

ELEVENTH DAY

Bismarck, January 20, 1981

The Senate convened at 1:30 p.m., with President Sands presiding.

The prayer was offered by Rev. Al Strand, Pastor, Grace Lutheran Church, Bottineau, N. D.

Our great God and Father in Heaven, we come before You with grateful hearts because of the many events of this 20th day of January, 1981. We thank You because fifty two Americans are free and on their way to the greatest country on earth, the United States of America. We thank You for our new President who has taken office today. We pray for President Reagan, his staff and administration. Bless them as they serve this great nation and this great state of North Dakota. Bless this assembly in the North Dakota Senate.

We thank You, Lord for friends who continue to be friends even after they know us well; for people who love us even after they have seen us at our worst; for public servants, preachers, teachers, police officers, firemen, and church workers, who serve us faithfully even though we never stop to thank them; for all those who never stop doing good work just because no one expresses gratitude.

We thank You today for the brave people of our land who are more interested in being right than in being popular; for those who are willing to support a good cause publicly even though they know that cause may not succeed.

We are thankful, Lord, for our freedom - for the freedom to choose our religion; for the freedom to choose our profession, trade, or career; for the freedom to travel from state to state without passing armed border guards; and for the freedom to write letters to the editor, or place an advertisement in the newspaper, or rent a hall to speak.

We thank You, Lord, for our human rights - for the right to vote to elect the men and women to office who pass the laws of this land; for the right to vote out of office those who prove unworthy of our trust; for the right to elect the leader of our nation; and for the right to publicly disagree with him as we choose, without the fear of a knock at the door in the black of night, or a wiretap on our private telephone line.

I am thankful today for young people who dare to believe they can improve upon the achievements of their parents, but truly appreciate all the older generation has done before them. I am thankful for older people who dare to believe that the world can succeed and improve without them.

And finally, Lord, I am thankful for the church that brought the joy of living into my life when it introduced me to the person who has

become my best friend - Jesus Christ! Amen

The roll was called and all members were present except Senators Bakewell, Mutch, Redlin, Roen, Tennesfos and Wright.

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 Tenth day and recommends that the same be corrected as follows:

On page 220, line 18, after the name "Quail", insert
", Rep. Martin"

And when so corrected recommends that the same be approved.

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

Stella H. Fritzell
Senator Sorum Vice-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. 2021
- Senate Bill No. 2023
- Senate Bill No. 2069
- Senate Bill No. 2172

and find the same correctly } Engrossed

Stella H. Fritzell
Stella Fritzell Chairman

Senator Dykshoorn 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. 2079

and find the same correctly } Re Engrossed

Stella H. Fritzell
Stella Fritzell Chairman

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

MOTIONS

Senator H. Christensen moved that Senate Bill No. 2257 be returned to the Senate floor from the Committee on Judiciary, which motion prevailed.

Senator H. Christensen moved that Senate Bill No. 2257 be referred to the Committee on Political Subdivisions, which motion prevailed.

Report of Standing Committee

Mr. President Your Committee on Judiciary
to whom was referred Senate Bill No. 2062

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 everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to amend and reenact section 9-10-07 of the North Dakota Century Code, relating to comparative negligence.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 9-10-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

"9-10-07. COMPARATIVE NEGLIGENCE. Contributory negligence shall not bar recovery in an action by any person or his legal representative to recover damages for negligence resulting in death or in injury to person or property, if such negligence was not as-great-as greater than the negligence of the person against whom recovery is sought, but any damages allowed shall be diminished in proportion to the amount of negligence attributable to the person recovering. The court may, and when requested by either party shall, direct the jury to find separate special verdicts determining the amount of damages and the percentage of negligence attributable to each party; and the court shall then reduce the amount of such damages in proportion to the amount of negligence attributable to the person recovering. When there are two or more persons who are jointly liable, contributions to awards shall be in proportion to the percentage of negligence attributable to each; provided, however, that each shall remain jointly and severally liable for the whole award. Upon the request of any party, this section shall be read by the court to the jury and the attorneys representing the parties may comment to the jury regarding this section."

And renumber the lines and pages accordingly

And when so amended recommends the same do pass.

Hal Christensen Chairman
Senator Christensen

Senate Bill No. 2062 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. 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, and 16.1-05-05"

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

JOURNAL OF THE SENATE

party reorganization after apportionment, and applicability of the chapter on unfair and corrupt election practices"

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:

"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:

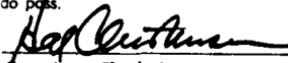
16.1-03-18. UNFAIR AND CORRUPT ELECTION PRACTICES APPLICABLE TO CHAPTER. The provisions of chapter ~~16-1-10~~ 16-20, relating to unfair and corrupt election practices, are applicable to all elections and conventions provided for in this chapter.

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."

And renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass.


 Senator Christensen Chairman

Senate Bill No. 2078 was placed on the sixth

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

JOURNAL OF THE SENATE

Mr. President : Your Committee on Social Services & Veterans Affairs
to whom was referred Senate Bill No. 2085

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 9, after the word "Dakota", insert the words "and section 50-21-02.1 of the North Dakota Century Code"

On page 1, line 11, after the word "fund", insert the words "and to the revolving fund deposited in the state treasury"

On page 1, line 18, following the second period, overstrike the word "The" and insert in lieu thereof the word "A"

On page 1, line 19, after the word "maintained", insert the words "in the Bank of North Dakota"

On page 2, line 29, overstrike the words "president of the"

On page 2, line 30, overstrike the words "by the Bank of North Dakota"

On page 3, line 12, remove the overstrike over the words "~~of seven-percent-per-annum~~", and delete the words "not to exceed a rate"

On page 3, delete all of line 13

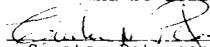
On page 3, line 14, delete the words "rate on the date the loan is applied for"

On page 3, line 15, overstrike the words "the president of"

On page 4, line 33, after the word "Dakota" insert the words "and section 50-21-02.1 of the North Dakota Century Code", and on the same line delete the word "is" and insert in lieu thereof the word "are"

and renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass. and be rereferred to the Committee on Appropriations.


Senator Peterson Chairman

Senate Bill No. 2085 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. 2096

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 everything after the words "A BILL" and insert in lieu thereof the following: "for an Act to create and enact a new section to chapter 16-20 of the North Dakota Century Code, relating to a ban on electioneering within three hundred feet of a polling place on election day; and to repeal sections 16-20-16 and 16-20-19 of the North Dakota Century Code, relating to electioneering and selling or wearing political buttons on election day.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. A new section to chapter 16-20 of the North Dakota Century Code is hereby created and enacted to read as follows:

ELECTIONEERING ON ELECTION DAY - PENALTY.

- 1. No person shall, within three hundred feet of a polling place, solicit, or in any manner try to induce or persuade any voter on an election day, to vote or refrain from voting for any candidate or the candidates or ticket of any political party or organization, or for or against any measure submitted to the electorate. No person shall buy, sell, give, or provide any political badge, button, or insignia, or any pamphlet, brochure, or political advertisement of any nature within three hundred feet of polling place on election day. No person shall knowingly wear such badge, button, or insignia at or about a polling place on election day.
2. The display upon motor vehicles of adhesive signs which are not readily removable, or political advertisements on fixed permanent billboards, and which promote the candidacy of any individual, any political party, or a vote upon any measure shall not, however, be deemed a violation of this section.
3. Any person violating this section shall be guilty of an infraction.

SECTION 2. REPEAL. Section 16-20-16 of the North Dakota Century Code and section 16-20-16 of the 1977 Pocket Supplement to the North Dakota Century Code are hereby repealed."

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

Handwritten signature of Senator Christensen

Chairman Senator Christensen

Senate Bill No. 2096 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. 2115

Has had the same under consideration and recommends that the same

[X] do pass [] do not pass [] be placed on calendar without recommendation

[] be amended as follows:

Handwritten signature of Senator Reiten

Chairman Senator Reiten

Senate Bill No. 2115 was placed on the Eleventh

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

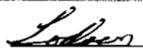
Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT

to whom was referred Senate Bill No. 2133

Has had the same under consideration and recommends that the same

[X] do pass [] do not pass [] be placed on calendar without recommendation

be amended as follows:


 Senator Lodoen Chairman

Senate Bill No. 2133 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. 2150

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. 2150 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. 2162

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. 2162 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. 2163

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 Lodoen Chairman

Senate Bill No. 2163 was placed on the 11th

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

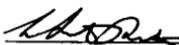
Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS AND LABOR

to whom was referred Senate Bill No. 2168

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. 2168 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. 2175

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. 2175 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. 2180

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 Chuck Goodman

Chairman

Senate Bill No. 2180 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. 2182

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 words "subsection 4 of"

On page 1, line 2, delete the words "section 57-52-03, section" and
insert in lieu thereof the word "sections", and on the same line,
delete the words "subsection 3 of"

On page 1, line 3, delete the words "section 57-53-01, and sections"
and after "57-54-05" insert a comma

On page 1, line 4, delete the words "the
definition of"

On page 1, line 5, delete the words "special fuel,"

On page 1, delete lines 9 through 23

On page 3, delete lines 8 through 22

and renumber the lines, sections, and pages accordingly

And when so amended recommends the same do pass.


Senator Chuck Goodman

Chairman

Senate Bill No. 2182 was placed on the sixth

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

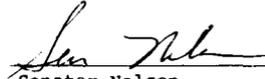
Mr. President: Your Committee on Education

to whom was referred Senate Bill No. 2192

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 Nelson

Senate Bill No. 2192 was placed on the eleventh

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

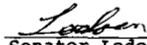
Mr. PRESIDENT: Your Committee on State & Federal Government

to whom was referred Senate Bill No. 2207

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 Lodoen

Senate Bill No. 2207 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. 2220

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. 2220 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. 2225

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. 2225 was placed on the eleventh

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

Mr. PRESIDENT: Your Committee on State & Federal

to whom was referred Senate Concurrent Resolution No. 4010

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 Lodoen

Senate Concurrent Resolution No. 4010 was placed on the 11th

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

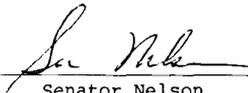
Mr. President: Your Committee on Education

to whom was referred House Bill No. 1090

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 Nelson

House Bill No. 1090 was placed on the Fourteenth

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

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2013 as recommended by the Committee on Appropriations as printed on page 206 of the Senate Journal be adopted, which motion prevailed.

Senator Mutch moved that the amendments to Senate Bill No. 2166 as recommended by the Committee on Transportation as printed on page 207 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that the amendments to Senate Bill No. 2178 as recommended by the Committee on Finance and Taxation as printed on page 207 of the Senate Journal be adopted, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Senator Naaden introduced:

Senate Concurrent Resolution No. 4022. — A concurrent resolution for the amendment of subsection 2 of section 6 of article VIII of the Constitution of the State of North Dakota, previously designated as section 2 of article 54 of the amendments to the Constitution prior to publication of the renumbered Constitution, relating to the method of appointing members to the board of higher education.

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

FIRST READING OF HOUSE BILLS

House Bill No. 1044 — 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 definition of rules as that term is used with respect to the law governing the practice and procedure of administrative agencies.

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

House Bill No. 1089. — A Bill for an Act to amend and reenact section 57-15-55 of the North Dakota Century Code, authorizing a mill levy to

provide for payments under contract for the provision of a public transportation system.

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

House Bill No. 1114. — A Bill for an Act to amend and reenact section 15-39.1-27 of the North Dakota Century Code, relating to the definition of year.

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

House Bill No. 1115. — 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 the definition of teacher.

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

House Bill No. 1116. — A Bill for an Act to amend and reenact section 15-39.1-16 of the North Dakota Century Code, relating to retirement options for retiring teachers.

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

House Bill No. 1119. — A Bill for an Act to amend and reenact sections 28-14-10 and 28-14-18 of the North Dakota Century Code, relating to the order of trial and the conduct of jurors in retirement.

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

House Bill No. 1145. — A Bill for an Act to create and enact a new section to chapter 6-09 of the North Dakota Century Code, relating to confidentiality of records of the Bank of North Dakota.

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

House Bill No. 1152. — A Bill for an Act to repeal chapter 6-09.2 of the North Dakota Century Code, relating to an industrial building and agricultural development mortgage program administered by the Bank of North Dakota; and to transfer all remaining mortgage insurance funds to the Bank of North Dakota.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3014. — A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

Was read the first time.

Senator Nething moved that the rules be suspended, that House Concurrent Resolution No. 3014 as printed on pages 189 - 193 of the House Journal, be placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

House Concurrent Resolution No. 3014. — A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 44 ayes, 0 nays, absent and not voting 6.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWER			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFORS		
● 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			● NAADEN			● STENEHJEM					

House Concurrent Resolution No. 3014 was declared adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 2021. — A Bill for an Act making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ pages 192-195, the roll was called and there were ayes 44, nays 0, absent and not voting 6.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWER			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFORS		
● 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			● NAADEN			● STENEHJEM					

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

Senate Bill No. 2023. — A Bill for an Act making an appropriation for defraying the expenses of the milk stabilization board 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 195, 196, the roll was called and there were ayes 43, nays, 0, absent and not voting 7.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWER			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFORS		
● 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			● NAADEN			● STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2069. — A Bill for an Act to create and enact a new subsection to section 39-01-01, five new sections to chapter 39-04, a new subdivision to subsection 2 of section 39-04-18, and eight new sections to chapter 39-05 of the North Dakota Century Code, relating to the definition of “used vehicle”, notification of a registrant’s change of address, refusal to register a vehicle, personalized automobile number plates, antique automobile number plates, alteration or forging of registration cards, exemption from registration, certificate of title requirement, exclusions from the certificate of title requirement, salvage certificates of title, allowing officers of the department to administer oaths, issuance of a salvage certificate of title, delivery of a title certificate, release of a security interest, and grounds for refusing issuance of a title certificate; and to amend and reenact sections 39-04-01, 39-04-02, 39-04-04, 39-04-05, 39-04-06, 39-04-10, 39-04-11, 39-04-12, 39-04-15.1, subdivision 1 of subsection 2 of section 39-04-18, section 30-04-36, subsection 3 of section 39-04-37, sections 39-04-44, 39-04-54, 39-05-01, 39-05-05, 39-05-09, 39-05-11, 39-05-19, 39-05-20, 39-05-21, and 39-05-27 of the North Dakota Century Code, relating to definitions, the application for registration, the department’s files, refusal to register, rescission or suspension of registration, special plates for amateur radio station license holders, display of number plates, transfer of number plates, installment registration fees, vehicles which need not be registered, farm truck registration, change of registration, transfer of number plates, violations, credits on destroyed vehicles, contents of the registration card, the department’s refusal to license a vehicle until application for a title certificate is made, contents of the certificate of title, issuance of the title certificate, altering a title certificate, transfer of title to a vehicle, obtaining a certificate of title when ownership is obtained by other than voluntary means, transferee’s obtaining a new title certificate upon failure to obtain the old certificate, refusing issuance of a title certificate, and possession of title certificates by dealers in used vehicles; and to repeal sections 39-04-29 and 39-04-43 of the North Dakota Century Code, relating to delivery of title and number plates for antique automobiles.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ page 196, the roll was called and there were ayes 43, nays 0, absent and not voting 7.

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			• GROTEBERG			• NELSON			• STREIBEL					
• ALBERS	•		• HANSON			• NETHING			• STROMME					
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON					
• BARTH			• ISZLER			• PARKER			• TENNEPUS					
• BERUBE			• LASHKOWITZ			• PETERSON			• THANE					
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY					
• CHRISTENSEN, R. #36			• LEIBMAN			• REDLIN	•		• TWETEN					
• CUSONS			• LIPS			• REITEN	•		• VOSPER					
• DOTZENROD			• LODDEN			• 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. 2079. — A Bill for an Act to provide for a transfer to the highway fund; and to amend and reenact sections 39-26-11 and 39-26-12 of the North Dakota Century Code, relating to the abandoned motor vehicle disposal fund and the tax on motor vehicle registrations.

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 42, nays 0, absent and not voting 8.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEPUS		
● 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. 2118. — A Bill for an Act to amend and reenact subsection d of section 52-10-05 of the North Dakota Centur Code, relating to delinquent social security payments by 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 43, nays 0, absent and not voting 7.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEPUS		
● 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. 2137. — A Bill for an Act to amend and reenact section 40-22-37 and 48-02-08 of the North Dakota Century Code, relating to contractors progress payments, retainage, and rate of interest on failure to pay.

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 6.

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			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEPUS		
● 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	• STENEJEM	

So the bill passed and the title was agreed to.

Senate Bill No. 2169. — A Bill for an Act to amend and reenact subdivision m of subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to interest charged beginning farmers on transactions involving deferred payments.

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 0, nays 44, absent and not voting 6.

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			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			LODOEN			ROEN			WALSH		•
DYKSHOORN			MELLAND			SHABLOW			WENSTROM		•
ERICKSON			MOORE			SOLBERG			WRIGHT		•
FRITZELL			MUTCH			SORUM			MR. PRESIDENT		
GOODMAN			NAADEN			STENEJEM					

Senate Bill No. 2169 was declared lost.

Senate Bill No. 2172. — A Bill for an Act to amend and reenact sections 57-09-01 and 57-11-01 of the North Dakota Century Code, relating to meeting dates for township and city equalization boards; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, SJ pages 197, 198, the roll was called and there were ayes 43, nays 0, absent and not voting 7.

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			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			LODOEN			ROEN			WALSH		•
DYKSHOORN			MELLAND			SHABLOW			WENSTROM		•
ERICKSON			MOORE			SOLBERG			WRIGHT		•
FRITZELL			MUTCH			SORUM			MR. PRESIDENT		
GOODMAN			NAADEN			STENEJEM					

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

Senate Bill No. 2208. — A Bill for an Act to amend and reenact section 15-47-05 of the North Dakota Century Code to allow air base residents to vote in school district elections held pursuant to chapter 15-28; and declaring an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 40, nays 2, absent and not voting 8.

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

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

Senate Bill No. 2223. — A Bill for an Act to amend and reenact subsections 2 and 6 of section 57-39.2-01, subsection 1 of section 57-39.2-02.1, and subsections 6 and 9 of section 57-40.2-01 of the North Dakota Century Code, relating to the exemption from the use and sales taxes of subscriptions, or sales of subscriptions, to magazines and other periodicals.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there ayes 42, nays 2, absent and not voting 6.

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

So the bill passed and the title was agreed to.

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.

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 6.

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

So the bill passed and the title was agreed to.

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. 2065
- Senate Bill No. 2077
- Senate Bill No. 2083
- Senate Bill No. 2152
- Senate Bill No. 2164
- Senate Bill No. 2188
- Senate Concurrent Resolution No. 4017

Very respectfully,

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. 1137

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. 2013
- Senate Bill No. 2166
- Senate Bill No. 2178

and find the same correctly } Engrossed


Stella Fritzell, Chairman

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

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

Senator Nothing moved that after the reading of Senate Bills 2013, 2101, 2115, 2133, 2150, 2162, 2163, 2166, 2168, 2175, 2178, 2180, 2192, 2207, 2220, 2225, SCR 4010 and House Bill 1090, the Senate adjourn, and convene at 1:00 p.m., Wednesday, January 21, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary