted, 839  
 Second reading, 901  
 Passed, 901  
 Returned to House, amended, 935  
 Conference Committee, 964, 965  
 Conference Committee report, 1319, 1330  
 House adopts 1319  
 Senate adopts, 1330  
 House does not concur, 964  
 Returned to House, 1342  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

**House Bill No. 1489**

**House Bill No. 1489.** A Bill for an Act to amend and reenact subsection 9 of section 57-40.3-01 of the North Dakota Century Code, relating to trade-in value allowed.

To Senate, 612  
 First reading, 665  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 798  
 Committee report for indefinite postponement, 817 adopted  
 Returned to House, indefinitely postponed, 860

**House Bill No. 1490**

**House Bill No. 1490.** A Bill for an Act to create and enact a section of chapter 15-52 of the North Dakota Century Code relating to admission of students to the school of medicine at the university of North Dakota.

To Senate, 411  
 First reading, 414  
 Referred to Committee on Education  
 Reported back, do pass, 731

Second reading, 779  
Passed, 779  
Returned to House, 811  
Received from House, 965  
Signed by President, 991  
Returned to House, 991

#### House Bill No. 1492

**House Bill No. 1492.** A Bill for an Act to authorize the designation of areas for smoking or nonsmoking of tobacco products in publicly owned buildings, and to provide a penalty.

To Senate, 664  
First reading, 696  
Referred to Committee on Social Welfare & Veteran's Affairs  
Reported back, do pass, 824  
Second reading, 885  
Passed, 885  
Returned to House, 911  
Received from House, 1148  
Signed by President, 1148  
Returned to House, 1148

#### House Bill No. 1495

**House Bill No. 1495.** A Bill for an Act to create and enact a new section to chapter 40-11 and a new section to chapter 58-03 of the North Dakota Century Code, relating to sale of real property by municipalities and townships; and to amend and reenact section 40-11-04 of the North Dakota Century Code, relating to a municipal ordinance required for transferring property.

To Senate, 664  
First reading, 696  
Referred to Committee on Political Subdivision  
Reported back, do pass, 975  
Amendments adopted, 1047  
Second reading, 1047  
Amended from floor, 1047  
Passed, 1048  
Returned to House, amended, 1108  
House concurs, 1150  
Received from House, 1448  
Signed by President, 1448  
Returned to House, 1449

#### House Bill No. 1496

**House Bill No. 1496.** A Bill for an Act to provide for an identification card; and providing a penalty.

To Senate, 612  
First reading, 665  
Referred to Committee on Judiciary  
Reported back, do pass, 868  
Second reading, 909  
Passed, 909  
Returned to House, 935  
Received from House, 1148

Signed by President, 1148  
 Returned to House, 1148

#### House Bill No. 1497

**House Bill No. 1497.** A Bill for an Act to amend and reenact section 23-13-02 of the North Dakota Century Code, providing for self-service gasoline pumps.

To Senate, 699  
 First reading, 746  
 Referred to Committee on Transportation  
 Reported back, do pass, 947  
 Second reading, 1013  
 Lost, 1013  
 Returned to House, indefinitely postponed, 1095

#### House Bill No. 1499

**House Bill No. 1499.** A Bill for an Act to create and enact a new subsection to section 40-38-04 of the North Dakota Century Code, relating to employment of personnel for a public library; and to amend and reenact section 40-38-03 of the North Dakota Century Code, relating to appointment of the board of directors of a public library.

To Senate, 496  
 First reading, 525  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 824  
 Amendments adopted, 839  
 Second reading, 901  
 Passed, 901  
 Returned to House, amended, 935  
 House concurs, 1095  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

#### House Bill No. 1502

**House Bill No. 1502.** A Bill for an Act to amend and reenact section 50-01-07 of the North Dakota Century Code, relating to appointment of non-county commissioner members to county welfare boards.

To Senate, 455  
 First reading, 462  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, indefinitely postponed, 824  
 Committee report for indefinite postponement, 841 adopted  
 Second reading, 874  
 Passed, 874  
 Returned to House, 911  
 Reconsidered, 874  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

#### House Bill No. 1506

**House Bill No. 1506.** A Bill for an Act making an appropriation to the North Dakota legislative council for the purposes of conducting a phase one statewide commuter airline basic needs assessment study to be

followed by a phase two study to determine the North Dakota cities to be served, the cost of the service, and the route system, provided that the phase two study is conditioned on legislative council approval.

To Senate, 699  
 First reading, 746  
 Referred to Committee on Transportation  
 Reported back, do pass, 824, 1072  
 Re-referred to Committee on Appropriations, 824  
 Second reading, 1219  
 Clincher motion, 1219  
 Passed, 1219  
 Returned to House, 1257  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1507

**House Bill No. 1507.** A Bill for an Act to amend and reenact section 11-11-28 of the North Dakota Century Code, relating to bidder's bond requirements.

To Senate, 496  
 First reading, 525  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 898  
 Second reading, 952  
 Passed, 953  
 Returned to House, 986  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

#### House Bill No. 1508

**House Bill No. 1508.** A Bill for an Act to amend and reenact subsection 1 of section 57-27-02 and section 57-28-03 of the North Dakota Century Code, relating to the contents of a notice of expiration of the period of redemption of lands sold by tax sale.

To Senate, 396  
 First reading, 404  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 754  
 Amendments adopted, 776  
 Second reading, 809  
 Passed, 809  
 Returned to House, amended, 835  
 House concurs, 936  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

#### House Bill No. 1509

**House Bill No. 1509.** A Bill for an Act to amend and reenact section 24-08-10 of the North Dakota Century Code, relating to allowing counties or municipalities to assist in constructing bridges.

To Senate, 664  
 First reading, 696  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 1038  
 Amendments adopted, 1053  
 Second reading, 1133  
 Passed, 1133  
 Returned to House, amended, 1188  
 Conference Committee, 1239, 1255  
 Conference Committee report, 1355  
 House concurs, 1239  
 Senate adopts 1356  
 House adopts, 1352  
 Returned to House, 1363  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473.

#### House Bill No. 1512

**House Bill No. 1512.** A Bill for an Act to amend and reenact Sections 39-24-03 and 39-24-05 of the North Dakota Century Code, relating to snowmobile registration fees and the disposition of same.

To Senate, 455  
 First reading, 462  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 622  
 Committee report for indefinite postponement, 725 adopted  
 Returned to House, 769

#### House Bill No. 1514

**House Bill No. 1514.** A Bill for an Act to provide for expenditure of foundation program funds for state matching funds for school lunch programs; and to repeal section 15-54-07 of the North Dakota Century Code, relating to restrictions on the expenditure of state funds.

To Senate, 699  
 First reading, 746  
 Referred to Committee on Appropriations  
 Reported back, indefinitely postponed, 1072  
 Committee report for indefinite postponement, failed, 1119  
 Placed on Calendar, 1119  
 Amendments adopted, 1220  
 Second reading, 1219, 1220  
 Amended from floor, 1220  
 Passed, 1220  
 Clincher motion, 1220  
 Returned to House, amended, 1257  
 Conference Committee, 1280, 1291  
 House adopts, 1352  
 House does not concur, 1279  
 Returned to House, 1363  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1515

**House Bill No. 1515.** A Bill for an Act to create and enact new sections to chapter 50-24.1 of the North Dakota Century Code, relating to the



provision of remedial eye care, recovery from estates of medical assistance recipients, and inapplicability of statute of limitations to claims; to amend and reenact section 50-24.1-02 of the North Dakota Century Code, relating to persons eligible for the receipt of medical assistance; and to repeal section 50-09-05 of the North Dakota Century Code, relating to durational residency requirements for the receipt of aid to dependent children.

To Senate, 612  
 First reading, 665  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, do pass, 825, 1072  
 Re-referred to Committee on Appropriations, 825  
 Second reading, 1220  
 Clincher motion, 1221  
 Passed, 1220  
 Returned to House, 1257  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1516

**House Bill No. 1516.** A Bill for an Act to amend and reenact sections 27-08.1-01, 27-08.1-03, 27-08.1-04, 27-08.1-05, and 27-08.1-06 of the North Dakota Century Code, relating to the jurisdictional limits of the small claims court, the informal hearing, and the right to appeal.

To Senate, 434  
 First reading, 437  
 Referred to Committee on Judiciary  
 Reported back, amended, 798  
 Amendments adopted, 815  
 Second reading, 901, 1347  
 Passed, 902, 1347  
 Returned to House, amended, 935  
 Conference Committee, 964, 968  
 Conference Committee report, 1344, 1347  
 Senate adopts, 1347  
 House adopts, 1344  
 House does not concur, 964  
 Returned to House, 1363  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1517

**House Bill No. 1517.** A Bill for an Act to amend and reenact section 43-18-13 of the North Dakota Century Code, relating to the examination for a master or journeyman plumber's license.

To Senate, 699  
 First reading, 746  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 947  
 Second reading, 1041  
 Passed, 1041  
 Returned to House, 1108  
 Received from House, 1381

Signed by President, 1382  
Returned to House, 1383

**House Bill No. 1518**

**House Bill No. 1518.** A Bill for an Act to create and enact the Retail Theft Act; to provide civil penalties; and to repeal section 29-06-27 of the North Dakota Century Code, relating to the powers and duties of peace officers and merchants with respect to shoplifters.

To Senate, 699  
First reading, 746  
Referred to Committee on Judiciary  
Reported back, amended, 1005  
Amendments adopted, 1024  
Second reading, 1107  
Passed, 1107  
Returned to House, amended, 1187  
House concurs, 1240  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

**House Bill No. 1519**

**House Bill No. 1519.** "A Bill for an Act to provide for the preferential assessment of agricultural lands, and to provide for the reclassification of agricultural lands if there is a change in use."

To Senate, 722  
First reading, 772  
Referred to Committee on Finance & Taxation  
Reported back, amended, 1072-1074  
Amendments adopted, 1098  
Second reading, 1182  
Lost, 1182  
Returned to House, indefinitely postponed, 1257

**House Bill No. 1521**

**House Bill No. 1521.** A Bill for an Act to provide for the definition of an employer, employee, and workstation in a vocational training or work evaluation program; to provide for coverage for vocational training or work evaluation programs and the determination of premium; to provide for benefits for participants in a vocational training or work evaluation program; and relating to the liability of the employer; and declaring an emergency.

To Senate, 411  
First reading, 414  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 1006  
Second reading, 1085  
Passed, 1085  
Emergency carried, 1085  
Returned to House, 1151  
Received from House, 1448  
Signed by President, 1448  
Returned to House, 1449

**House Bill No. 1526**

**House Bill No. 1526.** A Bill for an Act to amend and reenact subdivision i of subsection 1 of section 57-38-01.2 and subdivision g of subsection 1 of

section 57-38-01.3 of the North Dakota Century Code, relating to the limitation of the amount of dividends received by a taxpayer that will be exempt from North Dakota income tax; and providing for an effective date.

To Senate, 664

First reading, 696

Referred to Committee on Finance & Taxation

Reported back, indefinitely postponed, 975

Committee report for indefinite postponement, 997 adopted

Returned to House, indefinitely postponed, 1095

#### House Bill No. 1527

**House Bill No. 1527.** A Bill for an Act to establish a special trust fund from the undivided profits of the Bank of North Dakota for the purpose of making low-interest loans for construction of space or water heating systems utilizing solar energy or waste products, or for construction of wind-driven electrical power generating units, and providing for the administration of the loan program by the Bank of North Dakota.

To Senate, 722

First reading, 772

Referred to Committee on Industry, Business & Labor

Reported back, do pass, 947

Amendments adopted, 1042

Second reading, 1041, 1042

Amended from floor, 1042

Lost, 1043

Returned to House, indefinitely postponed, 1108

#### House Bill No. 1528

**House Bill No. 1528.** A Bill for an Act to provide for disclosure of interests by candidates for election to statewide, local, or legislative offices and by certain persons appointed to office by the governor, and to provide a penalty.

To Senate, 699

First reading, 746

Referred to Committee on State & Federal Government

Reported back, amended, 924-926

Amendments adopted, 942

Second reading, 1043

Passed, 1043

Returned to House, amended, 1108

House concurs, 1240

Received from House, 1469

Signed by President, 1471

Returned to House, 1473

#### House Bill No. 1530

**House Bill No. 1530.** A Bill for an Act to amend and reenact sections 25-04-05, 25-09-02, 25-09-02.2, 25-09-03, 25-09-04, 25-09-04.1, 25-09-05, 25-09-06, subsection 1 of section 25-09-07, and section 25-09-10 of the North Dakota Century Code, relating to provisions for the charging of expenses for care and treatment of patients of the Grafton state school; and to repeal sections 25-09-03.1 and 25-09-11.1 of the North Dakota Century Code, relating to claims against estates of responsible relatives and reduction of claims against responsible relatives.

To Senate, 699  
 First reading, 746  
 Referred to Committee on Social Welfare & Veteran's Affairs  
 Reported back, do pass, 926  
 Reported back, indefinitely postponed, 1074  
 Committee report for indefinite postponement, 1002 not adopted  
 Placed on Calendar, 1102  
 Re-referred to Committee on Appropriations, 926  
 Second reading, 1221  
 Passed, 1221  
 Clincher motion, 1221  
 Returned to House, 1257  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1531

**House Bill No. 1531.** A Bill for an Act to provide for the design and issuance of number plates commemorating the 1976 American revolution bicentennial.

To Senate, 722  
 First reading, 772  
 Referred to Committee on Transportation  
 Reported back, do pass, 926  
 Reported back, indefinitely postponed, 1075  
 Committee report for indefinite postponement, 1102 adopted  
 Re-referred to Committee on Appropriations, 926  
 Returned to House, indefinitely postponed, 1187

#### House Bill No. 1532

**House Bill No. 1532.** A Bill for an Act to create and enact section 23-18.1-01 of the North Dakota Century Code, relating to the authorization to establish tax-supported county clinic associations; and to amend and reenact sections 23-18-02, 23-18-04, 23-18-05, 23-18-06, 23-18-07, and 23-18-08 of the North Dakota Century Code, relating to the form of ballot used to authorize a county hospital association, the handling of the tax revenue of the mill levy for a county hospital association, the disbursement of county hospital association funds, authorization of receipt of donations for such association, the sale or disposal of the hospital building of the hospital association, and the limitation on the number of county hospital associations organized under chapter 23-18, and providing for an emergency.

To Senate, 664  
 First reading, 696  
 Referred to Committee on Political Subdivision  
 Reported back, do pass, 976  
 Second reading, 1048  
 Passed, 1048  
 Emergency carried, 1048  
 Returned to House, 1108  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1534

**House Bill No. 1534.** A Bill for an Act to amend and reenact the introductory paragraph of section 24-17-03, and to amend and reenact

section 24-17-05 of the North Dakota Century Code, relating to control of outdoor advertising adjacent to highways.

To Senate, 699  
 First reading, 746  
 Referred to Committee on Transportation  
 Reported back, amended, 947  
 Amendments not adopted, 1024  
 Amended from floor and adopted, 1024  
 Second reading, 1045  
 Clincher motion, 1045  
 Passed, 1045  
 Returned to House, amended, 1045  
 House concurs, 1240  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1537

**House Bill No. 1537.** A Bill for an Act to provide for the sale of land belonging to the school for the deaf to Devils Lake public school district no. 1, and declaring an emergency.

To Senate, 521  
 First reading, 570  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 798-799  
 Amendments adopted, 815  
 Second reading, 902  
 Passed, 902  
 Emergency carried, 902  
 Returned to House, amended, 935  
 House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1539

**House Bill No. 1539.** A Bill for an Act to provide for the creation of a North Dakota home mortgage fund and the issuance of revenue bonds and notes for the financing thereof.

To Senate, 699  
 First reading, 747  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 947  
 Committee report for indefinite postponement, 971 adopted  
 Returned to House, indefinitely postponed, 1050

#### House Bill No. 1541

**House Bill No. 1541.** A Bill for an Act to provide for the liability of political subdivisions, to set limitations upon such liability, to establish a political subdivisions liability fund and to limit the liability of the fund, to provide for notice and a statute of limitations, to provide a procedure for making payments from the fund for claims and judgments against political subdivisions, to allow the attorney general to administer and defend the fund, to authorize the state and political subdivisions to purchase insurance coverage, to declare legislative intent, to provide an

appropriation, to declare an emergency and to provide an expiration date.

To Senate, 699  
 First reading, 747  
 Referred to Committee on Political Subdivision  
 Reported back, amended, 1075  
 Amendments adopted, 1098  
 Second reading, 1126, 1408  
 Clincher motion 1408  
 Passed, 1126, 1408  
 Emergency carried, 1126  
 Returned to House, amended, 1188  
 Conference Committee, 1239, 1255, 1272  
 Conference Committee report, 1356-1360  
 Re-referred to Committee on Appropriations, 1360  
 Reported back, do pass, 1407  
 Senate adopts, 1407  
 House adopts, 1352  
 House does not concur, 1239  
 Returned to House, 1408  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1473

#### House Bill No. 1542

**House Bill No. 1542.** A Bill for an Act to create and enact section 6-09-34 of the North Dakota Century Code, to create the authority in the Bank of North Dakota to establish electronic fund transfer services to customers of the Bank of North Dakota and of all state and federally chartered banks and other financial institutions otherwise authorized to utilize the services of electronic fund transfer systems.

To Senate, 411  
 First reading, 414  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 845  
 Second reading, 902  
 Passed, 903  
 Returned to House, 935  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1148

#### House Bill No. 1543

**House Bill No. 1543.** A Bill for an Act to create and enact new sections to chapter 50-22 and to amend and reenact sections 50-22-01, 50-22-02, and 50-22-05 of the North Dakota Century Code, relating to registration of charitable organizations, professional fund raising counsel, and professional solicitors; and providing a penalty.

To Senate, 612  
 First reading, 665  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 845  
 Second reading, 903  
 Passed, 903  
 Returned to House, 935  
 Received from House, 1152

Signed by President, 1186  
Returned to House, 1186

#### House Bill No. 1544

**House Bill No. 1544.** A Bill for an Act to amend and reenact section 6-03-60 of the North Dakota Century Code, relating to loans to and purchases from bank directors, officers and employees, and providing a penalty.

To Senate, 496  
First reading, 525  
Referred to Committee on Industry, Business & Labor  
Reported back, do pass, 845  
Second reading, 903  
Passed, 903  
Returned to House, 935  
Received from House, 1148  
Signed by President, 1148  
Returned to House, 1148

#### House Bill No. 1546

**House Bill No. 1546.** A Bill for an Act to provide for the licensure of audiologists and speech pathologists, and providing a penalty.

To Senate, 569  
First reading, 613  
Referred to Committee on Industry, Business & Labor  
Reported back, amended, 947-948  
Amendments adopted, 968  
Second reading, 1048  
Passed, 1049  
Returned to House, amended, 1108  
House concurs, 1150  
Received from House, 1448  
Signed by President, 1448  
Returned to House, 1449

#### House Bill No. 1549

**House Bill No. 1549.** A Bill for an Act to create and enact a new section to chapter 57-56 of the North Dakota Century Code to provide for a separate and additional tax on the sale of aviation gasoline used by aircraft, and providing for the distribution of the proceeds.

To Senate, 699  
First reading, 747  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 1038  
Second reading, 1107  
Passed, 1108  
Returned to House, 1187  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

#### House Bill No. 1552

**House Bill No. 1552.** A Bill for an Act to create and enact new subsections to sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code, relating to exempting artificial devices individually designed for handicapped persons from the sales and use taxes.

To Senate, 522  
 First reading, 570  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 910  
 Second reading, 953  
 Passed, 953  
 Returned to House, 986  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

**House Bill No. 1553**

**House Bill No. 1553.** A Bill for an Act to amend and reenact section 43-33-11 of the North Dakota Century Code, relating to the sale and fitting of hearing aids.

To Senate, 522  
 First reading, 570  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1006  
 Second reading, 1085  
 Passed, 1086  
 Returned to House, 1151  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

**House Bill No. 1554**

**House Bill No. 1554.** A Bill for an Act to amend and reenact section 15-53.1-02 of the North Dakota Century Code, relating to boundary changes in school districts.

To Senate, 522  
 First reading, 570  
 Referred to Committee on Education  
 Reported back, amended, 775  
 Amendments adopted, 791  
 Second reading, 903  
 Passed, 904  
 Returned to House, amended, 935  
 House concurs, 1085  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

**House Bill No. 1555**

**House Bill No. 1555.** A Bill for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, relating to the dissolution of school districts.

To Senate, 522  
 First reading, 570  
 Referred to Committee on Education  
 Reported back, amended, 845  
 Amendments adopted, 869  
 Second reading, 926  
 Passed, 926  
 Returned to House, amended, 963



House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

**House Bill No. 1561**

**House Bill No. 1561.** A Bill for an Act to create and enact a new subsection to section 19-03.1-37 of the North Dakota Century Code, relating to burden of proof — liabilities.

To Senate, 612  
 First reading, 666  
 Referred to Committee on Judiciary  
 Reported back, amended, 868  
 Amendments adopted, 890  
 Second reading, 953  
 Passed, 953  
 Returned to House, amended, 986  
 House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

**House Bill No. 1562**

**House Bill No. 1562.** A Bill for an Act to amend and reenact section 39-20-07 of the North Dakota Century Code, relating to interpretation of chemical tests.

To Senate, 612  
 First reading, 666  
 Referred to Committee on Judiciary  
 Reported back, amended, 868  
 Amendments not adopted, 890  
 Second reading, 953  
 Passed, 954  
 Returned to House, 986  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

**House Bill No. 1564**

**House Bill No. 1564.** A Bill for an Act to amend and reenact section 39-21-50 of the North Dakota Century Code, relating to the emblem required to be displayed by slow-moving vehicles and the penalty for failure to display such emblem.

To Senate, 496  
 First reading, 525  
 Referred to Committee on Transportation  
 Reported back, do pass, 731  
 Second reading, 779  
 Passed, 779  
 Returned to House, 811  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

**House Bill No. 1566**

**House Bill No. 1566.** 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 persons permitted to enter or remain on licensed premises while alcoholic beverages are being sold.

To Senate, 612

First reading, 666

Referred to Committee on Social Welfare & Veteran's Affairs

Reported back, amended, 948

Reported back, indefinitely postponed, 799

Committee report for indefinite postponement 818 adopted

Re-referred to Committee on Social Welfare & Veteran's Affairs, 874

Amendments adopted, 968

Second reading, 1049

Passed, 1049

Returned to House, indefinitely postponed, 860

Returned to House, amended, 1108

House concurs, 1150

Senate requests return, 886

Returned to Senate, 900

Reconsidered, 874

Received from House, 1448

Signed by President, 1448

Returned to House, 1449

**House Bill No. 1567.**

A Bill for an Act to provide for an appropriation for the construction of a heritage center.

To Senate, 722

First reading, 772

Referred to Committee on Appropriations

Reported back, indefinitely postponed, 1038

Committee report for indefinite postponement, 1057 adopted

Returned to House, indefinitely postponed, 1151

**House Bill No. 1569**

A Bill for an Act to amend and reenact sections 57-32-03, 57-33.1-05, 57-35-05, 57-35.1-05, 57-35.2-03, subsection 1 of section 57-37-16, subsection 5 of section 57-38-34, sections 57-38-36 and 57-51-10 of the North Dakota Century Code, relating to interest and penalty rates and providing for a standard rate.

To Senate, 411

First reading, 415

Referred to Committee on Finance & Taxation

Reported back, amended, 846

Amendments adopted, 869

Second reading, 927

Passed, 927

Returned to House, amended, 963

House concurs, 1095

Received from House, 1448

Signed by President, 1448

Returned to House, 1449

**House Bill No. 1570**

A Bill for an Act to amend and reenact subdivision c of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to the federal income tax as an adjustment to taxable income for individuals and fiduciaries; and providing for an effective date.

To Senate, 569

First reading, 613

Referred to Committee on Finance & Taxation

Reported back, do pass, 910

Second reading, 954

Passed, 954  
Returned to House, 986  
Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

#### House Bill No. 1572

**House Bill No. 1572.** A Bill for an Act to create and enact section 40-46-09.1 of the North Dakota Century Code, relating to service credit for employment with a city recreation commission for purposes of receipt of a city employee's pension.

To Senate, 612  
First reading, 666  
Referred to Committee on Political Subdivision  
Reported back, do pass, 948  
Second reading, 1087  
Passed, 1087  
Returned to House, 1151  
Received from House, 1448  
Signed by President, 1448  
Returned to House, 1449

#### House Bill No. 1574

**House Bill No. 1574.** A Bill for an Act to amend and reenact subsection 1 of section 51-17-05, subsection 3 of section 51-17-07, and sections 51-17-10 and 51-17-14 of the North Dakota Century Code, relating to qualifications under the Sale of Checks Act, bond required, annual license fee, and examination of books and records.

To Senate, 411  
First reading, 415  
Referred to Committee on Industry, Business & Labor  
Reported back, amended, 948  
Amendments adopted, 969  
Second reading, 1080  
Passed, 1080  
Returned to House, amended, 1145  
House concurs, 1272  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

#### House Bill No. 1576

**House Bill No. 1576.** A Bill for an Act to amend and reenact subsection 1 of section 39-16.1-07 of the North Dakota Century Code, relating to proof of financial responsibility upon certain revocations of drivers' licenses.

To Senate, 569  
First reading, 613  
Referred to Committee on Transportation  
Reported back, do pass, 731  
Reported back, amended, 948-949  
Re-referred to Committee on Transportation, 779  
Amendments adopted, 969  
Second reading, 1080  
Passed, 1080  
Returned to House, amended, 1145  
House concurs, 1308

Received from House, 1469  
Signed by President, 1471  
Returned to House, 1473

**House Bill No. 1577**

**House Bill No. 1577.** A Bill for an Act to amend and reenact subsection D of section 52-09-20 of the North Dakota Century Code, relating to the determination of the primary insurance benefit under the North Dakota old age and survivor insurance system.

To Senate, 612  
First reading, 666  
Referred to Committee on Social Welfare & Veterans Affairs  
Reported back, do pass, 825, 926  
Re-referred to Committee on Appropriations, 825  
Second reading, 984  
Passed, 984  
Returned to House, 1049  
Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

**House Bill No. 1578**

**House Bill No. 1578.** A Bill for an Act to provide for the creation of municipal steam heating authorities.

To Senate, 664  
First reading, 696  
Referred to Committee on Political Subdivisions  
Reported back, do pass, 1038  
Second reading, 1124  
Passed, 1125  
Returned to House, 1188  
Received from House, 1469  
Signed by President, 1471  
Returned to House, 1474

**House Bill No. 1579**

**House Bill No. 1579.** A Bill for an Act to amend and reenact section 57-38-36 of the North Dakota Century Code, relating to the payment of tax in quarterly installments and providing for an effective date.

To Senate, 434  
First reading, 437  
Referred to Committee on Finance & Taxation  
Reported back, amended, 754  
Amendments adopted, 776  
Second reading, 810  
Passed, 810  
Returned to House, amended, 835  
House concurs, 936  
Received from House, 1148  
Signed by President, 1148  
Returned to House, 1149

**House Bill No. 1580**

**House Bill No. 1580.** A Bill for an Act to create and enact a new section to chapter 5-02 of the North Dakota Century Code, to prohibit retail

alcoholic beverage licensees from accepting goods, chattels, or other personal property in exchange for alcoholic beverages, and providing a penalty.

To Senate, 612  
 First reading, 666  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 799  
 Second reading, 831  
 Passed, 832  
 Returned to House, 860  
 Received from House, 990  
 Signed by President, 1016  
 Returned to House, 1016

#### House Bill No. 1581

House Bill No. 1581. A Bill for an Act to amend and reenact section 40-22-15 of the North Dakota Century Code, relating to resolutions declaring improvements necessary and to require the publication of maps of special assessment districts.

To Senate, 496  
 First reading, 525  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 976  
 Second reading, 1080  
 Passed, 1081  
 Returned to House, 1152  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

#### House Bill No. 1583

House Bill No. 1583. A Bill for an Act to create and enact a new subsection to section 21-03-01 of the North Dakota Century Code, relating to the authority of the governing body of any city of more than twenty-five thousand people to provide funds for the purpose of participation by that city in the cost of any construction of highways.

To Senate, 612  
 First reading, 666  
 Referred to Committee on Political Subdivisions  
 Reported back, amended, 1075-1076  
 Amendments adopted, 1099  
 Second reading, 1183  
 Passed, 1183  
 Returned to House, amended, 1257  
 House concurs, 1272  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

#### House Bill No. 1586

House Bill No. 1586. A Bill for an Act to create and enact section 6-08-29 of the North Dakota Century Code, relating to the sale or purchase of banking institutions and providing for forfeiture of charter for violation thereof; and to amend and reenact section 6-03-13 of the North Dakota Century Code, relating to the conversion, sale, or relocation of the principal place of business of banking institutions.

To Senate, 411  
 First reading, 415  
 Referred to Committee on Industry, Business & Labor  
 Reported back, indefinitely postponed, 799  
 Committee report for indefinite postponement, adopted, 818  
 Returned to House, indefinitely postponed, 860

**House Bill No. 1587**

**House Bill No. 1587.** A Bill for an Act to create a Devils Lake basin advisory committee, providing an appropriation, and providing for an emergency.

To Senate, 699  
 First reading, 747  
 Referred to Committee on Natural Resources  
 Reported back, do pass, 949, 1076  
 Re-referred to Committee on Appropriations, 949  
 Second reading, 1221  
 Clincher motion, 1222  
 Passed, 1222  
 Emergency carried, 1222  
 Returned to House, 1257  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

**House Bill No. 1588**

**House Bill No. 1588.** A Bill for an Act to create and enact a new section to chapter 58-05 of the North Dakota Century Code, relating to the term of office for township assessor, and to amend and reenact section 58-05-18 of the North Dakota Century Code, relating to appointment of township assessor.

To Senate, 434  
 First reading, 437  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 825  
 Second reading, 904  
 Passed, 904  
 Returned to House, 935  
 Received from House, 1148  
 Signed by President, 1148  
 Returned to House, 1149

**House Bill No. 1591**

**House Bill No. 1591.** A Bill for an Act to create and enact a new subsection to section 57-02-08 of the North Dakota Century Code, relating to a tax exemption for paraplegic persons; and to amend and reenact subsection 20 of section 57-02-08 of the North Dakota Century Code, relating to an exemption for disabled veterans.

To Senate, 612  
 First reading, 666  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 1038-1039  
 Amendments adopted, 1053  
 Second reading, 1134, 1362  
 Passed, 1134, 1362  
 Returned to House, amended, 1188

Conference Committee, 1240, 1266  
 Conference Committee report, 1360-1362  
 Senate adopts, 1362  
 House adopts, 1352  
 House does not concur, 1239  
 Returned to House, 1363  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

#### House Bill No. 1592

**House Bill No. 1592.** A Bill for an Act to provide an appropriation to the state historical board for an oral history project.

To Senate, 522  
 First reading, 570  
 Referred to Committee on Appropriations  
 Reported back, amended, 868-869  
 Amendments adopted, 890  
 Second reading, 954  
 Passed, 955  
 Returned to House, amended, 986  
 House concurs, 1095  
 Received from House, 1381  
 Signed by President, 1382  
 Returned to House, 1383

#### House Bill No. 1593

**House Bill No. 1593.** A Bill for an Act to amend and reenact section 57-02-26 of the North Dakota Century Code, relating to taxation of certain property to lessee or equitable owner.

To Senate, 612  
 First reading, 666  
 Referred to Committee on Finance & Taxation  
 Reported back, amended, 976  
 Amendments adopted, 994  
 Second reading, 1086, 1374  
 Passed, 1086, 1374  
 Returned to House, amended, 1145  
 Conference Committee, 1240, 1266  
 Conference Committee report, 1373  
 Senate adopts, 1374  
 House adopts, 1352  
 House does not concur, 1239  
 Returned to House, 1375  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

#### House Bill No. 1595

**House Bill No. 1595.** A Bill for an Act relating to the admissibility of certain evidence regarding the character of complaining witnesses in criminal prosecutions for gross sexual imposition or sexual imposition, and to certain procedures to be followed in such proceedings.

To Senate, 569  
 First reading, 613

Referred to Committee on Judiciary  
 Reported back, do pass, 754  
 Second reading, 810  
 Passed, 810  
 Returned to House, 834  
 Received from House, 1110  
 Signed by President, 1111  
 Returned to House, 1112

#### House Bill No. 1596

**House Bill No. 1596.** A Bill for an Act to require health insurance coverage for persons suffering from mental illness, alcoholism, and drug addiction.

To Senate, 396  
 First reading, 404  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1076  
 Amendments adopted, 1180  
 Second reading, 1179, 1180  
 Amended from floor, 1178, 1180  
 Passed, 1180  
 Returned to House, amended, 1257  
 House concurs, 1259  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

#### House Bill No. 1597

**House Bill No. 1597.** A Bill for an Act to amend and reenact section 57-23-02 of the North Dakota Century Code, relating to publication of notice of equalization meetings; and to repeal sections 51-05-01, 51-05-02, 51-05-03, 51-05-04, 57-02-42, 57-02-43, 57-02-44, 57-02-45, 57-02-46, and 57-02-49 of the North Dakota Century Code, relating to notice to county treasurer of personal property sold at public auction, to exemption of personal property in transit.

To Senate, 664  
 First reading, 696  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 976  
 Second reading, 1081  
 Passed, 1081  
 Returned to House, 1152  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

#### House Bill No. 1599

**House Bill No. 1599.** A Bill for an Act to create and enact section 39-18-08 of the North Dakota Century Code, to permit licensed real estate brokers to deal in the sale and resale of used mobile homes.

To Senate, 396  
 First reading, 404  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1006  
 Second reading, 1086



Passed, 1087  
 Returned to House, 1152  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

#### House Bill No. 1602

**House Bill No. 1602.** A Bill for an Act to create and enact section 54-52.2-08 of the North Dakota Century Code, relating to payroll reductions of the participant's contributions to such plans; to amend and reenact sections 54-52.2-01, 54-52.2-02, 54-52.2-03, 54-52.2-05, and 54-52.2-07 of the North Dakota Century Code, relating to deferred compensation.

To Senate, 699  
 First reading, 747  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 1076  
 Second reading, 1134  
 Lost, 1136  
 Returned to House, indefinitely postponed, 1188

#### House Bill No. 1606

**House Bill No. 1606.** A Bill for an Act to provide penalties for failure of railroads to furnish grain loading cars after agreement to furnish such cars.

To Senate, 569  
 First reading, 614  
 Referred to Committee on Transportation  
 Reported back, indefinitely postponed, 926  
 Committee report for indefinite postponement, adopted, 943  
 Returned to House, indefinitely postponed, 1014

#### House Bill No. 1609

**House Bill No. 1609.** A Bill for an Act to provide that individuals, estates, and trusts shall not be required to restore to income for state income tax purposes any refund of their 1974 federal income tax liability that the Congress of the United States may authorize for stimulating the economy of the nation; and to provide that if either the minimum standard deduction or percentage standard deduction, or both, is increased for individuals required to file federal income tax returns for either the year 1975 or 1976, any such increased deduction shall be applicable for state income tax purposes.

To Senate, 664  
 First reading, 697  
 Referred to Committee on Finance & Taxation  
 Reported back, do pass, 1039  
 Reported back, amended, 1308  
 Re-referred to Committee on Finance & Taxation, 1251  
 Amendments adopted, 1337  
 Second reading, 1125, 1338  
 Passed, 1125, 1338  
 Returned to House, 1188  
 Returned to House, amended, 1363  
 House concurs, 1395  
 Senate requests return, 1216  
 Returned to Senate, 1251

Reconsidered, 1251  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

**House Bill No. 1611**

**House Bill No. 1611.** A Bill for an Act to amend and reenact section 61-06-22 of the North Dakota Century Code, relating to the salary of the directors of irrigation districts.

To Senate, 886  
 First reading, 889  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 1076  
 Second reading, 1140  
 Passed, 1140  
 Returned to House, 1188  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

**House Bill No. 1614**

**House Bill No. 1614.** A Bill for an Act relating to the establishment of a mutual liability insurance company to provide payments to injured parties for medical malpractice claims resulting from the rendering of or failure to render professional services by physicians, surgeons or authorized persons; if needed, authorizing a tax on physicians to create the mutual liability insurance company and a means to collect the tax; granting certain tax deductions and exemptions; and providing for duties and powers of directors in relation thereto.

To Senate, 1115  
 First reading, 1118  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back without recommendation, 1214  
 Second reading, 1273  
 Passed, 1273  
 Returned to House, 1294  
 Received from House, 1469  
 Signed by President, 1471  
 Returned to House, 1474

**House Bill No. 1615**

**House Bill No. 1615.** A Bill for an Act to establish the state office of energy management and to provide for an administrator, for control of the distribution and sale of energy and fuels, and for energy conservation measures, and to provide a penalty; to amend and reenact section 37-17.1-02, subsection 1 of section 37-17.1-04, and subsection 6 of section 37-17.1-05 of the North Dakota Century Code, relating to emergency powers of the governor in the event of a severe state or national energy shortage; to provide an expiration date for certain portions of the Act; and to provide an appropriation.

To Senate, 1184  
 First reading, 1188  
 Referred to Committee on Natural Resources  
 Reported back without recommendation, 1214  
 Reported back, do pass, 1209

Re-referred to Committee on Appropriations, 1209  
Second reading, 1274  
Lost, 1274  
Returned to House, indefinitely postponed, 1343

## HOUSE CONCURRENT RESOLUTIONS

### House Concurrent Resolution No. 3002

**House Concurrent Resolution No. 3002.** A concurrent resolution directing the Legislative Council to carry out a study of mental health and retardation commitment procedures and the in-hospital procedures relating to the custody and treatment of persons hospitalized because of mental disability.

To Senate, 1258  
 Reported back, do pass, 1275  
 Second reading, 1300  
 Adopted, 1302  
 Returned to House, 1302  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

### House Concurrent Resolution No. 3003

**House Concurrent Resolution No. 3003.** A concurrent resolution directing the State Departments of Health and Social Services and the directors and boards responsible for the operation of area social service centers and comprehensive mental health and retardation centers to coordinate and consolidate human services provided by comprehensive mental health and retardation centers and area social service centers.

To Senate, 886  
 First reading, 889  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 976  
 Second reading, 1081  
 Adopted, 1081  
 Returned to House, 1152  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

### House Concurrent Resolution No. 3006

**House Concurrent Resolution No. 3006.** A concurrent resolution urging the Board of University and School Lands to make dispositions of lands under the control of the board in the fall of the year.

To Senate, 195  
 First reading, 222  
 Referred to Committee on Agriculture  
 Reported back, do pass, 622  
 Second reading, 779  
 Adopted, 780  
 Returned to House, 811  
 Received from House, 1017  
 Signed by President, 1023  
 Returned to House, 1023

### House Concurrent Resolution No. 3008

**House Concurrent Resolution No. 3008.** A concurrent resolution urging Congress and the United States Department of Agriculture to purchase food and agricultural products for distribution to starving nations.

To Senate, 203  
First reading, 223  
Referred to Committee on Agriculture  
Reported back, do pass, 622  
Second reading, 780  
Adopted, 780  
Returned to House, 811  
Received from House, 1017  
Signed by President, 1023  
Returned to House, 1023

#### House Concurrent Resolution No. 3013

**House Concurrent Resolution No. 3013.** A concurrent resolution requesting that Lydia O. Jackson be designated as Associate Poet Laureate of North Dakota.

To Senate, 157  
First reading, 189  
Amended from floor, 189-191  
Second reading, 191  
Adopted, 191  
Returned to House, amended, 202  
Received from House, 341  
Signed by President, 342  
Returned to House, 342

#### House Concurrent Resolution No. 3014

**House Concurrent Resolution No. 3014.** A concurrent resolution urging a celebration to commemorate the bicentennial anniversary of the signing of the Declaration of Independence.

To Senate, 203  
First reading, 223  
Referred to Committee on State & Federal Government  
Reported back, amended, 799  
Amendments adopted, 815, 904, 905  
Second reading, 904, 905  
Amended from floor, 904, 905  
Adopted, 905  
House concurs, 1095  
Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

#### House Concurrent Resolution No. 3015

**House Concurrent Resolution No. 3015.** A concurrent resolution urging the United States Department of Agriculture to abandon its plans to increase food stamp purchase requirements for low income households.

To Senate, 455  
First reading, 462  
Referred to Committee on Agriculture  
Reported back, indefinitely postponed, 799  
Committee report for indefinite postponement, adopted, 819  
Returned to House, indefinitely postponed, 860

#### House Concurrent Resolution No. 3016

**House Concurrent Resolution No. 3016.** A concurrent resolution for the amendment of sections 28 and 34 of the Constitution of the State of North Dakota, relating to qualifications of legislators.

To Senate, 377  
 First reading, 385  
 Referred to Committee on Judiciary  
 Reported back, do pass, 898  
 Second reading, 955  
 Adopted, 955  
 Returned to House, 986  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

**House Concurrent Resolution No. 3017**

**House Concurrent Resolution No. 3017.** A concurrent resolution directing the Legislative Council to conduct a study of the election laws and procedures of the State of North Dakota.

To Senate, 1258  
 Reported back, do pass, 1275  
 Withdrawn from consent calendar, 1300  
 Amendments adopted, 1338  
 Second reading, 1338  
 Amended from floor, 1338  
 Passed, 1338  
 Returned to House, amended, 1363  
 House concurs, 1366  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

**House Concurrent Resolution No. 3018**

**House Concurrent Resolution No. 3018.** A concurrent resolution for the amendment of section 155 of the Constitution of the State of North Dakota, relating to the sale of school lands and reservation of minerals to the State.

To Senate, 327  
 First reading, 331  
 Referred to Committee on State & Federal Government  
 Reported back, amended, 799, 898  
 Re-referred to Committee on State & Federal Government, 825  
 Amendments adopted, 815, 916  
 Second reading, 984  
 Lost, 984  
 Returned to House, indefinitely postponed, 1050

**House Concurrent Resolution No. 3019**

**House Concurrent Resolution No. 3019.** A concurrent resolution requesting the Governor to study the results of the recent storm and determine the desirability of declaring certain counties disaster areas.

To Senate, 232  
 First reading, 267  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 515  
 Second reading, 780

Adopted, 780  
 Returned to House, 811  
 Received from House, 1017  
 Signed by President, 1023  
 Returned to House, 1023

#### House Concurrent Resolution No. 3020

**House Concurrent Resolution No. 3020.** A concurrent resolution expressing sorrow on the death of Mrs. Mattie Grinnell, the last known full-blooded Mandan Indian.

To Senate, 203  
 First reading, 229  
 Second reading, 229  
 Adopted, 229  
 Returned to House, 232  
 Received from House, 341  
 Signed by President, 342  
 Returned to House, 342

#### House Concurrent Resolution No. 3021

**House Concurrent Resolution No. 3021.** A concurrent resolution for the amendment of sections 55 and 67 of the Constitution of the State of North Dakota, relating to the power of the Legislative Assembly to call itself into special session.

To Senate, 722  
 First reading, 772  
 Referred to Committee on Judiciary  
 Reported back, indefinitely postponed, 1006  
 Committee report for indefinite postponement, adopted, 1026  
 Returned to House, indefinitely postponed, 1108

#### House Concurrent Resolution No. 3022

**House Concurrent Resolution No. 3022.** A concurrent resolution urging the Congress not to pass legislation which would regulate abandoned unclaimed lands nor to pass legislation which would put a per-ton charge on surface mined coal.

To Senate, 327  
 First reading, 331  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 775  
 Second reading, 810  
 Adopted, 810  
 Returned to House, 834  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

#### House Concurrent Resolution No. 3024

**House Concurrent Resolution No. 3024.** A concurrent resolution urging all state agencies and departments to implement the metric system of measurement wherever possible.

To Senate, 612  
 First reading, 667  
 Referred to Committee on Political Subdivisions

Reported back, indefinitely postponed, 976  
 Committee report for indefinite postponement, adopted, 997  
 Returned to House, indefinitely postponed, 1095

**House Concurrent Resolution No. 3027**

**House Concurrent Resolution No. 3027.** A concurrent resolution directing the Legislative Council to conduct a study of the insurance laws of the State of North Dakota.

To Senate, 1258  
 Reported back, do pass, 1275  
 Second reading, 1301  
 Adopted, 1302  
 Returned to House, 1302  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

**House Concurrent Resolution No. 3029**

**House Concurrent Resolution No. 3029.** A concurrent resolution urging Congress to enact legislation to provide reimbursement to farm owners and operators for damage through depredation by migratory birds.

To Senate, 455  
 First reading, 463  
 Referred to Committee on Agriculture  
 Reported back, do pass, 800  
 Second reading, 905  
 Adopted, 905  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

**House Concurrent Resolution No. 3031**

**House Concurrent Resolution No. 3031.** A concurrent resolution commending Mr. Clifford "Fido" Purpur upon his induction into the United States Hockey Hall of Fame.

To Senate, 286  
 First reading, 298  
 Second reading, 298  
 Adopted, 298  
 Returned to House, 327  
 Received from House, 360  
 Signed by President, 363  
 Returned to House, 363

**House Concurrent Resolution No. 3032**

**House Concurrent Resolution No. 3032.** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of tying increases in the level of state spending to increases in personal income of all citizens of North Dakota; and to study the growth of general fund expenditures and personal income during the past two decades.

To Senate, 1306  
 Reported back, indefinitely postponed, 1309  
 Committee report for indefinite postponement, not adopted, 1310  
 Second reading, 1311



Adopted, 1311  
 Returned to House, 1343  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

#### House Concurrent Resolution No. 3033

**House Concurrent Resolution No. 3033.** A concurrent resolution urging the Governor to consider carefully the deer hunting season during 1975.

To Senate, 612  
 First reading, 667  
 Referred to Committee on Natural Resources  
 Reported back, amended, 1039-1040  
 Amendments adopted, 1053  
 Second reading, 1143  
 Adopted, 1143  
 Returned to House, amended, 1188  
 House concurs, 1308  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

#### House Concurrent Resolution No. 3036

**House Concurrent Resolution No. 3036.** A concurrent resolution urging Congress to enact legislation authorizing payment in lieu of taxes to counties in which lands are acquired for the Garrison Diversion Unit.

To Senate, 664  
 First reading, 697  
 Referred to Committee on Political Subdivisions  
 Reported back, do pass, 949  
 Second reading, 1043  
 Adopted, 1043  
 Returned to House, 1108  
 Received from House, 1448  
 Signed by President, 1448  
 Returned to House, 1449

#### House Concurrent Resolution No. 3037

**House Concurrent Resolution No. 3037.** A concurrent resolution authorizing payment of members of the employment committees of the House and Senate for services rendered after the Legislative Organizational Session, and prior to the convening of the Regular Session on January 7, 1975.

To Senate, 327  
 First reading, 331  
 Second reading, 332  
 Adopted, 332  
 Returned to House, 360  
 Received from House, 412  
 Signed by President, 433  
 Returned to House, 433

#### House Concurrent Resolution No. 3038

**House Concurrent Resolution No. 3038.** A concurrent resolution directing the Legislative Council to study the feasibility, financing, cost,

and problems of establishing a statewide educational computer system for use by all North Dakota public high schools.

To Senate, 1258  
 Reported back, do pass, 1275  
 Second reading, 1301  
 Adopted, 1302  
 Returned to House, 1302  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

#### House Concurrent Resolution No. 3039

**House Concurrent Resolution No. 3039.** A concurrent resolution urging immediate action to bring about the release and return of our missing servicemen in Southeast Asia.

To Senate, 699  
 First reading, 747  
 Referred to Committee on Social Welfare & Veterans Affairs  
 Reported back, do pass, 926  
 Second reading, 984  
 Adopted, 985  
 Returned to House, 1049  
 Received from House, 1331  
 Signed by President, 1337  
 Returned to House, 1342

#### House Concurrent Resolution No. 3040

**House Concurrent Resolution No. 3040.** A concurrent resolution directing the North Dakota workmen's compensation bureau to study the feasibility of dedicating the income from reserve funds for the purpose of increasing weekly benefit amounts for workmen's compensation claimants who receive outdated benefits.

To Senate, 699  
 First reading, 747  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1006  
 Second reading, 1087  
 Adopted, 1087  
 Returned to House, 1152  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

#### House Concurrent Resolution No. 3041

**House Concurrent Resolution No. 3041.** A concurrent resolution urging the Board of University and School Lands to sell state school lands to private citizens whenever possible.

To Senate, 522  
 First reading, 570  
 Referred to Committee on State & Federal Government  
 Reported back, do pass, 775  
 Second reading, 810  
 Adopted, 811  
 Returned to House, 834

Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

#### **House Concurrent Resolution No. 3042**

**House Concurrent Resolution No. 3042.** A concurrent resolution urging Congress to provide full funding for the school lunch program.

To Senate, 664  
First reading, 697  
Referred to Committee on Agriculture  
Reported back, do pass, 949  
Second reading, 1043  
Adopted, 1044  
Returned to House, 1108  
Received from House, 1448  
Signed by President, 1448  
Returned to House, 1449

#### **House Concurrent Resolution No. 3043**

**House Concurrent Resolution No. 3043.** A concurrent resolution authorizing and directing the Legislative Council to conduct a study to determine the economic feasibility of a state or privately owned fertilizer manufacturing plant.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1302  
Received from House, 1469  
Signed by President, 1472  
Returned to House, 1474

#### **House Concurrent Resolution No. 3044**

**House Concurrent Resolution No. 3044.** A concurrent resolution urging Congress to enact legislation which would provide for taxation of certain federal properties within the states at the same rate which such lands would be taxed if those lands were owned by private citizens.

To Senate, 664  
First reading, 697  
Referred to Committee on Finance & Taxation  
Reported back, do pass, 1040  
Second reading, 1125  
Adopted, 1125  
Returned to House, 1188  
Received from House, 1469  
Signed by President, 1472  
Returned to House, 1474

#### **House Concurrent Resolution No. 3046**

**House Concurrent Resolution No. 3046.** A concurrent resolution urging the United States Postal Service to change its instructions for rural route extensions so that all rural homes receive mail at the end of their driveways.

To Senate, 664

First reading, 697  
 Referred to Committee on Agriculture  
 Reported back, amended, 949  
 Amendments adopted, 969  
 Second reading, 1081  
 Adopted, 1082  
 Returned to House, amended, 1145  
 House concurs, 1240  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

**House Concurrent Resolution No. 3050**

House Concurrent Resolution No. 3050. A concurrent resolution requesting the Congress of the United States of America to study the necessity for and to enact legislation and regulations required for the proper labeling of hazardous industrial chemicals and other substances.

To Senate, 699  
 First reading, 747  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1006  
 Second reading, 1087  
 Adopted, 1087  
 Returned to House, 1152  
 Received from House, 1469  
 Signed by President, 1472  
 Returned to House, 1474

**House Concurrent Resolution No. 3051**

House Concurrent Resolution No. 3051. A concurrent resolution urging the State Board of Higher Education to enter reciprocal tuition agreements with the States of South Dakota and Montana.

To Senate, 522  
 First reading, 570  
 Referred to Committee on Education  
 Reported back, do pass, 731  
 Second reading, 780  
 Adopted, 780  
 Returned to House, 811  
 Received from House, 1152  
 Signed by President, 1186  
 Returned to House, 1186

**House Concurrent Resolution No. 3053**

House Concurrent Resolution No. 3053. A concurrent resolution urging Congress to raise the national speed limit to 65 miles per hour.

To Senate, 664  
 First reading, 697  
 Referred to Committee on Transportation  
 Reported back, do pass, 800  
 Second reading, 832  
 Adopted, 832  
 Returned to House, 860  
 Received from House, 1017  
 Signed by President, 1023

Returned to House, 1023

#### House Concurrent Resolution No. 3056

**House Concurrent Resolution No. 3056.** A concurrent resolution creating a new Article IV of the Constitution of the state of North Dakota, relating to the judicial branch of government; the jurisdiction of the supreme, district, and other courts; the location of judicial districts; the election of judges of the supreme and district courts; the qualifications of judges; the procedures for removal of judges and filling vacancies; and to the retirement of judges; and to repeal Article IV, consisting of sections 85 through 120, of the Constitution of the state of North Dakota, relating to the jurisdiction of the Supreme Court, and district, county, and municipal courts; the time of holding court session; the location of judicial districts; and to other judicial matters.

To Senate, 699  
First reading, 748  
Referred to Committee on Judiciary  
Reported back, amended, 869  
Amendments adopted, 890, 955, 956  
Second reading, 955  
Amended from floor, 955  
Adopted, 956  
Returned to House, amended, 986  
House concurs, 1095  
Received from House, 1331  
Signed by President, 1337  
Returned to House, 1342

#### House Concurrent Resolution No. 3057

**House Concurrent Resolution No. 3057.** A concurrent resolution directing the Legislative Council to conduct a continuing study of financing of elementary and secondary schools, and of the effectiveness of such financing in reaching the goal of providing the best possible education for North Dakota's students, and of teacher compensation and negotiation practices throughout the state.

To Senate, 1240  
First reading, 1276  
Referred to Legislative Council Resolutions Committee  
Reported back, do pass, 1308  
Second reading, 1309  
Adopted, 1309  
Returned to House, 1343  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3058

**House Concurrent Resolution No. 3058.** A concurrent resolution directing the Legislative Council to conduct a study of the needs for additional office space of state agencies located in the Bismarck area.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1302

Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3059**

**House Concurrent Resolution No. 3059.** A concurrent resolution directing the Legislative Council, with the assistance of citizen advisors, to study the Constitution of the State of North Dakota, and to make recommendations regarding desirable revision of that Constitution.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1302  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3067**

**House Concurrent Resolution No. 3067.** A concurrent resolution directing a Legislative Council interim study of the Department of Banking and Financial Institutions as well as North Dakota banking laws.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1302  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3068**

**House Concurrent Resolution No. 3068.** A concurrent resolution directing the Legislative Council to study the feasibility of providing financial incentives for beginning farmers and ranchers.

To Senate, 1306  
Reported back, indefinitely postponed, 1309  
Committee report for indefinite postponement, adopted, 1310  
Returned to House, indefinitely postponed, 1343

**House Concurrent Resolution No. 3069**

**House Concurrent Resolution No. 3069.** A concurrent resolution directing the Legislative Council to conduct a study relating to North Dakota senior citizens, emphasizing the areas of housing, nutrition, transportation, education, work programs, and employment opportunities for senior citizens.

To Senate, 1307  
Reported back, indefinitely postponed, 1309  
Committee report for indefinite postponement, adopted, 1310  
Returned to House, indefinitely postponed, 1343

**House Concurrent Resolution No. 3070**

**House Concurrent Resolution No. 3070.** A concurrent resolution directing the Legislative Council to study and monitor the state central personnel classification system.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1302  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3071**

**House Concurrent Resolution No. 3071.** A concurrent resolution directing the Legislative Council to study alternatives to the current method of property taxation as the major source of income for local political subdivisions.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1302  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3073**

**House Concurrent Resolution No. 3073.** A concurrent resolution directing the Legislative Council, with the assistance of the North Dakota Board of Higher Education and such experts and resources as it may consult, to study the powers and duties of the board, the development of each institution of higher education in the state, and unnecessary duplication of courses and programs within and between such institutions. The breadth and scope of such study will include consideration of the feasibility and desirability of the merger of junior colleges into the state system and the consolidation of all post-secondary educational institutions into the state's system for post-secondary education. It will include a study to determine the best method of financing additional college buildings and other capital improvements on a priority basis.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1302  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3075**

**House Concurrent Resolution No. 3075.** A concurrent resolution directing the legislative council to study the functions, responsibilities and structures of the juvenile justice system, including the incidence and type of delinquent activity, the courts, detention, and correction practices.

To Senate, 1258

Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1303  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3078

**House Concurrent Resolution No. 3078.** A concurrent resolution directing the legislative council to study the methods of valuation and level of assessments of all classes of property assessed by the state board of equalization and by the local assessors.

To Senate, 1240  
First reading, 1276  
Referred to Legislative Council Resolutions Committee  
Reported back, do pass, 1308  
Second reading, 1309  
Adopted, 1309  
Returned to House, 1343  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3079

**House Concurrent Resolution No. 3079.** A concurrent resolution directing the Legislative Council to conduct a comprehensive study of the agriculturally related functions of North Dakota State Government and the feasibility of reorganizing such functions into one coordinated and efficient agency.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1301  
Adopted, 1302  
Returned to House, 1303  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3081

**House Concurrent Resolution No. 3081.** A concurrent resolution directing the Legislative Council to study the present method of determining transportation aid payments for school districts and the feasibility of developing an alternative method of payment.

To Senate, 1258  
Reported back, do pass, 1275  
Second reading, 1302  
Adopted, 1302  
Returned to House, 1303  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3085



**House Concurrent Resolution No. 3085.** A concurrent resolution commending the Mary College legislative guides program and urging the college to continue this program during future sessions.

To Senate, 964  
 First reading, 968  
 Referred to Committee on Education  
 Reported back, amended, 1006  
 Amendments adopted, 1024  
 Second reading, 1125  
 Adopted, 1125  
 Returned to House, amended, 1188  
 House concurs, 1240  
 Received from House, 1470  
 Signed by President, 1472  
 Returned to House, 1474

**House Concurrent Resolution No. 3086**

**House Concurrent Resolution No. 3086.** A concurrent resolution directing the Legislative Council, with the assistance of the State Water Conservation Commission, to study financing alternatives for constructing rural water systems.

To Senate, 1259  
 Reported back, do pass, 1275  
 Second reading, 1302  
 Adopted, 1302  
 Returned to House, 1303  
 Received from House, 1470  
 Signed by President, 1472  
 Returned to House, 1474

**House Concurrent Resolution No. 3087**

**House Concurrent Resolution No. 3087.** A concurrent resolution for the amendment of Article 1 of the Amendments to the Constitution of the state of North Dakota, relating to lotteries and gift enterprises.

To Senate, 912  
 First reading, 919  
 Referred to Committee on Industry, Business & Labor  
 Reported back, do pass, 1040  
 Second reading, 1125  
 Adopted, 1126  
 Returned to House, 1188  
 Received from House, 1470  
 Signed by President, 1472  
 Returned to House, 1474

**House Concurrent Resolution No. 3088**

**House Concurrent Resolution No. 3088.** A concurrent resolution directing the Legislative Council to conduct a study of the Public Service Commission's authority to establish rates.

To Senate, 1259  
 Reported back, do pass, 1275  
 Second reading, 1302  
 Adopted, 1302  
 Returned to House, 1303

Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3090**

**House Concurrent Resolution No. 3090.** A concurrent resolution urging Congress to amend the National Occupational Safety and Health Act.

To Senate, 1115  
First reading, 1118  
Referred to Committee on Industry, Business & Labor  
Reported back, amended, 1214  
Amendments adopted, 1214  
Second reading, 1214  
Adopted, 1214  
Returned to House, 1257  
House concurs, 1272  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3091**

**House Concurrent Resolution No. 3091.** A concurrent resolution directing the Legislative Council to conduct a study of the level of governmental services and programs that are essential to North Dakota and which are supported by the State on an on-going basis.

To Senate, 1259  
Reported back, do pass, 1275  
Second reading, 1302  
Adopted, 1302  
Returned to House, 1303  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3092**

**House Concurrent Resolution No. 3092.** A concurrent resolution directing the Director of Institutions to study the feasibility of converting all or part of the State Farm into an area for the propagation and distribution of pheasants.

To Senate, 1167  
First reading, 1186  
Referred to Committee on Natural Resources  
Reported back, do pass, 1209  
Second reading, 1286  
Adopted, 1286  
Returned to House, 1294  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3093**

**House Concurrent Resolution No. 3093.** A concurrent resolution directing the Legislative Council to conduct a study of the doctrine of governmental immunity.

To Senate, 1259  
Reported back, do pass, 1275  
Second reading, 1302  
Adopted, 1302  
Returned to House, 1303  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3094

House Concurrent Resolution No. 3094. A concurrent resolution providing for the completion of the legislative journals of the house and senate.

To Senate, 1167  
First reading, 1186  
Placed at foot of calendar, 1186  
Second reading, 1442  
Adopted, 1442  
Returned to House, 1444  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3095

House Concurrent Resolution No. 3095. A concurrent resolution congratulating the Williston Coyotes on winning the 1975 state Class A Basketball Championship.

To Senate, 1189  
First reading, 1210  
Second reading, 1210  
Adopted, 1210  
Returned to House, 1257  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3096

House Concurrent Resolution No. 3096. A concurrent resolution commending the Legislative Council staff for its cooperation and professional assistance to the Legislative Assembly.

To Senate, 1189  
First reading, 1210  
Second reading, 1210  
Adopted, 1210  
Returned to House, 1257  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

#### House Concurrent Resolution No. 3097

House Concurrent Resolution No. 3097. A concurrent resolution honoring and commending Senator Elton W. Ringsak on his selection as Handicapped American of the Year for 1974.

To Senate, 1344

First reading, 1344  
Second reading, 1345  
Adopted, 1345  
Returned to House, 1363  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474

**House Concurrent Resolution No. 3098**

**House Concurrent Resolution No. 3098.** A concurrent resolution congratulating the Parshall Braves on winning their first Class B state basketball championship and the Parshall cheerleaders on winning the state tournament spirit award.

To Senate, 1378  
First reading, 1378  
Second reading, 1379  
Adopted, 1379  
Returned to House, 1379  
Received from House, 1470  
Signed by President, 1472  
Returned to House, 1474