

FOURTEENTH DAY

Bismarck, January 23, 1981

The Senate convened at 12:30 p.m., with President Sands presiding.

The prayer was offered by Rev. Walter Elmer, Pastor, Calvary United Methodist Church, Bismarck.

Almighty God, who hast given us this good land for our heritage: We humbly beseech Thee that we may always prove ourselves a people, mindful of Thy favor and glad to do Thy will. We pause to give Thee thanks for Your kind providence that made it possible to bring about the release of the hostages. We are grateful for those who were willing to be used to bring about this victory.

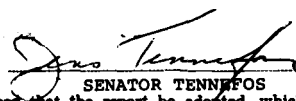
And now we pray for the members of the Senate and for all of us - that You will grant us Your Divine guidance as we face and desire to resolve difficult issues. Grant that those in the state of North Dakota, who are represented by these men and women, may give them moral and prayer support today and in the days to come. As they seek to do Your will, give them, O God the spirit of wisdom and understanding, the spirit of counsel and strength, and the spirit of knowledge and of the fear of the Lord. May their decisions and their efforts be aimed at the peace and well-being for all of us and all peoples, we pray in the name of Him who said, "Ask and it shall be given you; seek and you shall find, knock, and it shall be opened unto you." Amen.

The roll was called and all members were present except Senator Naaden.

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 Thirteenth day and and finds the same to be correct.

Senator Walsh  Chairman
SENATOR TENNESSEE
moves that the report be adopted, which motion prevailed.

Report of Procedural Committee

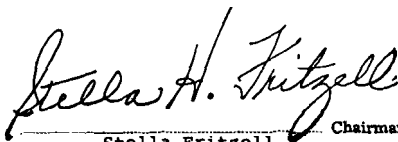
MR. PRESIDENT:

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

- Senate Bill No. 2020
- Senate Bill No. 2081
- Senate Bill No. 2087
- Senate Bill No. 2121
- Senate Bill No. 2129

Senate Bill No. 2147
Senate Bill No. 2153

and find the same correctly } Engrossed



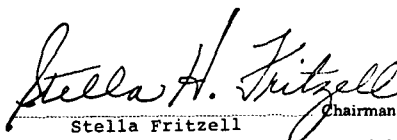
Senator Dotzenrod moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

Senate Bill No. 2096

and find the same correctly } Re-Engrossed



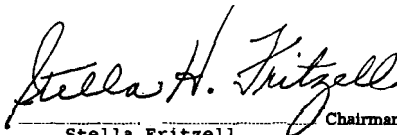
Senator MOORE moved that the report be adopted, which motion prevailed.

MR. PRESIDENT:

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

Senate Bill No. 2127

and find the same correctly } Re-Engrossed



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

CONSIDERATION OF AMENDMENTS

Senator Lodoen moved that the amendments to Senate Bill No. 2201 as recommended by the Committee on State and Federal Government and printed on page 269 of the Senate Journal be adopted, which motion prevailed.

MOTIONS

Senator Goodman moved that Senate Bill No. 2275 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

Senator Goodman moved that Senate Bill No. 2275 be re-referred to the Committee on Transportation, which motion prevailed.

Senator Lodoen moved that Senate Bill No. 2351 be returned to the Senate floor from the Committee on State and Federal Government, which motion prevailed.

Senator Lodoen moved that Senate Bill No. 2351 be re-referred to the Committee on Industry, Business and Labor which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Reiten, Lashkowitz, Wenstrom introduced:

Senate Bill No. 2357. — A Bill for an Act to provide matching grants to municipalities and landscaped rural residences for conducting sanitation and reforestation programs; and to make an appropriation.

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

Senator Tweten, Rep. Freborg introduced:

Senate Bill No. 2358. — A Bill for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code to provide

for a credit against income taxes if the general fund balance reaches a certain level; to amend and reenact sections 57-38-29 and 57-38-30 of the North Dakota Century Code, relating to the tax rates for individual and corporate income taxpayers; and to provide an effective date.

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

Senator Lips, Reprs. Gerl, Unhjem introduced:

Senate Bill No. 2359. — A Bill for an Act to designate the university of North Dakota art galleries as the North Dakota state art gallery.

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

Senators Sorum, Roen, R. Christensen introduced:

Senate Bill No. 2360. — A Bill for an Act to impose a size limitation on a lease for the production of oil, gas, or minerals.

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

Senators Sorum, Iszier, Albers, Rep. O. Hanson introduced:

Senate Bill No. 2361. — A Bill for an Act to create and enact a new section to chapter 63-01.1 of the North Dakota Century Code requiring telephone, telegraph, and electric corporations, cooperatives, and other business entities to control noxious weeds upon request of the landowner or operator, and providing for cutting and tax assessment upon failure to do so.

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

Senator Albers introduced:

Senate Bill No. 2362. — A Bill for an Act to create and enact a new subsection to section 57-62-01 of the North Dakota Century Code to define tripple.

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

Senator Hanson, Rep. A. Olson introduced:

Senate Bill No. 2363. — A Bill for an Act to create and enact a new subsection to section 39-01-15, a new subsection to section 39-10-48, and two new subsections to section 39-10-50 of the North Dakota Century Code, relating to parking spaces designated for use by physically handicapped persons and the authority of the highway patrol to enforce traffic and parking violations on state charitable and penal institutions and on the state capitol grounds; and to amend and reenact section 39-06.1-08 of the North Dakota Century Code, relating to the definition of "nonmoving violation".

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

Senator Goodman introduced:

Senate Bill No. 2364. — A Bill for an Act to create and enact a new section to chapter 57-13 of the North Dakota Century Code, relating to the status of the state board of equalization when performing its duties.

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

Senators Tallackson, Vosper, Tweten, Dotzenrod introduced:

Senate Bill No. 2365. — A Bill for an Act to provide an appropriation to the North Dakota state university main experiment station for defraying the expenses of a full-time program in breeding of dry edible beans.

Was read the first time and referred to the committee on

Agriculture.

Senator Tallackson introduced:

Senate Bill No. 2366. — A Bill for an Act to amend and reenact section 20.1-01-18 and subsection 2 of section 20.1-03-11 of the North Dakota Century Code, relating to permission required of landowners to trap fur-bearers and limitations on the number of deer licenses issued.

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

Senator Tennefos introduced:

Senate Bill No. 2367. — A Bill for an Act to create and enact subsection 6 of section 43-10.1-01 of the North Dakota Century Code, relating to definitions used in pre-need funeral service contracts; and to amend and reenact section 23-06-03.1, subsections 2 and 3 of section 43-10.1-01, and subsection 4 of section 43-10.1-03 of the North Dakota Century Code, relating to the deposit of funds collected from and the definitions used in pre-need funeral service contracts.

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

Senators Iszler, Dotzenrod, Sorum introduced:

Senate Bill No. 2368. — A Bill for an Act to provide for the sale of bonds by the state of North Dakota to provide funds for the making of loans to be used in connection with agriculture and agricultural enterprises, and to authorize the industrial commission of North Dakota to administer such agricultural loan financing program.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Senators Lashkowitz, Hanson introduced:

Senate Concurrent Resolution No. 4026. — A concurrent resolution for the creation of a new section to article V of the Constitution of the State of North Dakota, previously designated as article III of the Constitution prior to publication of the renumbered Constitution, relating to the effectiveness of executive agency rules and regulations prior to approval by the Legislative Assembly or a designee of the Legislative Assembly.

Was read the first time and referred to the committee on Constitutional Revision.

FIRST READING OF HOUSE BILLS

House Bill No. 1107. — A Bill for an Act to amend and reenact section 27-17-03, subsection 1 of section 27-24-01, and subsection 1 of section 27-24-04 of the North Dakota Century Code, relating to the services and compensation of retired justices and judges and the appointment and compensation of temporary judges; and declaring an emergency.

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

House Bill No. 1159. — A Bill for an Act to amend and reenact section 61-02-04 of the North Dakota Century Code to expand the membership of the state water conservation commission.

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

House Bill No. 1181. — A Bill for an Act to amend and reenact section 57-38-42 of the North Dakota Century Code, relating to the submission of information reports on magnetic tapes, a notification requirement,

and the content of information reports; 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. 1206.— A Bill for an Act to cede to the United States concurrent criminal jurisdiction on lands within the Theodore Roosevelt national park, Fort Union trading post national historic site, and Knife River Indian villages national historic site, and to provide for retrocession of that jurisdiction.

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

Report of Standing Committee

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 do not pass be placed on calendar without recommendation

be amended as follows:

On page 1, line 13, delete the numerals "294,401" and insert in lieu thereof the numerals "308,138"

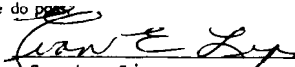
On page 1, line 16, delete the numerals "483,774" and insert in lieu thereof the numerals "497,511"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Salaries and wages for the Livestock Sanitary Board are increased by \$13,737 to provide funds for the continuation of the ten percent emergency salary increase and for salary increases of nine percent for the first year of the biennium and eight percent for the second year of the biennium with funds for fringe benefits including the state funding the employee's share of PERS.

And when so amended recommends the same ~~do pass~~


 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 Appropriations

to whom was referred Senate Bill No. 2024

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 Lips Chairman

Senate Bill No. 2024 was placed on the 11th

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

JOURNAL OF THE SENATE

Mr. President: Your Committee on Appropriations

to whom was referred Senate Bill No. 2039

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar without recommendation

be amended as follows:

 Chairman
 (Senator Lips)

Senate Bill No. 2039 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 Bill No. 2130

Has had the same under consideration and recommends that the same

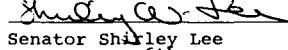
do pass do not pass be placed on calendar without recommendation

be amended as follows:

On page 2, line 23, after the word "affected", insert the word "soil"

On page 2, line 27, delete "districts" and insert in lieu thereof the word "district"

And when so amended recommends the same ~~to be~~ be re-referred to the Committee on Appropriations.

 Chairman
 Senator Shirley Lee

Senate Bill No. 2130 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. 2139

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 2, after "38-12.1-03" insert a comma and "subdivision b of subsection 1 of section 38-12.1-04, and subsection 3 of section 38-14.1-13"

On page 1, line 3, after "data" insert a comma and "delivery of exploration data to the state geologist, and coal mining permit applications"

On page 1, delete lines 18 through 22 and insert in lieu thereof the following:

"b. Environmental data gathering activities which substantially disturb the natural land surface and which are conducted for

the purpose of establishing the conditions of an area prior to applying for a permit under chapter 38-14.1. The provisions of sections 38-12.1-04 and 38-12.1-05 shall not be applicable to such environmental data gathering activities unless the natural land surface will be substantially disturbed."

SECTION 2. AMENDMENT. Subdivision b of subsection 1 of section 38-12.1-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

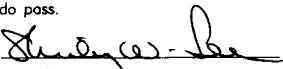
- b. The delivery, free of charge, to the state geologist of the basic data collected during the course of the exploration within a reasonable time as may be prescribed by the state geologist. The data so submitted shall be confidential and available only to the office of the state geologist for official purposes for a period of two years, 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 for a total period not to exceed ten years unless it is demonstrated that such period should be further extended in order to prevent possible resulting harm to the person, his successors, and assigns, who delivered such basic data to the state geologist. The basic data shall include, if specifically requested by the state geologist and if the information has been developed by or for a person conducting the exploration:
- (1) Sample cuts.
 - (2) Drillers' logs, sample logs, radioactivity logs, resistivity logs, or other types of electrical or mechanical logs.
 - (3) Elevation and location information on the data collection points.
 - (4) Other pertinent information as may be required by the state geologist.

JOURNAL OF THE SENATE

SECTION 3. AMENDMENT. Subsection 3 of section 38-14.1-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Upon request by the permit applicant, the commission in its discretion, may designate specific information included in the plans required by subdivisions c and d of subsection 1 as exempt from disclosure under section 44-04-18, provided such specific information pertains only to the analysis of the chemical and physical properties of the coal (excepting information regarding such mineral or elemental contents which is potentially toxic in the environment). Each request shall be accompanied by a statement specifying the need for nondisclosure, which statement shall be considered part of the permit application to be filed for public inspection as specified in subsection 2. The confidential information shall be exempt for a period not to exceed seven ten years subsequent to the date on which the request for nondisclosure was filed, unless it is demonstrated by the permit applicant that such period should be further extended in order to prevent possible resulting harm to the permit applicant, his successors, and assigns.

And when so amended recommends the same do pass.

 Chairman

Senator Shirley Lee

Senate _____ Bill No. 2139 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. 2142 _____

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, following the word "Act", delete the following:
"to create and enact section 36-04-03.1 of the"

On page 1, line 2, delete the following: "North Dakota Century
Code, relating to the licensing and"

On page 1, line 3, delete the following: "regulation of livestock dealers; and"

On page 1, delete lines 19 through 28

On page 2, delete lines 1 through 15

On page 2, line 16, delete the number "3" and insert in lieu thereof the number "2"

And renumber the lines and pages accordingly

And when so amended recommends the same do pass

 Chairman
Senator Iszler

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 Social Services & Veterans Affairs

to whom was referred Senate Bill No. 2148

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 Peterson

Senate Bill No. 2148 was placed on the 11th

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

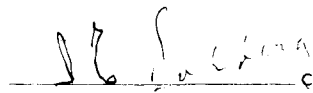
Mr. PRESIDENT: Your Committee on TRANSPORTATION

to whom was referred SENATE Bill No. 2174

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 SOLBERG

SENATE Bill No. 2174 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. 2181

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. 2181 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. 2214

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 2, delete the words "subsection 2 of" and insert in lieu thereof the words "subsections 2 and 3 of"

On page 1, line 7, after the word "farmer" insert the words "and landowner"

On page 1, line 9, after "tax" insert a semicolon and the words "and to provide an effective date"

On page 1, line 23, after the word "to" insert the words "or less than"

On page 1, line 24, delete the words "to meet gift tax requirements" and insert in lieu thereof the words "before interest is imputed"


On page 3, line 5, delete the words "Subsection 2" and insert in lieu thereof the words "Subsections 2 and 3"

On page 3, after line 28, insert the following subsection:
"3. "Landowner" means any person individual, partnership, trust, or estate owning land in North Dakota, except that any person who individual, partnership, trust, or estate that acquires such land for the purpose of obtaining the income tax deduction provided for in sections 57-38-67 through 57-38-70 shall not be deemed a landowner."

On page 4, after line 18, insert the following section:
"SECTION 5. EFFECTIVE DATE. This Act shall be effective after December 31, 1980."

And renumber the lines, sections and pages accordingly

And when so amended recommends the same do pass.

 Chairman
Senator Iszler

Senate Bill No. 2214 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. 2237

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 4, after the word "authority" insert the following:
"; and to declare an emergency"

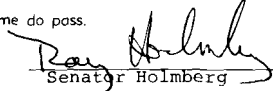
On page 1, line 16, following "5-02-09" insert "section 58-03-11, chapter 11-33,"

On page 1, after line 16, insert the following section:

"SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and shall be in 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.

 Chairman
 Senator Holmberg

SENATE Bill No. 2237 was placed on the SIXTH

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

SECOND READING OF SENATE BILLS

Senate Bill No. 2020. — A Bill for a Act making an appropriation for defraying the expenses of the state fire marshal 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 246, the roll was called and there were ayes 48, nays 0, absent and not voting 2.

REGULAR SESSION									NORTH DAKOTA SENATE									1981 LEGISLATURE								
YEAS			N-V			NAYS			YEAS			N-V			NAYS			YEAS			N-V			NAYS		
<input checked="" type="checkbox"/>	ADAMS		<input checked="" type="checkbox"/>	GROETBERG		<input checked="" type="checkbox"/>	NELSON		<input checked="" type="checkbox"/>	STREIBEL																
<input checked="" type="checkbox"/>	ALBERS		<input checked="" type="checkbox"/>	HANSON		<input checked="" type="checkbox"/>	NETHING		<input checked="" type="checkbox"/>	STROMME																
<input checked="" type="checkbox"/>	BAKEWELL		<input checked="" type="checkbox"/>	HOLMBERG		<input checked="" type="checkbox"/>	OLIN		<input checked="" type="checkbox"/>	TALLACKSON																
<input checked="" type="checkbox"/>	BARTH		<input checked="" type="checkbox"/>	ISZLER		<input checked="" type="checkbox"/>	PARKER		<input checked="" type="checkbox"/>	TENNEFOS																
<input checked="" type="checkbox"/>	BERUBE		<input checked="" type="checkbox"/>	LASHKOWITZ		<input checked="" type="checkbox"/>	PETERSON		<input checked="" type="checkbox"/>	THANE																
<input checked="" type="checkbox"/>	CHRISTENSEN, H. JS		<input checked="" type="checkbox"/>	LEE		<input checked="" type="checkbox"/>	QUAIL		<input checked="" type="checkbox"/>	TIERNEY																
<input checked="" type="checkbox"/>	CHRISTENSEN, R. JW		<input checked="" type="checkbox"/>	LEIBMAN		<input checked="" type="checkbox"/>	REDLIN		<input checked="" type="checkbox"/>	TWETEN																
<input checked="" type="checkbox"/>	CUSSONS		<input checked="" type="checkbox"/>	LIPS		<input checked="" type="checkbox"/>	REITEN		<input checked="" type="checkbox"/>	VOSPER																
<input checked="" type="checkbox"/>	DOTZENROD		<input checked="" type="checkbox"/>	LODOEN		<input checked="" type="checkbox"/>	ROEN		<input checked="" type="checkbox"/>	WALSH																
<input checked="" type="checkbox"/>	DYKSHOORN		<input checked="" type="checkbox"/>	MELLAND		<input checked="" type="checkbox"/>	SHABLOW		<input checked="" type="checkbox"/>	WENSTROM																
<input checked="" type="checkbox"/>	ERICKSON		<input checked="" type="checkbox"/>	MOORE		<input checked="" type="checkbox"/>	SOLBERG		<input checked="" type="checkbox"/>	WRIGHT																
<input checked="" type="checkbox"/>	FRITZELL		<input checked="" type="checkbox"/>	MUTCH		<input checked="" type="checkbox"/>	SORUM		<input checked="" type="checkbox"/>	MR. PRESIDENT																
<input checked="" type="checkbox"/>	GOODMAN		<input checked="" type="checkbox"/>	NAADEN		<input checked="" type="checkbox"/>	STENEHJEM																			

So the bill passed and the title was agreed to.

Senate Bill No. 2121. — A Bill for an Act to amend and reenact sections 43-07-05, 43-07-07, 43-07-09, 43-07-10, and 43-07-19 of the North Dakota Century Code, relating to contractors' license fees, expiration and renewal of contractors' licenses, and nonresident contractors' appointment of agent for service of process.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 248, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

REGULAR SESSION									NORTH DAKOTA SENATE									1981 LEGISLATURE								
YEAS			N-V			NAYS			YEAS			N-V			NAYS			YEAS			N-V			NAYS		
<input checked="" type="checkbox"/>	ADAMS		<input checked="" type="checkbox"/>	GROETBERG		<input checked="" type="checkbox"/>	NELSON		<input checked="" type="checkbox"/>	STREIBEL																
<input checked="" type="checkbox"/>	ALBERS		<input checked="" type="checkbox"/>	HANSON		<input checked="" type="checkbox"/>	NETHING		<input checked="" type="checkbox"/>	STROMME																
<input checked="" type="checkbox"/>	BAKEWELL		<input checked="" type="checkbox"/>	HOLMBERG		<input checked="" type="checkbox"/>	OLIN		<input checked="" type="checkbox"/>	TALLACKSON																

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

So the bill passed and the title was agreed to.

Senate Bill No. 2127. — A Bill for an Act to create and enact a new section to chapter 65-05 of the North Dakota Century Code, relating to penalties for false claims; and to amend and reenact sections 65-05-03, 65-05-04, 65-05-05, 65-05-15, 65-05-17, 65-05-25, and 65-05-26 of the North Dakota Century Code, relating to informing employers of awards, limitation on appeals, payments through other state Acts, aggravation of employment injuries, lump sum settlements, and burial expenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ pages 180, 248, 249, the roll was called and there were ayes 47, nays 1, absent and not voting 2.

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			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ	•		• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2129. — A Bill for an Act to amend and reenact section 60-02-09 of the North Dakota Century Code, relating to the duration of surety bonds of public warehouses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 249, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

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			• GROTBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH			• ISZLER			• PARKER			• TENNEFOS		
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE		
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY		
• CHRISTENSEN, R. #36			• LEIBHAN			• REDLIN			• TWETEN		
• CUSSONS			• LIPS			• REITEN			• VOSPER		
• DOTZENROD			• LODOEN			• ROEN			• WALSH		
• DYKSHOORN			• MELLAND			• SHABLOW			• WENSTROM		
• ERICKSON			• MOORE			• SOLBERG			• WRIGHT		
• FRITZELL			• MUTCH			• SORUM			• MR. PRESIDENT		
• GOODMAN			• NAADEN			• STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2131. — A Bill for an Act to provide for the creation of a Vietnam conflict veterans scholarship trust fund, to establish a

Vietnam conflict veterans scholarship trust fund board; and providing an appropriation.

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 6, nays 42, absent and not voting 2.

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		●	GROTBERG		●	NELSON		●	STREIBEL		●
ALBERS		●	HANSON		●	NETHING		●	STROME		●
BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON		●
BARTH		●	ISZLER		●	PARKER		●	TENNEFOS		●
BERUBE		●	LASHKOWITZ		●	PETERSON		●	THANE		●
CHRISTENSEN, H. #5		●	LEE		●	QUAIL		●	TIERNEY		●
CHRISTENSEN, R. #34		●	LEIBHAN		●	REDLIN		●	TWETEN		●
CUSSONS		●	LIPS		●	REITEN		●	VOSPER		●
DOTZENROD		●	LODOEN		●	ROEN		●	WALSH		●
DYKSHOORN		●	MELLAND		●	SHABLOW		●	WENSTROM		●
ERICKSON		●	MOORE		●	SOLBERG		●	WRIGHT		●
FRITZELL		●	MUTCH		●	SORUM		●	MR. PRESIDENT		●
GOODMAN		●	HAADEN		●	STENENJEM		●			

Senate Bill No. 2131 was declared lost.

Senate Bill No. 2147. — A Bill for an Act to amend and reenact section 15-62.1-01 of the North Dakota Century Code, relating to the administration of the student loan guarantee program.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ pages 249, 250, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

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		●	GROTBERG		●	NELSON		●	STREIBEL		●
ALBERS		●	HANSON		●	NETHING		●	STROME		●
BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON		●
BARTH		●	ISZLER		●	PARKER		●	TENNEFOS		●
BERUBE		●	LASHKOWITZ		●	PETERSON		●	THANE		●
CHRISTENSEN, H. #5		●	LEE		●	QUAIL		●	TIERNEY		●
CHRISTENSEN, R. #34		●	LEIBHAN		●	REDLIN		●	TWETEN		●
CUSSONS		●	LIPS		●	REITEN		●	VOSPER		●
DOTZENROD		●	LODOEN		●	ROEN		●	WALSH		●
DYKSHOORN		●	MELLAND		●	SHABLOW		●	WENSTROM		●
ERICKSON		●	MOORE		●	SOLBERG		●	WRIGHT		●
FRITZELL		●	MUTCH		●	SORUM		●	MR. PRESIDENT		●
GOODMAN		●	HAADEN		●	STENENJEM		●			

So the bill passed and the title was agreed to.

Senate Bill No. 2153. — A Bill for an Act to amend and reenact section 15-59-06 of the North Dakota Century Code, relating to the state cooperation in special education.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ pages 250, 251, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

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		●	GROTBERG		●	NELSON		●	STREIBEL		●
ALBERS		●	HANSON		●	NETHING		●	STROME		●
BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON		●
BARTH		●	ISZLER		●	PARKER		●	TENNEFOS		●

● BERUBE	● LASHKOWITZ	● PETERSON	● THANE
● CHRISTENSEN, H. #5	● LEE	● QUAIL	● TIERNEY
● CHRISTENSEN, R. #34	● LEIBHAN	● REDLIN	● TWETEN
● CUSSONS	● LIPS	● REITEN	● VOSPER
● DOTZENROD	● LODGEN	● ROEN	● WALSH
● DYKSHOORN	● MELLAND	● SHABLOW	● WENSTROM
● ERICKSON	● MOORE	● SOLBERG	● WRIGHT
● FRITZELL	● MUTCH	● SORUM	● MR. PRESIDENT
● GOODMAN	● NAADEN	● STENEHJEM	

So the bill passed and the title was agreed to.

Senate Bill No. 2171. — A Bill for an Act to amend and reenact sections 20.1-09-02 and 20.1-09-03 of the North Dakota Century Code, relating to permits to propagate, domesticate., or possess birds or animals and contents of permit application.

Which has been read.

ROLL CALL

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

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODGEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2192. — A Bill for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 21, nays 28, absent and not voting 1.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #34			● LEIBHAN			● REDLIN			● TWETEN		
● CUSSONS			● LIPS			● REITEN			● VOSPER		
● DOTZENROD			● LODGEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEN			● STENEHJEM					

Senate Bill No. 2192 was declared lost.

Senate Bill No. 2199. — A Bill for an Act to amend and reenact section 12-44.1-02 of the North Dakota Century Code, relating to establishing jails and entering into jail contracts and allowing counties and cities to contract with counties and cities in other states for the confinement of inmates.

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 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #26			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODOEN			● ROEN		● WALSH
● DYKSHOORN			● MELLAND			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		MR. PRESIDENT
● GOODMAN			● NAADEN			● STENEHJEM		

So the bill passed and the title was agreed to.

Senate Bill No. 2221. — A Bill for an Act to amend and reenact subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to length limitations for vehicles on certain highways.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #26			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODOEN			● ROEN		● WALSH
● DYKSHOORN			● MELLAND			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		MR. PRESIDENT
● GOODMAN			● NAADEN			● STENEHJEM		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

House Bill No. 1054. — A Bill for an Act providing an appropriation based upon school districts average daily membership and transportation mileage; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ pages 252, 253, the roll was called and there were ayes 49, nays 0, absent and not voting 1.

NORTH DAKOTA SENATE								
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROTBERG			● NELSON		● STREIBEL
● ALBERS			● HANSON			● NETHING		● STROMME
● BAKEWELL			● HOLMBERG			● OLIN		● TALLACKSON
● BARTH			● ISZLER			● PARKER		● TENNEFOS
● BERUBE			● LASHKOWITZ			● PETERSON		● THANE
● CHRISTENSEN, H. #5			● LEE			● QUAIL		● TIERNEY
● CHRISTENSEN, R. #26			● LEIBHAN			● REDLIN		● TWETEN
● CUSSONS			● LIPS			● REITEN		● VOSPER
● DOTZENROD			● LODOEN			● ROEN		● WALSH
● DYKSHOORN			● MELLAND			● SHABLOW		● WENSTROM
● ERICKSON			● MOORE			● SOLBERG		● WRIGHT
● FRITZELL			● MUTCH			● SORUM		MR. PRESIDENT
● GOODMAN			● NAADEN			● STENEHJEM		

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

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. 2013
Senate Bill No. 2101
Senate Bill No. 2115
Senate Bill No. 2133
Senate Bill No. 2166
Senate Bill No. 2168
Senate Bill No. 2178
Senate Bill No. 2180
Senate Bill No. 2220
Senate Bill No. 2225
Senate Concurrent Resolution No. 4010

LEO LEIDHOLM, Secretary
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:
House Concurrent Resolution No. 3014
Which the President has signed.

LEO LEIDHOLM, Secretary
Senate Chamber

Mr. Speaker: I have the honor to return herewith the following, which the Senate has passed unchanged:
House Bill No. 1090

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. 1042
House Bill No. 1072
House Bill No. 1075
House Bill No. 1112
House Bill No. 1126
House Bill No. 1183
House Bill No. 1207
House Bill No. 1209
House Bill No. 1210
House Bill No. 1214
House Bill No. 1224

ROY GILBREATH, Chief Clerk

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

Senator Nething moved that after the reading of Senate Bills Nos. 2024, 2039, 2148, 2174, 2181 and 2201, the Senate adjourn and convene at 1:30 p.m., Monday, January 26, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary