

## TWENTY-SIXTH DAY

Bismarck, February 10, 1981

The Senate convened at 1:00 p.m., with President Sands presiding.

The prayer was offered by Rev. John W. Lee, Trinity Lutheran Church, Lisbon, N. D.

We thank You, heavenly Father, that You have protected us through the night from all harm and danger, and that You have brought us safely to the beginning of another day. We entrust to Your care today, not only our lives, but also the lives of our families, our friends, and our loved ones. Hold us all safely within Your everlasting arms, that our service here may be free from worry and anxiety.

Bless us now with Your presence, that the thoughts of our minds, the meditations of our hearts, the words of our mouths, and the actions of our hands and feet may be acceptable to You, O Lord, for if they are acceptable in Your sight, then they will also be for the good of all people.

In Your name we pray, Amen.

The roll was called and all members were present except Senators Stromme and Tallackson.

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 \_\_\_\_\_ Twenty-fifth \_\_\_\_\_ day and finds the same to be correct.

\_\_\_\_\_ Senator Walsh \_\_\_\_\_  
 \_\_\_\_\_ Senator Tennesos \_\_\_\_\_ Chairman  
 \_\_\_\_\_ moved that the report be adopted, which motion prevailed.

**Report of Procedural Committee**

MR. PRESIDENT:

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

Senate Bill No. 2093  
 Senate Bill No. 2189  
 Senate Bill No. 2240  
 Senate Bill No. 2306  
 Senate Bill No. 2346  
 Senate Bill No. 2349

Senate Bill No. 2366  
 Senate Bill No. 2432  
 Senate Concurrent Resolution No. 4027

and find the same correctly } Engrossed

Senator . . . . . Moore

Stella H. Fritzell  
 Stella Fritzell Chairman  
 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:

Engrossed Senate Bill No. 2195

and find the same correctly } Re-Engrossed

Senator . . . . . Bakewell

Stella H. Fritzell  
 Stella Fritzell Chairman  
 moved that the report be adopted, which motion prevailed.

**PRESENTATION OF PETITIONS AND COMMUNICATIONS**

January 30, 1981

The Honorable Ernest M. Sands  
 President of the Senate  
 Senate Chambers  
 Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on January 16, 1981 I signed Senate Bill 2003, and on January 30, 1981 I signed the following bills:

Senate Bill 2045  
 Senate Bill 2124

Sincerely,  
 ALLEN I. OLSON  
 Governor

**FIRST READING OF SENATE CONCURRENT RESOLUTIONS**

Senator Nething, Rep. Swiontek introduced:

**Senate Concurrent Resolution No. 4050.** -- A concurrent resolution directing a Legislative Council study of the standards and criteria used for school accreditation and teacher certification.

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

Senators Reiten, Lodoen introduced:

**Senate Concurrent Resolution No. 4051.** -- A concurrent resolution directing the Legislative Council to conduct a study of the Sunday closing law.

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

**CONSIDERATION OF AMENDMENTS**

Senator Lips moved that the amendments to Senate Bill No. 2012 recommended by the Committee on Appropriations and printed on pages 530, 531 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2028 recommended by the Committee on Appropriations and printed on pages 532, 533 of the Senate Journal be adopted, which motion prevailed.

Senator Lee moved that the amendments to Senate Bill No. 2184 recommended by the Committee on Natural Resources and printed on page 533 of the Senate Journal be adopted, which motion prevailed.

Senator Nelson moved that the amendments to Senate Bill No. 2245 recommended by the Committee on Education and printed on pages 534, 535 of the Senate Journal be adopted, which motion prevailed.

Senator Holmberg moved that the amendments to Senate Bill No. 2286 recommended by the Committee on Political Subdivisions and printed on pages 535, 536 of the Senate Journal be adopted, which motion prevailed.

Senator Nelson moved that the amendments to Senate Bill No. 2415 recommended by the Committee on Education and printed on pages 538, 539 of the Senate Journal be adopted, which motion prevailed. Senator Nelson moved that the rules be suspended, and that Senate Bill No. 2415 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Iszler moved that the amendments to Senate Concurrent Resolution No. 4029 recommended by the Committee on Agriculture and printed on pages 539 of the Senate Journal be adopted, which motion prevailed.

Senator Lodoen moved that the amendments to House Bill No. 1042 recommended by the Committee on State and Federal Government and printed on page 540 of the Senate Journal be adopted, which motion prevailed.

Senator Lodoen moved that the amendments to House Bill No. 1072 recommended by the Committee on State and Federal Government and printed on page 541 of the Senate Journal be adopted, which motion prevailed, and that House Bill No. 1072 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Solberg moved that the amendments to House Concurrent Resolution No. 3013 recommended by the Committee on Transportation and printed on page 543 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. 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:

 Chairman  
Senator Lips

Senate Bill No. 2085 was placed on the 11th

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

Mr. President : Your Committee on Education

to whom was referred Senate Bill No. 2200

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 20, delete the words "who are employed on less than a full-time"

On page 1, delete lines 21 and 22

On page 1, line 23, delete the words "foundation aid program, and"

And renumber the lines accordingly

And when so amended recommends the same do pass

 Chairman  
Senator Gary Nelson

Senate Bill No. 2200 was placed on the Sixth

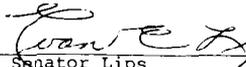
order of business on the calendar for the succeeding legislative day.

Mr. President: Your Committee on Appropriations  
to whom was referred Senate Bill No. 2289

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. 2289 was placed on the 11th

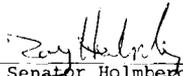
order of business on the calendar for the succeeding legislative day.

Mr. PRESIDENT: Your Committee on POLITICAL SUBDIVISIONS  
to whom was referred SENATE Bill No. 2303

Has had the same under consideration and recommends that the same

do pass       do not pass       be placed on calendar without recommendation

be amended as follows:

 Chairman  
Senator Holmberg

SENATE Bill No. 2303 was placed on the Eleventh

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. 2307

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:

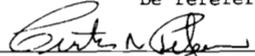
On page 1, line 16, after the word "resources", add the words  
", not otherwise disregarded, and"

On page 1, line 19, after the word "than", delete the words  
"one hundred", and insert in lieu thereof the words  
"twenty-five"

And renumber the lines accordingly

And when so amended recommends the same  
Committee on Appropriations.

be rereferred to the

 Chairman  
Senator Peterson

Senate Bill No. 2307 was placed on the sixth

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2347

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 10, after the word "to", insert the words  
"exemptions from income tax,"

On page 2, overstrike lines 33 through 35

On page 3, line 1, overstrike the words "allowances set out in  
this section"

On page 3, overstrike lines 3 and 4

On page 6, line 28, delete the words "on the" and insert in lieu  
thereof the words "upon North Dakota"

On page 6, line 29, delete the word "entire"; after the word "income"  
insert the words "earned or received in that taxable year";  
delete the word "of" and insert in lieu thereof the word "by";  
delete the word "resident"; after the word "individual" insert  
the following ", estate, and trust"; and delete the word "and"  
at the end of the line

On page 6, delete lines 30 through 32

On page 7, line 1, delete the second word "the"

On page 7, line 2, delete the words "taxable year of every" and insert  
in lieu thereof the words "a resident"; delete the words "and  
fiduciary" and insert in lieu thereof the words ", estate, and  
trust"

On page 7, delete lines 3 through 10 and insert in lieu thereof the  
words "be determined by multiplying the federal income tax  
liability by a fraction, the numerator of which is the adjusted  
gross income taxable to this state and the denominator of which  
is the total adjusted gross income as reported on the federal  
income tax return. Interest income from United States obligations  
and other income not taxable to this state because of federal  
statutes and United States and state constitutional provisions  
shall be excluded from the numerator."

On page 7, line 12, delete the words "or part year resident"; delete  
the word "or" at the end of the line and insert in lieu thereof  
the words ", estate, and trust"

On page 7, delete line 13

On page 7, line 14, delete the words "from sources within this state"

- On page 7, line 15, delete the word "adjusted"
- On page 7, line 16, delete the words ", as determined in subsection 2 of this"
- On page 7, line 17, delete the word "section,"
- On page 7, line 21, delete the words "A part year resident" shall mean" and insert in lieu thereof the words "Interest income from United States obligations and other income not taxable to this state because of federal statutes and United States constitutional provisions shall be excluded from the numerator."
- On page 7, delete lines 22 and 23
- On page 7, line 28, delete the word "deductions" and insert in lieu thereof the word "reductions"
- On page 7, line 32, after the word "and", insert the word "the"
- On page 7, line 35, delete the word "tax" and insert in lieu thereof the word "taxes"
- On page 8, line 1, delete the words "It would" and insert in lieu thereof the words "The term does"
- On page 8, line 2, after the word "tax", insert the words "or social security tax and railroad retirement tax on tips."
- On page 8, delete lines 3 through 7
- On page 8, line 11, delete the word "Amended"
- On page 8, delete lines 12 through 14
- On page 8, line 19, delete the words "Amended returns and payment of additional"
- On page 8, delete lines 20 through 22
- On page 8, line 29, delete the words "the total" and insert in lieu thereof the words "their combined"
- On page 8, line 30, delete the words "as reported on their joint federal"
- On page 8, line 31, delete the words "income tax return"
- On page 8, line 32, delete the word "they" and insert in lieu thereof the word "each"

and renumber the lines and pages accordingly

And when so amended recommends the same do pass.

 Chairman  
Senator Chuck Goodman

Senate Bill No. 2347 was placed on the sixth

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

Mr. PRESIDENT: Your Committee on TRANSPORTATION  
to whom was referred Senate Bill No. 2352

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 "section" and insert in lieu thereof "sections" and after the numerals "39-12-02" insert ", 39-12-14, and 39-12-20"

On page 1, line 5, after "purposes" insert ", the issuance of a civil complaint, and the disposition of the proceeds from the sale of overweight vehicles"

On page 2, line 2, delete "under" and insert in lieu thereof "through the administration and enforcement of"

On page 2, line 3, delete "on behalf of the state"

On page 2, line 7, delete "under" and insert in lieu thereof "through the administration and enforcement of"

On page 2, line 13, insert the following new sections:

SECTION 2. AMENDMENT. Section 39-12-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-12-14. CIVIL COMPLAINT. The commissioner or local authorities with the assistance of the attorney general or the state's attorney of the county where such vehicles are impounded, shall immediately prepare and file a civil complaint for the purpose of recovering charges for the extraordinary use of the highways, streets, or roads of this state.

SECTION 3. AMENDMENT. Section 39-12-20 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-12-20. PROCEEDS OF SALE. The proceeds of sale shall be applied first to the payment of the costs of the proceedings and next to the payment of the charges assessed. Such charges shall be disbursed pursuant to Section 39-12-02 ~~shall be remitted to the state treasurer to be credited to the highways construction fund, and the moneys so collected are hereby appropriated for use by the state highway department in the construction or reconstruction of highways, roads, and streets of this state.~~ The balance of the proceeds of any sale after the payment of costs and charges shall be paid over by the sheriff to the person entitled thereto as determined by the court, or shall be deposited with the clerk of court for such payment.

And renumber the lines, pages, and sections accordingly

And when so amended recommends the same do not pass.

*J E Solberg*  
SENATOR SOLBERG Chairman

SENATE Bill No. 2352 was placed on the Sixth

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

Mr. President: Your Committee on Finance and Taxation to whom was referred Senate Bill No. 2364

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:

*Chuck Goodman*  
Senator Chuck Goodman Chairman

Senate Bill No. 2364 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. 2401

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 CHRISTENSEN Chairman

SENATE Bill No. 2401 was placed on the 11th

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

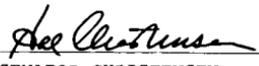
Mr. PRESIDENT: Your Committee on JUDICIARY

to whom was referred SENATE Bill No. 2402

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 CHRISTENSEN Chairman

SENATE Bill No. 2402 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. 2426

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, following the word, "in" insert the word, "legislative"

On page 3, line 2, following the first word, "budget" insert the words, ", in addition to such information as it may request for its own use in the development of the executive budget,"

And renumber the lines and sections accordingly

And when so amended recommends the same do pass & be re-referred to the Committee on Appropriations

  
Senator Lodoen Chairman

Senate Bill No. 2426 was placed on the Sixth

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

Mr. President: Your Committee on Finance and Taxation

to whom was referred Senate Bill No. 2428

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 3, following the word "taxation", insert the words "; and to provide an effective date"

On page 1, delete lines 9 through 14 and insert in lieu thereof the following:

"All property, including leaseholds, owned by an entity described in subsections 6, 7, 8 and 9 and leased to or from the United States, this state, or a political subdivision or other unit of local government of this state, provided that the entity shall be qualified as an exempt organization under section 501(c) (3) of the United States Internal Revenue Code of 1954 as amended.

SECTION 2. EFFECTIVE DATE. This Act shall be effective for property tax years beginning on or after January 1, 1980."

and renumber the lines accordingly

And when so amended recommends the same do pass.

*Chuck Goodman* Chairman  
Senator Chuck Goodman

Senate Bill No. 2428 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 Current No. 4033  
Resolution

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, following the word, "into" delete the word, "special" and insert the words, "a reconvened"

And renumber the lines accordingly

And when so amended recommends the same do pass.

*Lodoen* Chairman  
Senator Lodoen

Senate No. 4033 was placed on the Sixth  
Concurrent  
Resolution

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

Mr. PRESIDENT: Your Committee on STATE & FEDERAL GOVERNMENT

to whom was referred HOUSE Bill No. 1126

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

House Bill No. 1126 was placed on the 14th

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

JOURNAL OF THE SENATE

Mr. President : Your Committee on JUDICIARY

to whom was referred HOUSE Bill No. 1137

Has had the same under consideration and recommends that the same

do pass  do not pass  be placed on calendar without recommendation

be amended as follows:

 Chairman  
SENATOR CHRISTENSEN

HOUSE Bill No. 1137 was placed on the 14th

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

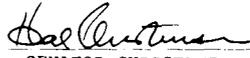
Mr. President : Your Committee on JUDICIARY

to whom was referred HOUSE Bill No. 1142

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

HOUSE Bill No. 1142 was placed on the 14th

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

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

to whom was referred HOUSE Bill No. 1183

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 Reiten

HOUSE Bill No. 1183 was placed on the Fourteenth

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

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

to whom was referred HOUSE Bill No. 1202

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 Reiten

HOUSE Bill No. 1202 was placed on the Fourteenth

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

Mr. PRESIDENT: Your Committee on JUDICIARY  
to whom was referred HOUSE Bill No. 1206

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

HOUSE Bill No. 1206 was placed on the \_\_\_\_\_ 14th-

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

Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS, & LABOR  
to whom was referred HOUSE Bill No. 1210

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 Reiten

HOUSE Bill No. 1210 was placed on the Fourteenth

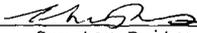
order of business on the calendar for the succeeding legislative day.

Mr. PRESIDENT: Your Committee on INDUSTRY, BUSINESS, & LABOR  
to whom was referred HOUSE Bill No. 1240

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 Reiten

HOUSE Bill No. 1240 was placed on the Fourteenth

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

**PRESENTATION OF PETITIONS AND COMMUNICATIONS**

**February 9, 1981**

**The Honorable Ernest M. Sands  
President of the Senate  
North Dakota State Senate  
State Capitol  
Bismarck, North Dakota 58505**

Dear Mr. President:

Pursuant to Section 15-10-02 of the North Dakota Century Code, I hereby submit to the Senate for its approval the name of Kenneth C. Tweten, Grand Forks, as a member of the Board of Higher Education to fill the vacancy on the Board which will result from the expiration of the term of Mrs. Geraldine Clapp of Fargo on June 30, 1981.

It is requested that the Senate give favorable consideration to this appointment at its earliest convenience.

Sincerely,  
**ALLEN I. OLSON**  
 Governor

### REPORT OF PROCEDURAL COMMITTEES

Mr. President : Your Procedural Committee on Committees

respectfully submit the following committee to consider the nomination for the Board of Higher Education:

Leibhan, Chairman

Lips

Moore

Vosper

Erickson

Dotzenrod

Tallackson

Senator Nothing  
 Chairman

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

**The President referred the appointment of Kenneth C. Tweten, Grand Forks to the select committee for the Board of Higher Education.**

February 6, 1981

**The Honorable Ernest M. Sands**  
**President of the Senate**  
**North Dakota State Senate**  
**Bismarck, North Dakota 58505**  
 Dear Mr. President:

Under the terms of North Dakota Century Code Section 54-07-01.2, all of the members of the North Dakota Council on the Arts (Section 54-54-02) are considered to have resigned as of January 1, 1981.

As permitted by statute, I have accepted the resignations of a majority of eight members of the Council. As their successors, I have appointed the following persons, who are subject to Senate confirmation.

Susan Gallagher Freeman, Chmn., Fargo	July 1, 1978-July 1, 1983
Kathie R. Anderson, Grand Forks	July 1, 1978-July 1, 1983
Arlene Saugstad, Minot	July 1, 1978-July 1, 1983
Patricia O'Hara Smith, Bismarck	July 1, 1978-July 1, 1983
Audrey Kloubec, Fargo	July 1, 1978-July 1, 1983
Mary Ellen Berning, Minot	July 1, 1977-July 1, 1982

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Marjorie Mattson, Minot

July 1, 1977-July 1, 1982

Charles Stroup, Hazen

July 1, 1977-July 1, 1982

Sincerely,  
ALLEN I. OLSON  
Governor

## REPORT OF PROCEDURAL COMMITTEES

Mr. President.....: Your Procedural Committee on Committees.....

respectfully submit the following committee to consider the nomination for the North Dakota Council on the Arts:

Olin, Chairman

Peterson

Cussions

R. Christensen

Wenstrom

Redlin

Grotberg

Senator Nething .....  
Chairman

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

The President referred the appointments of Susan Freeman, Fargo, Kathie Anderson, Grand Forks, Arlene Saugstad, Minot, Patricia Smith, Bismarck, Audrey Kloubec, Fargo, Mary Ellen Berning, Minot, Marjorie Mattson, Minot and Charles Stroup, Hazen to the select committee for the North Dakota Council on the Arts.

### MOTIONS

Senator Olin moved that the Senate reconsider the action whereby the amendments to Senate Bill No. 2028 were adopted, which motion prevailed.

Senator Olin moved that Senate Bill No. 2028 be re-referred to the Committee on Appropriations, which motion prevailed.

Senator Lodoen moved that Senate Bill No. 2089 be returned to the Senate floor from the Committee on State and Federal Government, which motion prevailed.

Senator Lodoen requested the unanimous consent of the Senate to withdraw Senate Bill No. 2089. There being no objection, it was so ordered by the President.

Senator H. Christensen moved that Senate Bill No. 2240 be laid over one legislative day, which motion prevailed.

Senator Lodoen moved that Senate Bill No. 2349 be re-referred to the Committee on State and Federal Government, which motion prevailed.

Senator Nelson moved that Senate Bill No. 2353 be re-referred to the Committee on Education, which motion prevailed.

Senator Solberg moved that Senate Bill No. 2363 be re-referred to the Committee on Transportation, which motion prevailed.

SECOND READING OF SENATE BILLS

**Senate Bill No. 2002.** — A Bill for an Act making an appropriation to the legislative assembly for improvements to and renovation of the state capitol; and declaring an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays 0, absent and not voting 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	●	●	GROTBORG	●	●	NELSON	●	●	STREIBEL	●
●	ALBERS	●	●	HANSON	●	●	NETHING	●	●	STROMM	●
●	BAKEWELL	●	●	HOLMBERG	●	●	OLIN	●	●	TALLACKSON	●
●	BARTH	●	●	ISZLER	●	●	PARKER	●	●	TENNEFOS	●
●	BERUBE	●	●	LASKOWITZ	●	●	PETERSON	●	●	THANE	●
●	CHRISTENSEN, H. #5	●	●	LEE	●	●	QUAIL	●	●	TIERNEY	●
●	CHRISTENSEN, R. #36	●	●	LEIBHAN	●	●	REDLIN	●	●	TWETEN	●
●	CUSSONS	●	●	LIPS	●	●	REITEN	●	●	VOSPER	●
●	DOTZENROD	●	●	LODOEN	●	●	ROEN	●	●	WALSH	●
●	DYKSHOORN	●	●	MELAND	●	●	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. 2027.** — A Bill for an Act making an appropriation for defraying the expenses of the combined law enforcement council of the state of North Dakota.

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 1, nays 47, 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	●	●	GROTBORG	●	●	NELSON	●	●	STREIBEL	●
●	ALBERS	●	●	HANSON	●	●	NETHING	●	●	STROMM	●
●	BAKEWELL	●	●	HOLMBERG	●	●	OLIN	●	●	TALLACKSON	●
●	BARTH	●	●	ISZLER	●	●	PARKER	●	●	TENNEFOS	●
●	BERUBE	●	●	LASKOWITZ	●	●	PETERSON	●	●	THANE	●
●	CHRISTENSEN, H. #5	●	●	LEE	●	●	QUAIL	●	●	TIERNEY	●
●	CHRISTENSEN, R. #36	●	●	LEIBHAN	●	●	REDLIN	●	●	TWETEN	●
●	CUSSONS	●	●	LIPS	●	●	REITEN	●	●	VOSPER	●
●	DOTZENROD	●	●	LODOEN	●	●	ROEN	●	●	WALSH	●
●	DYKSHOORN	●	●	MELAND	●	●	SHABLOW	●	●	WENSTROM	●
●	ERICKSON	●	●	MOORE	●	●	SOLBERG	●	●	WRIGHT	●
●	FRITZELL	●	●	MUTCH	●	●	SORUM	●	●	MR. PRESIDENT	●
●	GOODMAN	●	●	NAADEN	●	●	STENEHJEM	●	●		

Senate Bill No. 2027 was declared lost.

**Senate Bill No. 2052.** — A Bill for an Act to amend and reenact subsection 3 of section 15-40.1-08 of the North Dakota Century Code to increase the weighting factor for certain elementary schools from .9 to 1.0.

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 46, absent and not voting 4.

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	●	●	GROTBORG	●	●	NELSON	●	●	STREIBEL	●
●	ALBERS	●	●	HANSON	●	●	NETHING	●	●	STROMM	●



• 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. 2209.** — A Bill for an Act to create and enact new subsections to sections 57-39.2-04 and 57-40.2-04 of the North Dakota Century Code to exempt sales of heating fuels or wood used for heating residential property from the sales and use tax through June 30, 1983; to amend and reenact section 57-53-02 of the North Dakota Century Code to exempt these fuels from the special fuels tax for the same time period; and to provide 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						1981 LEGISLATURE					
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
			• GROETBERG	•		• NELSON	•		• STREIBEL	•	
			• HANSON	•		• NETHING	•		• STROMM	•	
			• HOLMBERG	•		• OLIN	•		• TALLACKSON	•	
			• ISZLER	•		• PARKER	•		• TENNEFOS	•	
			• LASHKOWITZ	•		• PETERSON	•		• THANE	•	
			• LEE	•		• QUAIL	•		• TIERNEY	•	
			• LEIBHAN	•		• REDLIN	•		• TWETEN	•	
			• LIPS	•		• REITEN	•		• VOSPER	•	
			• LODDEN	•		• ROEN	•		• WALSH	•	
			• MELLAND	•		• SHABLOW	•		• WENSTROM	•	
			• MOORE	•		• SOLBERG	•		• WRIGHT	•	
			• MUTCH	•		• SORUM	•		MR. PRESIDENT		
			• NAADEN	•		• STENEHJEM	•				

Senate Bill No. 2209 was declared lost.

**Senate Bill No. 2219.** — A Bill for an Act to amend and reenact section 28-21-08 of the North Dakota Century Code, concerning levy of execution on real property.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays 0, absent and not voting 2.

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
•			• GROETBERG	•		• NELSON	•		• STREIBEL	•	
•			• HANSON	•		• NETHING	•		• STROMM	•	
•			• HOLMBERG	•		• OLIN	•		• TALLACKSON	•	
•			• ISZLER	•		• PARKER	•		• TENNEFOS	•	
•			• LASHKOWITZ	•		• PETERSON	•		• THANE	•	
•			• LEE	•		• QUAIL	•		• TIERNEY	•	
•			• LEIBHAN	•		• REDLIN	•		• TWETEN	•	
•			• LIPS	•		• REITEN	•		• VOSPER	•	
•			• LODDEN	•		• ROEN	•		• WALSH	•	
•			• MELLAND	•		• SHABLOW	•		• WENSTROM	•	
•			• MOORE	•		• SOLBERG	•		• WRIGHT	•	
•			• MUTCH	•		• SORUM	•		MR. PRESIDENT		
•			• NAADEN	•		• STENEHJEM	•				

So the bill passed and the title was agreed to.

**Senate Bill No. 2274.** — A Bill for an Act to amend and reenact section 15-40.2-12 of the North Dakota Century Code, relating to school district authority to levy for tuition charges.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 42, nays 5, absent and not voting 3.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON	•	• STREIBEL
• ALBERS			• HANSON			• NETHING		• STROMM
• BAKEWELL			• HOLMBERG			• OLIN		• TALLACK
• BARTH			• ISZLER			• PARKER		• TENNEFOS
• BERUBE			• LASHKOWITZ			• PETERSON		• THANE
• CHRISTENSEN, H. #5			• LEE			• QUAIL		• TIERNEY
• CHRISTENSEN, R. #36			• LEIBMAN			• REDLIN		• TWETEN
• CUSSONS			• 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. 2277.** — A Bill for an Act to amend and reenact sections 15-38.1-02, 15-38.1-08, 15-38.1-10, 15-38.1-11, and 15-38.1-14 of the North Dakota Century Code to permit teachers or administrators to be represented by more than one representative organization, prohibiting a representative organization from representing a teacher or administrator who is not a voluntary member of the organization, and reducing the showing required by an organization to represent teachers or administrators from a majority to thirty percent of employees.

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 7, nays 39, absent and not voting 4.

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

Senate Bill No. 2277 was declared lost.

**Senate Bill No. 2306.** — A Bill for an Act to amend and reenact section 16-18-09 of the North Dakota Century Code, relating to obtaining a ballot for absentee voting.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 37, nays 8, absent and not voting 5.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON	•	• STREIBEL
• ALBERS			• HANSON			• NETHING		• STROMM
• BAKEWELL			• HOLMBERG			• OLIN		• TALLACK
• BARTH			• ISZLER			• PARKER		• TENNEFOS
• BERUBE			• LASHKOWITZ			• PETERSON		• THANE
• CHRISTENSEN, H. #5			• LEE			• QUAIL		• TIERNEY
• CHRISTENSEN, R. #36			• LEIBMAN			• REDLIN		• TWETEN
• CUSSONS			• 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. 2318.** — A Bill for an Act to provide for assessments of state banking associations and banking institutions for the purpose of providing funds for additional examiners; and to provide an expiration date.

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 11, nays 35, absent and not voting 4.

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			STROMM					
BAKEWELL		•	HOLMBERG		•	OLIN		•	TALLACKSON					
• BARTH			ISZLER			PARKER		•	TENNEFOS		•			
• BERUBE			LASHKOWITZ			PETERSON		•	THANE		•			
CHRISTENSEN, H. #5		•	LEE		•	QUAIL		•	TIERNEY		•			
CHRISTENSEN, R. #3A		•	LEIBHAN		•	REDLIN		•	TWETEN					
CUSSONS		•	LIPS		•	REITEN		•	VOSPER					
DOTZENROD		•	LODOEN		•	ROEN		•	WALSH					
DYKSHOORN		•	MELLAN		•	SHABLOW		•	WENSTROM		•			
ERICKSON		•	MOORE		•	SOLBERG		•	WRIGHT					
• FRITZELL			MUTCH		•	SORUM		•	MR. PRESIDENT					
• GOODMAN			NAADEN		•	STENEHJEM		•						

**Senate Bill No. 2318** was declared lost.

**Senate Bill No. 2333.** — A Bill for an Act to create and enact section 6-03-37.2 of the North Dakota Century Code, relating to state bank maintenance of reserves required under the Federal Reserve Act with the Bank of North Dakota; and to amend and reenact section 6-09-11 of the North Dakota Century Code, relating to the deposits of state banks in the Bank of North Dakota.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 0, absent and not voting 5.

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			STROMM					
• BAKEWELL			HOLMBERG		•	OLIN		•	TALLACKSON					
• BARTH			ISZLER		•	PARKER		•	TENNEFOS					
• BERUBE			LASHKOWITZ		•	PETERSON		•	THANE					
• CHRISTENSEN, H. #5			LEE		•	QUAIL		•	TIERNEY					
• CHRISTENSEN, R. #3A			LEIBHAN		•	REDLIN		•	TWETEN					
• CUSSONS			LIPS		•	REITEN		•	VOSPER					
• DOTZENROD			LODOEN		•	ROEN		•	WALSH					
• DYKSHOORN			MELLAN		•	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. 2339.** — A Bill for an Act to amend and reenact sections 14-07.1-02 and 14-07.1-03 of the North Dakota Century Code, relating to protection orders.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 45, nays 0, absent and not voting 5.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON		● STREIBEL
● ALBERS	●		● HANSON			● NETHING		● STROMM
● 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			● NAAEDN			● STENEHJEM		

So the bill passed and the title was agreed to.

**Senate Bill No. 2366.** — A Bill for an Act to amend and reenact section 20.1-01-18 of the North Dakota Century Code, relating to permission required of landowners to trap fur-bearers.

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

**ROLL CALL**

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 1, nays 46, absent and not voting 3.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON		● STREIBEL
● ALBERS	●		● HANSON			● NETHING		● STROMM
● 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			● NAAEDN			● STENEHJEM		

Senate Bill No. 2366 was declared lost.

**Senate Bill No. 2379.** — A Bill for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemption of gross receipts from the sale of byproducts resulting from the processing of agricultural products and used in the manufacture or generation of steam or electricity; and to amend and reenact subsection 1 of section 57-39.2-02.1 of the North Dakota Century Code, relating to sales tax imposed on the furnishing or service of steam used for processing agricultural products.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 0, absent and not voting 3.

NORTH DAKOTA SENATE								
REGULAR SESSION						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON		● STREIBEL
● ALBERS	●		● HANSON			● NETHING		● STROMM
● 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. 2390.** — A Bill for an Act to direct the state superintendent to determine the average basic cost of education and to use that figure in determining the level of state support.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 35, nays 13, 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			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMM		
• BAKEWELL	•		• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH	•		• ISZLER			• PARKER			• TENEFOS		
• BERUBE	•		• LASHKOWITZ	•		• PETERSON			• THANE		
• CHRISTENSEN, H. #5	•		• LEE			• QUAIL		•	• TIERNEY		
• CHRISTENSEN, R. #W	•		• 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. 2391.** — A Bill for an Act to create and enact four new subdivisions to subsection 1 of section 15-40.1-06 of the North Dakota Century Code, excluding specific items in determining the educational cost per pupil.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 18, nays 28, absent and not voting 4.

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			• STROMM		
• BAKEWELL	•		• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH	•		• ISZLER			• PARKER		•	• TENEFOS		
• 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		•			

Senate Bill No. 2391 was declared lost.

**Senate Bill No. 2398.** — A Bill for an Act to create and enact a new section to chapter 40-57.1 of the North Dakota Century Code, relating to a tax exemption for new industries occupying existing buildings; and to declare an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 0, absent and not voting 4.

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			• STROMM		
• BAKEWELL	•		• HOLMBERG			• OLIN			• TALLACKSON		
• BARTH	•		• ISZLER			• PARKER			• TENEFOS		
• 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					

• ADAMS	• GROETBERG	• NELSON	• STREIBEL
• ALBERS	• HANSON	• NETHING	• STROMM
• 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	• SHALBLOW	• WENSTROM
• ERICKSON	• MOORE	• SOLBERG	• WRIGHT
• FRITZELL	• MITCH	• SORUM	• MR. PRESIDENT
• GOODMAN	• NAADEN	• STENEHJEM	

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

**Senate Bill No. 2430.** -- A Bill for an Act requiring all beverage containers to be returnable; providing for a refundable deposit on such containers; providing a penalty; and providing an effective date.

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						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		•	STROMM		•
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		•	SHALBLOW		•	WENSTROM		•
ERICKSON		•	MOORE		•	SOLBERG		•	WRIGHT		•
FRITZELL		•	MITCH		•	SORUM		•	MR. PRESIDENT		•
GOODMAN		•	NAADEN		•	STENEHJEM		•			

Senate Bill No. 2430 was declared lost.

**SECOND READING OF SENATE CONCURRENT RESOLUTIONS**

**Senate Concurrent Resolution No. 4034.** -- A concurrent resolution urging Congress to dispense aid to the state in the form of block grants.

Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4034 was declared adopted on a voice vote.

**Senate Concurrent Resolution No. 4046.** -- A concurrent resolution directing a Legislative Council study of the statutes relating to, operations, and other aspects of, the unemployment compensation program in North Dakota.

Was read the second time.

The question being on the final adoption of the resolution, Senate Concurrent Resolution No. 4046 was declared adopted on a voice vote.

**MOTION**

Senator Reiten moved that the Senate reconsider the action whereby Senate Bill No. 2256 lost, which motion prevailed.

Senator Reiten moved that Senate Bill No. 2256 be re-referred to the Committee on Industry, Business and Labor, which motion prevailed.

**SECOND READING OF HOUSE BILLS**

**House Bill No. 1046.** -- A Bill for an Act to amend and reenact section 54-44.3-19 of the North Dakota Century Code, relating to the status of mental health and retardation service units and human service centers under the central personnel division classification and pay plan.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 0, absent and not voting 4.

REGULAR SESSION			NORTH DAKOTA SENATE 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			● STROMM		
● 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			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEW			● STENEHJEM					

So the bill passed and the title was agreed to.

**House Bill No. 1070.** — A Bill for an Act to amend and reenact subsection 2 of section 26-24-22 of the North Dakota Century Code, relating to the limit of reinsurance required by the state fire and tornado fund; and to repeal section 26-24-14 of the North Dakota Century Code, relating to the new construction insurance rate charged by the state fire and tornado fund on public property.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 46, nays 0, absent and not voting 4.

REGULAR SESSION			NORTH DAKOTA SENATE 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			● STROMM		
● 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			● LODDEN			● ROEN			● WALSH		
● DYKSHOORN			● MELLAND			● SHABLOW			● WENSTROM		
● ERICKSON			● MOORE			● SOLBERG			● WRIGHT		
● FRITZELL			● MUTCH			● SORUM			● MR. PRESIDENT		
● GOODMAN			● NAADEW			● STENEHJEM					

So the bill passed and the title was agreed to.

**House Bill No. 1073.** — A Bill for an Act to amend and reenact sections 26-01-11 and 26-07-05 of the North Dakota Century Code, relating to the tax on insurance premiums and the filing date of an annual statement by insurance companies.

Which has been read.

### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were ayes 48, nays 0, absent and not voting 2.

REGULAR SESSION			NORTH DAKOTA SENATE 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			● STROMM		
● 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	● STENEHJEM	

So the bill passed and the title was agreed to.

**House Bill No. 1176.** — A Bill for an Act to amend and reenact section 49-06-23 of the North Dakota Century Code, relating to payment of costs by public utilities into public utility valuation fund.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 0, absent and not voting 3.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● ADAMS			● GROETBERG			● NELSON			● STREIBEL								
● ALBERS			● HANSON			● NETHING			● STROMM								
● BAKWELL			● 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.

**House Bill No. 1342.** — A Bill for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds to construct a revenue-producing facility at the university of North Dakota; to make an appropriation; to set a limitation and provide for an exception; and to declare an emergency.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 47, nays 1, absent and not voting 2.

REGULAR SESSION									1981 LEGISLATURE								
NORTH DAKOTA SENATE									NORTH DAKOTA SENATE								
ROLL-CALL									ROLL-CALL								
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS			
● ADAMS			● GROETBERG			● NELSON			● STREIBEL								
● ALBERS			● HANSON			● NETHING			● STROMM								
● BAKWELL			● 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, the title was agreed to, and the emergency clause carried.

**House Bill No. 1430.** — A Bill for an Act to amend and reenact section 13-03.1-03 and subsection 1 of section 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling.

Which has been read.

**ROLL CALL**

The question being on the final passage of the bill, the roll was called and there were ayes 17, nays 30, absent and not voting 3.

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			STROMM		
BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON		
BARTH		●	ISZLER			● PARKER			TENNEFOS		●
BERUBE		●	LASHKOWITZ		●	PETERSON		●	THANE		●
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
CHRISTENSEN, R. #24		●	LEIBHAN		●	REDLIN			TWETEN		●
CUSSENS		●	LIPS		●	REITEN			VOSPER		●
DOTENROD		●	LODOEN		●	ROEN			WALSH		●
● DYKSHOORN			● HELLAND			SHABLOW		●	● WENSTROM		
ERICKSON		●	● MOORE			SOLBERG			● WRIGHT		
FRITZELL		●	● MUTCH			SORUM			MR. PRESIDENT		
GOODMAN		●	● NAADEN			STENEHJEM		●			

House Bill No. 1430 was declared lost.

### MESSAGES FROM THE HOUSE

House Chamber

Mr. President: I have the honor to transmit herewith the following:

House Bill No. 1017

House Bill No. 1087

House Bill No. 1116

Which the Speaker has signed and your signature is respectfully requested.

ROY GILBREATH, Chief Clerk

House Chamber

Mr. President: I have the honor to transmit herewith the following, which the House has passed and your favorable consideration is requested on:

House Bill No. 1059

House Bill No. 1060

House Bill No. 1068

House Bill No. 1117

House Bill No. 1161

House Bill No. 1253

House Bill No. 1270

House Bill No. 1307

House Bill No. 1315

House Bill No. 1372

House Bill No. 1411

House Bill No. 1412

House Bill No. 1415

House Bill No. 1416

House Bill No. 1425

House Bill No. 1453

House Bill No. 1575

House Bill No. 1631

ROY GILBREATH, Chief Clerk

### SIGNING OF BILLS AND RESOLUTIONS

The Secretary announced that the President signed the following:

House Bill No. 1017

House Bill No. 1087

House Bill No. 1116

LEO LEIDHOLM, Secretary

### MESSAGES 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. 2017  
 Senate Bill No. 2037  
 Senate Bill No. 2247  
 Senate Bill No. 2287  
 Senate Bill No. 2299  
 Senate Bill No. 2309  
 Senate Bill No. 2317  
 Senate Bill No. 2326  
 Senate Bill No. 2340  
 Senate Bill No. 2368  
 Senate Bill No. 2381  
 Senate Bill No. 2412

LEO LEIDHOLM, Secretary

Senate Chamber

Mr. Speaker: I have the honor to return herewith the following:  
 House Concurrent Resolution No. 3033  
 Which the President has signed.

LEO LEIDHOLM, Secretary

#### FIRST READING OF HOUSE BILLS

**House Bill No. 1034.** — A Bill for an Act making an appropriation for defraying the expenses of the bonding fund and the fire and tornado fund of the state of North Dakota.

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

**House Bill No. 1058.** — A Bill for an Act to establish an intercarrier health insurance pool through an association of insurers, to designate a lead carrier to administer the plan of coverage, and to authorize the state insurance commissioner to act as the regulatory authority; and to provide an effective date.

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

**House Bill No. 1203.** — A Bill for an Act to create and enact two new sections to chapter 4-10 of the North Dakota Century Code, relating to the responsibilities of state seed department and liability of the state seed commission, state seed department, seed commissioner and his employees, and certified seed potato producers; to amend and reenact sections 4-10-01, 4-10-02, 4-10-03, 4-10-04, 4-10-05, 4-10-07, 4-10-09, 4-10-10, 4-10-11, 4-10-15, 4-10-17, 4-10-18, 4-10-19, 4-10-20, and 4-10-22 of the North Dakota Century Code, relating to definitions, duties of seed commissioner, rules and regulations, grades for potatoes, labeling of potatoes in closed containers, designation of official inspection points, shipment of potatoes from undesignated points, labeling of potatoes shipped into state, issuance of certificate after inspection, seizure of potatoes, cooperation with departments and bureaus by commissioner, collection and disposition of fees, hearings to be held by commissioner, prosecution for violations, and penalty for violation; to repeal sections 4-10-08, 4-10-13, and 4-10-16 of the North Dakota Century Code, relating to the shipment of potatoes from undesignated inspection points, fees for making grade inspections, and refusal to accept shipment of potatoes; and to provide a penalty.

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

**House Bill No. 1322.** — A Bill for an Act to amend and reenact sections 11-17-04, 44-06-03, and 44-06-04 of the North Dakota Century Code, relating to the bond of a notary public and to eliminate the requirement for a bond.

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

**House Bill No. 1330.** — A Bill for an Act to amend and reenact section 51-05.1-01 of the North Dakota Century Code, relating to exemption of financial institutions from bonding requirements.

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

**House Bill No. 1379.** — A Bill for an Act to amend and reenact section 4-22-03 and 4-22-04 of the North Dakota Century Code, relating to term of office of members of the state soil conservation committee and length of term as chairman of the committee.

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

**House Bill No. 1406.** — A Bill for an Act to amend and reenact section 15-40.1-04.1 of the North Dakota Century Code, relating to adjustments in foundation aid payments resulting from changes in a school district's property tax base.

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

**House Bill No. 1407.** — A Bill for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to the imposition of a three-point penalty on a licensee's driving record for failing to report an accident in violation of section 39-08-09, or equivalent ordinance.

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

**House Bill No. 1452.** — A Bill for an Act to amend and reenact section 54-35-02.4 of the North Dakota Century Code, relating to the powers and duties of the committee on public employees retirement programs; and declaring an emergency.

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

**House Bill No. 1462.** — A Bill for an Act to amend and reenact sections 43-13-03, 43-13-07, 43-13-08, 43-13-10, and 43-13-16 of the North Dakota Century Code, relating to the state board of optometry, compensation and expenses of board members, compensation for the secretary of the board, meetings of the board, and administration of professional examinations.

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

**House Bill No. 1463.** — A Bill for an Act to amend and reenact subsection 2 of section 40-58-20 of the North Dakota Century Code, relating to the assessment of property in an urban renewal area for the purpose of tax increment financing; and to provide retroactive application.

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

**House Bill No. 1478.** — A Bill for an Act to amend and reenact section 57-15-31.1 of the North Dakota Century Code, relating to the amendment of political subdivision budgets.

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

**House Bill No. 1480.** — A Bill for an Act to amend and reenact subsection 2 of section 40-05-01 of the North Dakota Century Code, relating to the powers of municipalities to control finances.

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

**House Bill No. 1482.** — A Bill for an Act to amend and reenact section 57-15-08 of the North Dakota Century Code, relating to tax levy limitations in cities.

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

**House Bill No. 1506.** — A Bill for an Act to amend and reenact section 57-15-22 of the North Dakota Century Code to increase the mill levy allowed for roads and bridges in unorganized townships.

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

**House Bill No. 1522.** — A Bill for an Act to amend and reenact section 65-05.1-06 of the North Dakota Century Code, relating to workmen's compensation rehabilitation allowances.

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. 3016.** — A concurrent resolution urging the Governor and State Highway Commissioner to take action to increase the maximum speed limit in the state when Congress repeals the federally mandated 55 mile per hour speed limit.

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

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

Senator Nething moved that at the conclusion of the 13th Order of Business and after the reading of Senate Bills Nos. 2012, 2085, 2184, 2240, 2245, 2286, 2289, 2303, 2364, 2401, 2402, House Bills Nos. 1042, 1126, 1137, 1142, 1183, 1202, 1206, 1210, 1240 and HCR No. 3013, the Senate adjourn and convene at 1:00 p.m., Wednesday, February 11, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary