

SEVENTH DAY

Bismarck, January 14, 1981

The Senate convened at 1:00 P.M., with President Sands presiding.

The prayer was offered by Rev. Ronald C. Craig, Bible Baptist Church.

Our God and Heavenly Father, I thank You for allowing us to live in the greatest country on the face of this earth, and for calling me to minister in the State of North Dakota. How thankful I am for that calvary love that allowed Jesus to pay the price for sin so that by receiving Christ as personal Savior, a person can have the gift of eternal life. I'm grateful that knowing and worshipping You is not just a dead, meaningless ritual, but rather a vital, practical and exciting personal walk with You. I pray that You will guide and direct our legislators as they perform the duties to which You've called them. Give them strength and courage to deal with the problems facing them. Help them to pass the laws that we need to bring order and stability in our lives. I pray that You will keep our land free for the preaching of the gospel until Jesus comes again, for it's in His precious name I pray. Amen.

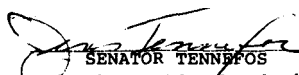
The roll was called and all members were present except Senators Fritzell, Olin, Solberg and two vacancies.

A quorum was declared by the President.

Correction and Revision of The Journal

Mr. President Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Sixth day and

finds the same to be correct.

 Chairman  
SENATOR TENNESOS

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

POINT OF PERSONAL PRIVILEGE

Senator Leibhan: Mr. President, I rise on the point of personal privilege and request my remarks be printed in the Journal.

Tammy Meyer who is employed as a Senate page, is also completing her year's reign as the 1980 Pork Queen.

Tammy, who is the daughter of Bernard and Jean Meyer, Harlow, will crown her successor at a banquet in Bismarck Thursday night during the annual session of the North Dakota Pork Association.

However, as one last duty, Tammy will represent North Dakota in the National Pork Queen contest at Kansas City, Mo., in March.

The blonde Pork Queen is actively involved in her church choir and also is church organist at Harlow. She was 1979 state secretary of the North Dakota Future Farmers of America Association, is a ten year member of the 4-H, and currently serves as state 4-H Ambassador.

She attended Bismarck Junior College and plans to major in animal science and agricultural communications.

Mr. President, I would ask that the Senate now recognize Miss Tammy Meyer.

### Report of Procedural Committee

Form 120-S

MR. PRESIDENT:

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

Senate Bill No. 2079  
Senate Bill No. 2128  
Senate Bill No. 2160

and find the same correctly } Engrossed

  
Stella Fritzell, Chairman

Senator Dotzenrod ..... 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 Bill No. 1140

House Concurrent Resolution No. 3003

ROY GILBREATH, Chief Clerk

### MESSAGE TO THE HOUSE Senate Chamber

Mr. Speaker:

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

Senate Bill No. 2044

Senate Bill No. 2066

Senate Bill No. 2082

Senate Bill No. 2097

Senate Bill No. 2106

Senate Bill No. 2107

Senate Bill No. 2125

Senate Concurrent Resolution No. 4015

LEO LEIDHOLM, Secretary

### CONSIDERATION OF AMENDMENTS

Senator H. Christensen moved that the amendments to Senate Bill No. 2063 as recommended by the Committee on Judiciary as printed on page 146 of the Senate Journal be adopted, which motion prevailed.

Senator Reiten moved that the amendments to Senate Bill No. 2102 as recommended by the Committee on Industry, Business and Labor as printed on page 148 of the Senate Journal be adopted, which motion prevailed.

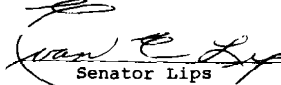
### Report of Standing Committee

Mr. President : Your Committee on Appropriations  
to whom was referred Senate Bill No. 2026

Has had the same under consideration and recommends that the same

do pass       do not pass       be placed on calendar  
without recommendation

be amended as follows:

 Chairman  
Senator Lips

Senate Bill No. 2026 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. 2076

Has had the same under consideration and recommends that the same

do pass       do not pass       be placed on calendar  
without recommendation

be amended as follows:

 Chairman  
Senator Christensen

Senate Bill No. 2076 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. 2078

Has had the same under consideration and recommends that the same

do pass       do not pass       be placed on calendar  
without recommendation

be amended as follows:

On page 1, line 1, delete the second word "and" and insert in lieu thereof a comma

On page 1, line 2, after the numerals "16-10-12.1" insert the following: " 16.1-03-02, 16.1-03-17, 16.1-03-18, 16.1-05-05, and 16.1-06-07"

On page 1, line 3, delete the words "poll clerks" and insert in lieu thereof the following: "election officials, persons who may participate in and vote at caucuses, political party reorganization after apportionment, applicability of the chapter on unfair and corrupt election practices, and the arrangement of names on the ballot for presidential electors "

On page 1, line 10, delete the word "Section" and insert in lieu thereof the following: "If House Bill No. 1225 is not approved by the forty-seventh legislative assembly, then section"

On page 2, line 3, delete the word "Section" and insert in lieu thereof the following: "If House Bill No. 1225 is not approved by the forty-seventh legislative assembly, then section"

On page 2, after line 20, insert the following new sections:

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\*SECTION 3. AMENDMENT. If House Bill No. 1225 is not approved by the forty-seventh legislative assembly, then section 16.1-03-02 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-03-02. WHO MAY PARTICIPATE IN AND VOTE AT CAUCUS.

1. Only those persons who are qualified electors pursuant to section ~~16-1-01-04~~ 16-01-03 may vote or be elected as committeemen or officers at the precinct caucus.
2. Only those persons who either voted or affiliated with the party at the last general election or intend to vote or affiliate with the party at the next general election, may vote at the precinct caucus.
3. In case the right of a person to participate at the caucus is challenged, the question of his right to participate shall be decided by a vote of the whole caucus. A person so challenged may not vote on the question of his right to participate in the caucus, and a two-thirds vote of the whole caucus shall be required to exclude a person from participation.
4. No person may vote or participate at more than one precinct caucus in any one year.

SECTION 4. AMENDMENT. If House Bill No. 1225 is not approved by the forty-seventh legislative assembly, then section 16.1-03-17 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-03-17. POLITICAL PARTY REORGANIZATION AFTER APPORTIONMENT BY NONLEGISLATIVE DIRECTION. If apportionment of the legislative assembly is accomplished by means other than action by the legislative assembly and the apportionment becomes effective after the organization of political parties as provided in this chapter and before the primary or the general election, the secretary of state shall establish a timetable for the reorganization of the parties as rapidly as possible before the ensuing election. When the timetable is established, the secretary of state shall notify all the county auditors of the timetable and of the details of the legislative apportionment as it affects each county. Each county auditor shall publish notice in the official county newspaper, which notice shall contain:

1. A statement that legislative apportionment has occurred.
2. A description and a map of the new legislative districts and the precincts as established by the governing bodies of the counties and cities in the county, pursuant to section ~~16-1-04-01~~ 16-09-01.
3. The date, time, and places of the precinct caucuses and district committee meetings determined by the secretary of state and the county auditor to be necessary according to the new districts and precincts established.

The political parties, in the newly established precincts and districts, shall then proceed to reorganize as closely as possible in conformance with this chapter and in conformance with the timetable established by the secretary of state.

SECTION 5. AMENDMENT. If House Bill No. 1225 is not approved by the forty-seventh legislative assembly, then section 16.1-03-18 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-03-18. UNFAIR AND CORRUPT ELECTION PRACTICES APPLICABLE TO CHAPTER. The provisions of chapter ~~16-1-10~~ 16-20, relating to unfair and corrupt election practices, are applicable to all elections and conventions provided for in this chapter.

SECTION 6. AMENDMENT. If House Bill No. 1225 is not approved by the forty-seventh legislative assembly, then section 16.1-05-05 of the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-05-05. COMPENSATION OF ELECTION OFFICERS - COMMISSIONER OF LABOR TO CERTIFY MINIMUM WAGE APPLICABLE TO ELECTION OFFICIALS - SECRETARY OF STATE TO CERTIFY AMOUNT TO COUNTY AUDITORS. The state commissioner of labor, thirty days before each statewide primary, general, or special election, shall determine the state minimum wage applicable to election inspectors, election judges, poll clerks, or any other private individual who performs duties in the election process, and shall certify the amounts to the secretary of state. The secretary of state shall then certify the amounts to the county auditors. As required by this title, the county auditors shall pay the amounts so determined to the relevant election officials, but in no event shall the compensation exceed fifty dollars for each election. State, county, or other election officials who are required to incur expenses while performing duties in the election process shall be reimbursed only for their actual and necessary expenses and mileage in the performance of those duties, in accordance with sections 54-06-09, 44-08-04, and 11-10-15. Other persons performing election duties shall also be paid for expenses and mileage in like manner and amounts. Members of election boards who attend the training sessions provided by section ~~16-1-05-03~~ 16-10-17 shall be paid twenty-five percent more than the minimum wage determined in this section, during the time spent in the performance of their election duties; however, they shall receive only their actual and necessary expenses and mileage for attendance at the training session.

SECTION 7. AMENDMENT. If House Bill No. 1225 is not approved by the forty-seventh legislative assembly, then section 16.1-06-07, as created by section 16, chapter 271, of the 1979 Session Laws and printed as a footnote in the 1979 Interim Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

16.1-06-07. ARRANGEMENT OF NAMES ON BALLOT FOR PRESIDENTIAL ELECTORS. The ballot provided for in section ~~16-1-06-05~~ 16-11-05 shall be arranged as follows:

1. Initially, the names of the candidate of the party casting the highest number of votes in the state for members of Congress at the last preceding general election shall be arranged in the first or left-hand column of such ballot; of the party casting the next highest number of votes in the second column; of the party casting the next highest number of votes in the third column; and of such other party as the secretary of state may direct in the fourth and successive columns.
2. In printing each set of official ballots for

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the various election precincts, one-half of the ballots shall be printed with the political party columns arranged as prescribed by subsection 1 of this section, and the other half of the ballots shall be printed by interchanging only the first two political party columns.

- 3. After the ballots are printed as prescribed in subsection 2 of this section, they shall be kept in separate piles and then repiled by taking one ballot from each pile and placing it upon the new pile so that every other ballot in the new pile has the first two political party columns in different positions. This repiling for political party column rotation shall be done in conjunction with the required rotation of names within the political party columns. After the repiling is completed, the ballots shall be cut and packaged for the various election precincts.
- 4. In presidential election years the names of presidential electors presented in one certificate of nomination shall be arranged in a group enclosed in brackets to the right and opposite the center of which shall be printed in bold type the surname of the presidential candidate represented. To the right and in a line with such surname, near the margin, shall be placed a single square, and a mark within such square shall be designated a vote for all the electors, and such group shall be placed at the head of the column under the party designated or represented in such certificate.
- 5. In precincts in which voting machines are used, the rotation of political party columns required by this section shall be performed in the same manner as provided for the primary election ballot."

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass

*And Christensen*  
Senator Christensen Chairman

Senate Bill No. 2078 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. 2104

Has had the same under consideration and recommends that the same

do pass       do not pass       be placed on calendar without recommendation

be amended as follows:

*Lodoen*  
Chairman

Senate Bill No. 2104 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. 2105

Has had the same under consideration and recommends that the same

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

*Lodoen* Chairman

Senator Lodoen

Senate Bill No. 2105 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. 2108

Has had the same under consideration and recommends that the same

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

*Lodoen* Chairman

Senator Lodoen

Senate Bill No. 2108 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. 2111

Has had the same under consideration and recommends that the same

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

*Lodoen* Chairman

Senator Lodoen

Senate Bill No. 2111 was placed on the 11th

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. 2138

Has had the same under consideration and recommends that the same

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

*Reiten* Chairman

Senator Reiten

Senate Bill No. 2138 was placed on the eleventh

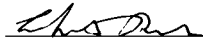
order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor  
to whom was referred Senate Bill No. 2143

Has had the same under consideration and recommends that the same

- do pass
- do not pass
- be placed on calendar without recommendation

be amended as follows:

  
 Senator Reiten Chairman

Senate Bill No. 2143 was placed on the eleventh

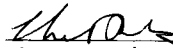
order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Industry, Business & Labor  
 to whom was referred Senate Bill No. 2146

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar  
 without recommendation

be amended as follows:

  
 Senator Reiten Chairman

Senate Bill No. 2146 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. 2154

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar  
 without recommendation

be amended as follows:

  
 Senator Nelson Chairman

Senate Bill No. 2154 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. 2158

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar  
 without recommendation

be amended as follows:

  
 Senator Reiten Chairman

Senate Bill No. 2158 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. 2170

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar  
 without recommendation

be amended as follows:



 Chairman  
Senator Christensen

Senate Bill No. 2170 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. 2186

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar without recommendation

be amended as follows:

 Chairman  
Senator Chuck Goodman

Senate Bill No. 2186 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. 2190

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar without recommendation

be amended as follows:

 Chairman  
Senator Chuck Goodman

Senate Bill No. 2190 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 Concurrent Resolution No. 4001

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar without recommendation

be amended as follows:

 Chairman  
Senator Christensen

SCR No. 4001 was placed on the 11th

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

FIRST READING OF SENATE BILLS

Senator Lips introduced:  
Senate Bill No. 2226. — A Bill for an Act to amend and reenact section 47-16-36 of the North Dakota Century Code, relating to notice by publication for terminating mineral leases.

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

Senator Adams, Rep. Whalen introduced:

**Senate Bill No. 2227.** — A Bill for an Act to create and enact a new section to chapter 49-09 of the North Dakota Century Code, relating to abandoned railway lines, the removal of abandoned materials, and the restoration of right of way.

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

Senator Lashkowitz, Reps. Retzer, Gorder introduced:

**Senate Bill No. 2228.** — A Bill for an Act to amend and reenact section 65-05.2-02 of the North Dakota Century Code, relating to the amount of supplementary workmen's compensation benefits; and providing that the premium rate may not be increased during the 1981-1983 biennium.

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

Senator Lashkowitz, Rep. Heigaard introduced:

**Senate Bill No. 2229.** — A Bill for an Act to amend and reenact section 30.1-27-02 of the North Dakota Century Code, relating to the testamentary appointment of a guardian for a minor, and providing that the guardian must be approved by the court.

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

Senators Moore, Teneffos, Reps. Strinden, A. Olson, Knudson introduced:

**Senate Bill No. 2230.** — A Bill for an Act to amend and reenact sections 1 and 7 of initiated measure No. 6 as voted on in the 1980 general election, and sections 15-20.1-10, 15-40.1-01, 15-40.1-05, 15-40.1-07, 15-40.1-08, 15-40.1-09, 15-40.1-11, 15-40.1-14, 15-40.1-16, 15-40.1-16.1, 15-40.1-18, 15-40.2-05, 15-40.2-10, 15-47-16, and 15-59-06 of the North Dakota Century Code to eliminate the county equalization fund for schools; and to repeal sections 9 and 10 of initiated measure No. 6 as voted on in the 1980 general election, and sections 15-40.1-03, 15-40.1-04, 15-40.1-10, 15-40.1-12, subdivision b of subsection 3 of section 57-15-06, and 57-15-24 of the North Dakota Century Code, relating to the county equalization fund for schools and the county mill levy for schools.

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

Senators Lips, Tierney introduced:

**Senate Bill No. 2231.** — A Bill for an Act to create and enact a new chapter to the North Dakota Century Code to allow a county sales tax of up to three percent to promote tourism, providing for administration and collection of the tax by the state tax commissioner, and providing penalties.

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

Senators Tierney, Lips, Rep. Martinson introduced:

**Senate Bill No. 2232.** — A Bill for an Act to amend and reenact section 15-55-18 of the North Dakota Century Code, relating to bond issue for community junior colleges and off-campus educational centers.

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

Senators Vosper, Iszler, Nelson, Roen introduced:

**Senate Bill No. 2233.** — A Bill for an Act to create and enact sections 10-06-01.1, 10-06-07, 10-06-08, 10-06-09, and 10-06-10 of the North Dakota Century Code, defining farming or ranching, authorizing certain family-type corporations to engage in farming and ranching, and providing for reports and enforcement; to amend and reenact sections

10-06-01 and 10-06-04 of the North Dakota Century Code, prohibiting farming by corporations with an exception for certain cooperatives; to repeal sections 10-06-02, 10-06-03, 10-06-05, and 10-06-06 of the North Dakota Century Code, relating to disposal of lands acquired by corporations in violation of the law; and to provide a penalty.

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

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Senator Lips introduced:

**Senate Concurrent Resolution No. 4020.** — A concurrent resolution directing the Legislative Council to conduct a study of the functions, operations, and authority of the State Health Council and the State Social Service Board.

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

**FIRST READING OF HOUSE BILLS**

**House Bill No. 1054.** — A Bill for an Act to authorize the distribution of twelve million dollars pursuant to the 1979-81 foundation aid appropriation, based upon school districts' average daily membership and transportation mileage; providing an expiration date; and declaring an emergency.

Which was read the first time and referred to the Committee on Appropriations.

**House Bill No. 1063.** — A Bill for an Act to amend and reenact section 32-12.1-04 of the North Dakota Century Code, relating to political subdivisions defending actions brought against employees and to the personal liability and indemnification of employees, and providing that an action for injuries proximately caused by the alleged negligence, wrongful act, or omission of an employee within the scope of employment or office shall be brought against a political subdivision.

Which was read the first time and referred to the Committee on Judiciary.

**House Bill No. 1147.** — A Bill for an Act to amend and reenact section 20.1-02-16 of the North Dakota Century Code, relating to rewards upon conviction of game and fish violators.

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

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2042.** — A Bill for an Act to create and enact section 28-32-03.3 of the North Dakota Century Code, relating to the effect of an objection by the committee on administrative rules to a rule adopted by an administrative agency; and to amend and reenact sections 28-32-03.1 and 54-35-02.6 of the North Dakota Century Code, relating to the publication of the administrative code and administrative code supplement and the responsibility of the committee on administrative rules.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 39, nays 7, absent and not voting 2, and two vacancies.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			GROTEBERG		●	● NELSON			● TALLACKSON		
● ALBERS			● HANSON			● NETHING			● TENNEFOS		

• BAKEWELL	• HOLMBERG	• OLIN	• THANE
• BARTH	• ISZLER	• PETERSON	• TIERNEY
• BERUBE	• LASHKOWITZ	• QUAIL	• TWETEN
• CHRISTENSEN, H. #5	• LEE	• REDLIN	• VOSPER
• CHRISTENSEN, R. #36	• LEIBMAN	• REITEN	• WALSH
• CUSSONS	• LIPS	• ROEN	• WENSTROM
• DOTZENROD	• LODDEN	• SHABLOW	• WRIGHT
• DYKSHOORN	• MELLAND	• SOLBERG	
• ERICKSON	• MOORE	• SORUM	
• FRITZELL	• MUTCH	• STENEHJEM	
• GOODMAN	• NAADEN	• STREIBEL	MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2049.** — A Bill for an Act to create and enact three new sections to chapter 54-44.2 and one new subsection to section 54-44.2-02 of the North Dakota Century Code, defining data processing terms, creating a data processing committee, and establishing procedures for data processing resource planning and for data and word processing equipment acquisition by state agencies; and to amend and reenact sections 54-44.1-04 and 54-44.2-01 and subsection 3 of section 54-44.2-02 of the North Dakota Century Code, relating to the filing of budgets with the executive budget office, the appointment of the central data processing director, and the powers and duties of the office of central data processing.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 0, absent and not voting 2, and two vacancies.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• TALLACKSON		
• ALBERS			• HANSON			• NOTHING			• TENNEFOS		
• BAKEWELL			• HOLMBERG			• OLIN	•		• THANE		
• BARTH			• ISZLER			• PETERSON			• TIERNEY		
• BERUBE			• LASHKOWITZ			• QUAIL			• TWETEN		
• CHRISTENSEN, H. #5			• LEE			• REDLIN			• VOSPER		
• CHRISTENSEN, R. #36			• LEIBMAN			• REITEN			• WALSH		
• CUSSONS			• LIPS			• ROEN			• WENSTROM		
• DOTZENROD			• LODDEN			• SHABLOW			• WRIGHT		
• DYKSHOORN			• MELLAND			• SOLBERG	•				
• ERICKSON			• MOORE			• SORUM					
• FRITZELL			• MUTCH			• STENEHJEM					
• GOODMAN			• NAADEN			• STREIBEL					MR. PRESIDENT

So the bill passed and the title was agreed to.

**Senate Bill No. 2050.** — A Bill for an Act to regulate the collection, maintenance, use and dissemination of information in records related to individuals that are maintained by certain state agencies and to provide a civil remedy and criminal penalty for violation of the Act.

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

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 3, nays 42, absent and not voting 3, and two vacancies.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS		•	• GROETBERG		•	• NELSON		•	• TALLACKSON		•
• ALBERS		•	• HANSON		•	• NOTHING		•	• TENNEFOS		•
• BAKEWELL			• HOLMBERG			• OLIN	•		• THANE		•
• BARTH		•	• ISZLER		•	• PETERSON		•	• TIERNEY		•
• BERUBE		•	• LASHKOWITZ		•	• QUAIL		•	• TWETEN		•
• CHRISTENSEN, H. #5		•	• LEE		•	• REDLIN		•	• VOSPER		•
• CHRISTENSEN, R. #36		•	• LEIBMAN		•	• REITEN		•	• WALSH		•
• CUSSONS		•	• LIPS		•	• ROEN		•	• WENSTROM		•
• DOTZENROD		•	• LODDEN		•	• SHABLOW		•	• WRIGHT		•

• DYKSHOORN	MELLAND	• SOLBERG	
• ERICKSON	• MOORE	• SORUM	•
• FRITZELL	• MUTCH	• STENEHJEM	
• GOODMAN	• NAADEN	• STREIBEL	•
			MR. PRESIDENT

Senate Bill 2050 was declared lost.

**Senate Bill No. 2056.** — 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 exempting sales of water from the sales and use taxes; and to amend and reenact subsection 2, 3, and 5 of section 57-39.2-01, subdivision b of subsection 1 of section 57-39.2-02.1, section 57-39.2-04.1, subsection 2 of section 57-39.2-18, subdivision a of subsection 6 of section 57-40.2-01, and section 57-40.2-04.1 of the North Dakota Century Code, relating to exempting water 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 46, nays 0, absent and not voting 2, and two vacancies.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• TALLACKSON		
• ALBERS			• HANSON			• NETHING			• TENNEFOS		
• BAKEWELL			• HOLMBERG			• OLIN	•		• THANE		
• BARTH			• ISZLER			• PETERSON			• TIERNEY		
• BERUBE			• LASHKOWITZ			• QUAIL			• TWETEN		
• CHRISTENSEN, H. #5			• LEE			• REDLIN			• VOSPER		
• CHRISTENSEN, R. #34			• LEIBMAN			• REITEN			• WALSH		
• CUSSONS			• LIPS			• ROEN			• WENSTROM		
• DOTZENROD			• LODOEN			• SHABLOW			• WRIGHT		
• DYKSHOORN			• MELLAND			• SOLBERG	•				
• ERICKSON			• MOORE			• SORUM					
• FRITZELL			• MUTCH			• STENEHJEM					MR. PRESIDENT
• GOODMAN			• NAADEN			• STREIBEL					

So the bill passed and the title was agreed to.

**Senate Bill No. 2067.** — A Bill for an Act to amend and reenact section 27-05-27 and subsection 2 of section 29-15-21 of the North Dakota Century Code, relating to the hearing of postjudgment motions before the judge before whom the matter was originally heard, and the demand for a change of judge.

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 4, and two vacancies.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• TALLACKSON		
• ALBERS	•		• HANSON			• NETHING			• TENNEFOS		
• BAKEWELL			• HOLMBERG			• OLIN	•		• THANE		
• BARTH			• ISZLER			• PETERSON			• TIERNEY		
• BERUBE			• LASHKOWITZ			• QUAIL			• TWETEN		
• CHRISTENSEN, H. #5			• LEE			• REDLIN			• VOSPER		
• CHRISTENSEN, R. #34			• LEIBMAN			• REITEN			• WALSH		
• CUSSONS			• LIPS			• ROEN			• WENSTROM		
• DOTZENROD			• LODOEN			• SHABLOW			• WRIGHT		
• DYKSHOORN			• MELLAND			• SOLBERG	•				
• ERICKSON			• MOORE			• SORUM					
• FRITZELL			• MUTCH			• STENEHJEM					MR. PRESIDENT
• GOODMAN			• NAADEN			• STREIBEL					

So the bill passed and the title was agreed to.

**Senate Bill No. 2073.** — A Bill for an Act to repeal chapter 44-07 of the North Dakota Century Code, relating to the appointment of a

commissioner of deeds, stating the powers, duties and terms of office, requiring seal and bond, and providing compensation for services.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 0, absent and not voting 4, and two vacancies.

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION			ROLL CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTEBERG			● NELSON					● TALLACKSON
● ALBERS	●		● HANSON			● NETHING					● TENNEFOS
● BAKEWELL			● HOLMBERG			● OLIN	●				● THANE
● BARTH			● ISZLER			● PETERSON					● TIERNEY
● BERUBE			● LASHKOWITZ			● QUAIL					● TWETEN
● CHRISTENSEN, H. #5			● LEE			● REDLIN					● VOSPER
● CHRISTENSEN, R. #36			● LEIBMAN			● REITEN					● WALSH
● CUSSONS			● LIPS			● ROEN					● WENSTROM
● DOTZENROD			● LODOEN			● SHABLOW					● WRIGHT
● DYKSHOORN			● MELLAND			● SOLBERG	●				
● ERICKSON			● MOORE			● SORUM					
● FRITZELL			● MUTCH			● STENEHJEM					
● GOODMAN			● NAADEN			● STREIBEL					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 54-27.1-01 of the North Dakota Century Code, relating to appointment of the federal aid coordinator.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 44, nays 0, absent and not voting 4, and two vacancies.

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

So the bill passed and the title was agreed to.

**MOTION**

Senator Mutch moved that Senate Bill 2079 be returned to the Committee on Transportation, which motion prevailed.

**SECOND READING OF SENATE BILLS**

**Senate Bill No. 2110.** — A Bill for an Act to amend and reenact section 15-39.1-18 of the North Dakota Century Code, relating to disability retirements.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 0, absent and not voting 3, and two vacancies.

NORTH DAKOTA SENATE									1981 LEGISLATURE		
REGULAR SESSION			ROLL CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS

● ADAMS	● GROETBERG	● NELSON	● TALLACKSON
● ALBERS	● HANSON	● NETHING	● TENNEFOS
● BAKEWELL	● HOLMBERG	● OLIN	● THANE
● BARTH	● ISZLER	● PETERSON	● TIERNEY
● BERUBE	● LASHKOWITZ	● QUAIL	● TWETEN
● CHRISTENSEN, H. #5	● LEE	● REDLIN	● VOSPER
● CHRISTENSEN, R. #30	● LEIBHAN	● REITEN	● WALSH
● CUSSONS	● LIPS	● ROEN	● WENSTROM
● DOTZENROD	● LODGEN	● SHABLOW	● WRIGHT
● DYKSHOORN	● MELLAND	● SOLBERG	
● ERICKSON	● MOORE	● SORUM	
● FRITZELL	● MUTCH	● STENEHJEM	MR. PRESIDENT
● GOODMAN	● NAADEN	● STREIBEL	

So the bill passed and the title was agreed to.

**Senate Bill No. 2128.** — A Bill for an Act providing for the acquisition of geophysical data by the office of the state geologist, the purchase of such data, the acceptance of donated data, and the confidentiality of donated data when requested by the donor.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, SJ page 137, the roll was called and there were ayes 46, nays 0, absent and not voting 2, and two vacancies.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● TALLACKSON		
● ALBERS			● HANSON			● NETHING			● TENNEFOS		
● BAKEWELL			● HOLMBERG			● OLIN	●		● THANE		
● BARTH			● ISZLER			● PETERSON			● TIERNEY		
● BERUBE			● LASHKOWITZ			● QUAIL			● TWETEN		
● CHRISTENSEN, H. #5			● LEE			● REDLIN			● VOSPER		
● CHRISTENSEN, R. #30			● LEIBHAN			● REITEN			● WALSH		
● CUSSONS			● LIPS			● ROEN			● WENSTROM		
● DOTZENROD			● LODGEN			● SHABLOW			● WRIGHT		
● DYKSHOORN			● MELLAND			● SOLBERG	●				
● ERICKSON			● MOORE			● SORUM					
● FRITZELL			● MUTCH			● STENEHJEM					MR. PRESIDENT
● GOODMAN			● NAADEN			● STREIBEL					

So the bill passed and the title was agreed to.

**Senate Bill No. 2160.** — A Bill for an Act to amend and reenact section 20.1-03-17 of the North Dakota Century Code, relating to the issuance of hunting, fur-bearer, fishing, and all other licenses and permits issued by the game and fish department.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, SJ page 138, the roll was called and there were ayes 45, nays 0, absent and not voting 3, and two vacancies.

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● TALLACKSON		
● ALBERS			● HANSON			● NETHING			● TENNEFOS		
● BAKEWELL			● HOLMBERG			● OLIN	●		● THANE		
● BARTH			● ISZLER			● PETERSON			● TIERNEY		
● BERUBE			● LASHKOWITZ			● QUAIL			● TWETEN		
● CHRISTENSEN, H. #5			● LEE			● REDLIN			● VOSPER		
● CHRISTENSEN, R. #30			● LEIBHAN			● REITEN			● WALSH		
● CUSSONS			● LIPS			● ROEN			● WENSTROM		
● DOTZENROD			● LODGEN			● SHABLOW			● WRIGHT		
● DYKSHOORN			● MELLAND			● SOLBERG	●				
● ERICKSON			● MOORE			● SORUM					
● FRITZELL			● MUTCH			● STENEHJEM					MR. PRESIDENT
● GOODMAN			● NAADEN			● STREIBEL					

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

**Senate Bill No. 2185.** — A Bill for an Act to amend and reenact subsection 4 of section 57-52-03, section 57-52-04, and subsection 3 of

section 57-53-01 of the North Dakota Century Code, relating to the taxation of agriculturally derived fuels.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 0, absent and not voting 1, and two vacancies.

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

So the bill passed and the title was agreed to.

**Senate Bill No. 2191.** — A Bill for an Act to amend and reenact sections 15-22-23, 15-28-03, 15-28-04, and 15-28-07 of the North Dakota Century Code to allow school boards to hold annual elections on the first or second Tuesday in June and to share costs with the 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 45, nays 2, absent and not voting 1, and two vacancies.

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

So the bill passed and the title was agreed to.

**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. 2003

ROY GILBREATH, Chief Clerk

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

Senator Nething moved that after the reading of Senate Bills 2026, 2063, 2076, 2102, 2104, 2105, 2108, 2111, 2138, 2143, 2146, 2154, 2158, 2170, 2186, 2190 and SCR 4001, the Senate adjourn until 1:30 P.M., Thursday, January 15, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary