

THIRTY-SECOND DAY

Bismarck, February 18, 1981

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

The prayer was offered by Rev. Charles Hill, United Church of Christ, Bismarck.

Father we thank Thee for the freedom to govern ourselves and the cost of that freedom in personal discipline.

We thank Thee for these Thy servants set aside by mandate of law to exercise those acts of self government necessary for corporate living.

We pray for each of them that they may be competent in those things necessary to do their several tasks.

We ask Thy protective providence over their loved ones while they are absent from them and that having completed the work at hand they may return to their homes with a sense of having done well in what was asked of them.

Strengthen us in every high resolve that in mart, in mind, and on the land that our cooperative citizenship may be worthy of the blessings and gifts which Thou has given us from Thy bounty. In Christ's name we pray. Amen.

The roll was called and all Senators were present.

A quorum was declared by the President.

Correction and Revision of The Journal

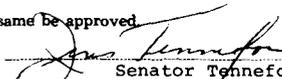
Mr. President Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-first day and

finds the same to be correct.

In the Journal of the Thirtieth Day, correct the following:

On page 719, line 50, delete Senate House and insert in lieu thereof House

And when so corrected recommends that the same be approved

 Chairman
Senator Tenefos

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

Report of Procedural Committee

MR. PRESIDENT:

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

- Senate Bill No. 2009
- Senate Bill No. 2016

Senate Bill No. 2018
 Senate Bill No. 2033
 Senate Bill No. 2036
 Senate Bill No. 2157
 Senate Bill No. 2204
 Senate Bill No. 2252
 Senate Bill No. 2280
 Senate Bill No. 2291
 Senate Bill No. 2345
 Senate Bill No. 2371
 Senate Bill No. 2395
 Senate Bill No. 2400
 Senate Bill No. 2405

and find the same correctly } Engrossed

Stella H. Fritzell
 Stella Fritzell Chairman

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

MR. PRESIDENT:

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

Senate Bill No. 2295

and find the same correctly } Re-Engrossed

Stella H. Fritzell
 Stella Fritzell Chairman

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

MOTIONS

Senator Nething moved that the House Bills that are on the 6th Order of Business today be placed at the bottom of the 11th Order of Business, which motion prevailed.

Senator Tennesos moved that House Bill No. 1154 which is on the 6th Order of Business be re-referred to the Committee on Transportation, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2001 recommended by the Committee on Appropriations and printed on pages 738, 739 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2005 recommended by the Committee on Appropriations and printed on pages 739 - 746 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that Senate Bill No. 2005 be further amended as follows:

On page 4, line 32, after the word "positions" delete the remainder of line 32 and insert in lieu thereof the following:

"for the second year of the biennium shall be limited to faculty entitlements by formula based upon the previous years enrollment or the number of positions funded by this act, whichever is less."

On page 4, delete lines 33, 34 and 35

On page 5, delete lines 1 and 2

And renumber the lines, sections and pages accordingly

Senator Lips moved that the amendments to Senate Bill No. 2005 be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2006

Senate Bill No. 2203. — A Bill for an Act to amend and reenact sections 15-18-07 and 15-18-09 of the North Dakota Century Code, relating to state aid for junior colleges; and providing limits on the level of state support in the future.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #36			● LEIBHAN			● REDLIN			● TIETEN		
● 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.

CONSIDERATION OF AMENDMENTS

Senator Wenstrom moved that the amendment to Senate Bill No. 2216 as printed on page 761 of the Senate Journal be amended as follows:

On page 1, line 3 of the amendment, delete "for county and" and insert in lieu thereof "to counties and cities"

Senator Wenstrom moved that the amendment to the amendment be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2216 recommended by Committee on Appropriations and printed on page 761 of the Senate Journal be adopted, which motion prevailed.

Senator Wenstrom moved that the rules be suspended, that Senate Bill No. 2216 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2216. — A Bill for an Act to provide for a state matching program to counties and cities senior citizen programs and activities.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION									1981 LEGISLATURE		
ROLL-CALL											
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
● ADAMS			● GROETBERG			● NELSON			● STREIBEL		
● ALBERS			● HANSON			● NETHING			● STROMME		
● BAKEWELL			● HOLMBERG			● OLIN			● TALLACKSON		
● BARTH			● ISZLER			● PARKER			● TENNEFOS		
● BERUBE			● LASHKOWITZ			● PETERSON			● THANE		
● CHRISTENSEN, H. #5			● LEE			● QUAIL			● TIERNEY		
● CHRISTENSEN, R. #36			● LEIBHAN			● REDLIN			● TIETEN		
● 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.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2217 recommended by the Committee on Appropriations and printed on

page 761 of the Senate Journal be adopted, which motion prevailed.

Senator Peterson moved that the amendments to Senate Bill No. 2253 recommended by the Committee on Social Services and Veterans Affairs and printed on page 762 of the Senate Journal be adopted.

POINT OF PERSONAL PRIVILEGE

Senator Stenehjem: Mr. President, members of the Senate I want the Journal to reflect that I do not intend to kill Senate Bill No. 2253, but to hold it until the particulars of any negotiated settlement of that lawsuit are known. We can and do intend to bring this bill back for final action on a majority vote at a later time.

Senator Stenehjem moved that the proposed amendments to Senate Bill No. 2253 be laid on the table, which motion prevailed.

Senator Nelson moved that the amendments to Senate Bill No. 2260 recommended by the Committee on Education and printed on pages 762 - 772 of the Senate Journal be adopted, which motion prevailed. Senate Bill No. 2260 has committee recommendation of do not pass.

Senator Peterson moved that the rules be suspended, that Senate Bill No. 2260 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2260. — A Bill for an Act to create and enact two new sections to chapter 15-38.1, relating to management rights and penalties; to amend and reenact sections 15-38.1-02, 15-38.1-03, 15-38.1-04, 15-38.1-05, 15-38.1-06, subsection 1 of section 15-38.1-07, sections 15-38.1-08, 15-38.1-09, 15-38.1-12, and 15-38.1-13, relating to definitions under chapter 15-38.1; name of the education factfinding commission; appointment, compensation, and powers of the education employment relations commission; cost and compensation of mediator-arbitrators; and the scope of negotiations, timetable, and impasse procedures in negotiations between school boards and teachers or administrators; to repeal subsection 5 of section 15-38.1-14, relating to strike penalties; to provide a penalty; and to provide 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, as amended, the roll was called and there were ayes 3, nays 47, absent and not voting 0.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL CALL						1981 LEGISLATURE		
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
		●									
ADAMS		●	GROTBERG		●	NELSON		●	STREIBEL		●
ALBERS		●	HANSON		●	NETHING		●	STROMME		●
BAKEWELL		●	HOLMBERG		●	OLIN		●	TALLACKSON		●
BARTH		●	ISZLER		●	PARKER		●	TENNEFOS		●
BERUBE		●	LASHKOWITZ		●	PETERSON		●	THANE		●
CHRISTENSEN, H. JS		●	LEE		●	QUAIL		●	TIERNEY		●
CHRISTENSEN, R. JM		●	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. 2260 was declared lost.

CONSIDERATION OF AMENDMENTS

Senator Goodman moved that the amendments to Senate Bill No. 2314 recommended by the Committee on Finance and Taxation and printed on pages 772, 773 of the Senate Journal be adopted, which motion prevailed.

Senator H. Christensen moved that the amendments to Senate Bill

No. 2322 recommended by the Committee on Judiciary and printed on page 773 of the Senate Journal be adopted, which motion prevailed.

Senator Nething moved that consideration of the amendments to Senate Bill No. 2323 be laid over one legislative day, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2338 recommended by the Committee on Appropriations and printed on page 776 of the Senate Journal be adopted, which motion prevailed.

Senator H. Christensen moved that the amendments to Senate Bill No. 2344 recommended by the Committee on Judiciary and printed on pages 776, 777 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that the amendments to Senate Bill No. 2358 recommended by the Committee on Finance and Taxation and printed on pages 777, 778 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2372 recommended by the Committee on Appropriations and printed on page 778 of the Senate Journal be adopted, which motion prevailed.

Senator H. Christensen moved that the amendments to Senate Bill No. 2378 recommended by the Committee on Judiciary and printed on pages 779 - 783 of the Senate Journal be adopted, which motion prevailed.

Senator Reiten moved that the amendments to Senate Bill No. 2386 recommended by the Committee on Industry, Business and Labor and printed on pages 783 - 785 of the Senate Journal be adopted, which motion prevailed.

Senator H. Christensen moved that the amendments to Senate Bill No. 2389 recommended by the Committee on Judiciary and printed on pages 785, 786 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that the amendments to Senate Bill No. 2392 recommended by the Committee on Finance and Taxation and printed on page 786 of the Senate Journal be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2404 recommended by the Committee on Appropriations and printed on pages 786, 787 of the Senate Journal be adopted, which motion prevailed.

Senator Melland moved that the rules be suspended, that Senate Bill No. 2404 be deemed properly re-engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2404. — A Bill for an Act to establish a higher education study commission and to provide for its membership, duties, responsibilities, and administrative procedures; to provide an appropriation; and to declare an emergency.

Which has been read.

ROLL CALL

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

REGULAR SESSION									NORTH DAKOTA SENATE									1981 LEGISLATURE																	
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	• 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.

CONSIDERATION OF AMENDMENTS

Senator Holmberg moved that the amendments to Senate Bill No. 2407 recommended by the Committee on Political Subdivisions and printed on pages 787 - 790 of the Senate Journal be adopted, which motion prevailed.

Senator Holmberg moved that the rules be suspended, that Senate Bill No. 2407 be deemed properly engrossed, and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2407. — A Bill for an Act to amend and reenact subsection 2 of section 57-60-15, section 57-62-01, subsections 1 and 2 of section 57-62-02, and section 57-62-03 of the North Dakota Century Code, relating to the allocation of revenues from the coal conversion facilities tax and coal severance tax to certain organized townships.

Which has been read.

ROLL CALL

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

NORTH DAKOTA SENATE											
REGULAR SESSION						1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
• ADAMS			• GROETBERG			• NELSON			• STREIBEL		
• ALBERS			• HANSON			• NETHING			• STROMME		
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACOM		
• 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.

MOTION

Senator Nething moved that Senate Bills Nos. 2007, 2203, 2216, 2404 and 2407 be reprinted in the minimal amount, which motion prevailed.

CONSIDERATION OF AMENDMENTS

Senator Lips moved that the amendments to Senate Bill No. 2415 recommended by the Committee on Appropriations and printed on page 791 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that the amendments to Senate Bill No. 2421 recommended by the Committee on Finance and Taxation and printed on pages 791 - 793 of the Senate Journal be adopted, which motion prevailed.

Senator Goodman moved that Senate Bill No. 2421 be deemed properly engrossed for the purpose of submitting further amendments, which motion prevailed.

Senator Goodman moved that engrossed Senate Bill No. 2421 be amended as follows:

On page 1 of the engrossed bill, line 8, after the semicolon insert the following: "to provide for termination of the mineral tax;"

On page 2 of the engrossed bill, line 33, before the word "EFFECTIVE" insert the following: "TERMINATION OF TAX -"

On page 2 of the engrossed bill, following line 33, insert the following new sentence: "The tax imposed by section 2 of this Act shall terminate and be of no force and effect for property tax years beginning after December 31, 1988."

And renumber the lines and pages accordingly.

Senator Goodman moved that the proposed amendments to Senate Bill No. 2421 be adopted, which motion prevailed.

Senator Lips moved that the amendments to Senate Bill No. 2432 recommended by the Committee on Appropriations and printed on page 793 of the Senate Journal be adopted, and when so amended, recommends that Senate Bill No. 2432 be placed on the calendar without recommendation, which motion prevailed.

Senator Barth moved that Senate Bill No. 2432 be further amended as follows:

On page 1, line 5, add, after the word "penalties", . . . "and to provide an appropriation."

On page 7 of the amended bill, add, after line 20, the words . . .

"Section 8. Appropriation. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$2,000,000, or so much thereof as may be necessary, to the industrial commission for the biennium beginning July 1, 1981, and ending June 30, 1983, to establish a special fund to guarantee seller-sponsored loans under Section 5 of this Act."

And renumber the lines and pages accordingly.

Senator Barth moved that the amendments to Senate Bill No. 2432 be adopted, which motion lost.

RECOGNITION

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

I would like to have the members of the Senate meet and be introduced to someone that's with me today. Miss Lynn Brokaw is Miss Rodeo North Dakota. She is the daughter of Mr. and Mrs. Jim Brokaw of Forbes, North Dakota. Before becoming Miss Rodeo North Dakota, Lynn first had to compete at the local level where she obtained the title of Miss Rodeo Ellendale. At the Ellendale contest, and at the North Dakota contest, Lynn was judged on her personality, appearance and horsemanship, with each counting as one-third of her score. She took the horsemanship award at both contests and feels that this will be her strongest division of the Miss Rodeo America contest.

Also she was judged on a speech given on herself and the girls were judged as they modeled western fashions. Lynn has attended the largest clothing market, the Denver Merchandise Mart in Denver, Colorado. From that market she has obtained jobs to model at markets in Billings, Montana; Spearfish, South Dakota; Minneapolis and Dallas, Texas; which will prepare her for the modeling she will have to do when she competes for the Miss Rodeo America title in December just prior to the National Finals Rodeo in Oklahoma City. She will be judged in the same three divisions as in the state pageant. Lynn's job is somewhat like ours in that as she travels she represents the State of North Dakota, only her representation is in the aspect of rodeo. During this year Lynn will travel throughout the State of North Dakota promoting, supporting and enhancing the sport of rodeo, and she says that so far she has enjoyed doing this and that she is proud to be representing the State of North Dakota.

I would ask at this time that Lynn stand and be recognized by the members of the Senate.

Report of Standing Committee

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

to whom was referred SENATE Bill No. 2435

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:

[Signature]

Senator Reiten Chairman

SENATE Bill No. 2435 was placed on the Eleventh

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

Mr. President: Your Committee on Education

to whom was referred Senate Concurrent Resolution No. 4050

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:

[Signature]

Chairman

Senate Concurrent Resolution No. 4050 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 HOUSE Bill No. 1044

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:

[Signature]

Chairman

SENATOR CHRISTENSEN HOUSE Bill No. 1044 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. 1107

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:

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Hal Christensen Chairman
SENATOR CHRISTENSEN

HOUSE Bill No. 1107 was placed on the 14th

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

Mr. President: Your Committee on Finance and Taxation
to whom was referred House Bill No. 1216

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 Chairman
Senator Chuck Goodman

House Bill No. 1216 was placed on the fourteenth

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

Mr. President: Your Committee on Education
to whom was referred House Bill No. 1336

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:

Sen Nelson Chairman
Senator Gary Nelson

House Bill No. 1336 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. 1383

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:

Hal Christensen Chairman
SENATOR CHRISTENSEN

HOUSE Bill No. 1383 was placed on the 14th

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

Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1452

Has had the same under consideration and recommends that the same

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

be amended as follows:

Lodoen Chairman
Senator Lodoen

HOUSE Bill No. 1452 was placed on the 14th

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

Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1462

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. 1462 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. 1522

Has had the same under consideration and recommends that the same

do pass do not pass be placed on calendar
without recommendation

be amended as follows:

Reiten Chairman
Senator Reiten

HOUSE Bill No. 1522 was placed on the Fourteenth

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

Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1557

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. 1557 was placed on the 14th

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

Mr. PRESIDENT: Your Committee on STATE AND FEDERAL GOVERNMENT
to whom was referred HOUSE Bill No. 1587

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:

So the bill passed and the title was agreed to.

Senate Bill No. 2157. — A Bill for an Act to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to liquidated damages for persons in unlawful possession of wildlife.

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 0, nays 50, absent and not voting 0.

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		●	LASKOWITZ		●	PETERSON		●	THANE		●
CHRISTENSEN, H. JS		●	LEE		●	QUAIL		●	TIERNEY		●
CHRISTENSEN, R. JM		●	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		●	NAADEN		●	STENEHJEM		●			

Senate Bill No. 2157 was declared lost.

Senate Bill No. 2204. — A Bill for an Act to provide for the creation of regional railroad authorities and to empower these authorities to plan, acquire, and operate railroad lines.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 38, nays 11, absent and not voting 1.

NORTH DAKOTA SENATE											
REGULAR SESSION			ROLL-CALL			1981 LEGISLATURE					
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS
●			●			●			●		
ADAMS			GROETBERG			NELSON			STREIBEL		
ALBERS			HANSON			NETHING			STROMME		
BAKEWELL			HOLMBERG			OLIN			TALLACKSON		
BARTH			ISZLER		●	PARKER			TENNEFOS		●
BERUBE			LASKOWITZ			PETERSON			THANE		
CHRISTENSEN, H. JS			LEE		●	QUAIL			TIERNEY		
CHRISTENSEN, R. JM			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			NAADEN			STENEHJEM					

So the bill passed and the title was agreed to.

Senate Bill No. 2252. — A Bill for an Act to provide for the licensing and regulation of those individuals engaged in the practice of social work and the creation of a state board of social work examiners; to provide a penalty; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 15, nays 35, absent and not voting 0.

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	• LASKOWITZ	PETERSON	• THANE
• CHRISTENSEN, H. #5	• LEE	• QUAIL	• TIERNEY
• CHRISTENSEN, R. #36	• 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	• NAADEN	• STENEHJEM	

Senate Bill No. 2252 was declared lost.

MOTION

Senator Peterson moved that Senate Bill No. 2280 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 2291. — A Bill for an Act to amend and reenact section 23-06-03 of the North Dakota Century Code, relating to the duty of burial.

Which has been read.

ROLL CALL

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

REGULAR SESSION							1981 LEGISLATURE						
ROLL-CALL							ROLL-CALL						
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
• ADAMS			• GROETBERG			• NELSON			• STREIBEL				
• ALBERS			• HANSON			• NETHING			• STROMME				
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON				
• BARTH			• ISZLER			• PARKER			• TENNEFOS				
• BERUBE			• LASKOWITZ			• PETERSON			• THANE				
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY				
• CHRISTENSEN, R. #36			• 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			• NAADEN			• STENEHJEM							

So the bill passed and the title was agreed to.

Senate Bill No. 2295. — A Bill for an Act to provide an appropriation to the state parks and recreation department for the construction and maintenance of snowmobile trails.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 44, nays 4, absent and not voting 2.

REGULAR SESSION							1981 LEGISLATURE						
ROLL-CALL							ROLL-CALL						
YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS	YEAS	N-V	NAYS		
• ADAMS			• GROETBERG			• NELSON			• STREIBEL				
• ALBERS			• HANSON			• NETHING			• STROMME				
• BAKEWELL			• HOLMBERG			• OLIN			• TALLACKSON				
• BARTH			• ISZLER			• PARKER			• TENNEFOS				
• BERUBE			• LASKOWITZ			• PETERSON			• THANE				
• CHRISTENSEN, H. #5			• LEE			• QUAIL			• TIERNEY				
• CHRISTENSEN, R. #36			• 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			• NAADEN			• STENEHJEM							

So the bill passed and the title was agreed to.

Senate Bill No. 2345. — A Bill for an Act to amend and reenact section 50-24.1-07 of the North Dakota Century Code, relating to the recovery from the estates of medical assistance recipients.

Which has been read.

ROLL CALL

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

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

So the bill passed and the title was agreed to.

Senate Bill No. 2346. — A Bill for an Act to establish the North Dakota merit scholarship program; and to provide an appropriation.

Which has been read and is placed on the calendar without recommendation.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were ayes 33, nays 17, absent and not voting 0.

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

So the bill passed and the title was agreed to.

MOTION

Senator Nething moved that the rules be suspended, that we message Senate Bill Nos. 2009, 2016, 2018, 2033, 2036, 2204, 2291, 2295, 2345 and 2346 to the House, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

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

House Bill No. 1008

House Bill No. 1023

House Bill No. 1443

House Bill No. 1484

House Bill No. 1496

House Bill No. 1499

House Bill No. 1521

House Bill No. 1532

House Bill No. 1558

House Bill No. 1589

House Bill No. 1651

House Concurrent Resolution No. 3027

House Concurrent Resolution No. 3034

House Concurrent Resolution No. 3036

House Concurrent Resolution No. 3043

ROY GILBREATH, Chief Clerk
House Chamber

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Concurrent Resolution No. 3013

and subsequently passed the same.

Very respectfully,

ROY GILBREATH, Chief Clerk

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. 2029

Senate Bill No. 2046

Senate Bill No. 2349

Senate Bill No. 2370

Senate Bill No. 2409

Very Respectfully,

LEO LEIDHOLM, Secretary

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. 2009

Senate Bill No. 2016

Senate Bill No. 2018

Senate Bill No. 2033

Senate Bill No. 2036

Senate Bill No. 2204

Senate Bill No. 2291

Senate Bill No. 2295

Senate Bill No. 2345

Senate Bill No. 2346

Very Respectfully,

LEO LEIDHOLM, Secretary

FIRST READING OF HOUSE BILLS

House Bill No. 1014. — A Bill for an Act making an appropriation for defraying the expenses of the soldiers' home of the state of North Dakota.

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

House Bill No. 1024. — A Bill for an Act making an appropriation for defraying the expenses of the division of disaster emergency services of the state of North Dakota.

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

House Bill No. 1184. — A Bill for an Act to amend and reenact sections 44-08-04, 44-08-04.2, and 54-06-09 of the North Dakota Century Code, relating to expense accounts and mileage and travel expenses of state officers and employees.

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

House Bill No. 1197. — A Bill for an Act to amend and reenact section 39-06-27, subsection 4 of section 39-06-32, section 39-06-33, subsection 2 of section 39-06-37, subsection 1 of section 39-06.1-10, and section 39-20-05 of

the North Dakota Century Code, relating to the sufficiency of evidence used by the highway commissioner for drivers license action, the adequacy of the commissioner's records for such action, and the sufficiency of the notice to drivers of impending or concluded drivers license decisions.

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

House Bill No. 1227. — A Bill for an Act to amend and reenact subsection 7 of section 15-40.1-08 of the North Dakota Century Code, relating to payment of foundation aid for kindergarten.

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

House Bill No. 1249. — A Bill for an Act to amend and reenact sections 57-24-12 and 57-24-24 of the North Dakota Century Code to provide twelve percent annual interest on delinquent property taxes and to delete obsolete references to the hail indemnity tax.

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

House Bill No. 1373. — A Bill for an Act to provide limitations on increases or forced reductions in property taxes levied by taxing districts for certain years; and declaring an emergency.

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

House Bill No. 1374. — A Bill for an Act to provide for the valuation of property at true and full value, providing for the assessment of property at varying percentages of true and full value, and providing for statements of full consideration; to amend and reenact sections 57-02-27 and 57-02-28, subsection 1 of section 57-13-04, and section 57-55-04 of the North Dakota Century Code, relating to the determination of true and full value, the basis for the computation of property taxes, the powers and duties of the state board of equalization, and the taxation of mobile homes; providing a penalty; and providing an effective date.

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

House Bill No. 1392. — A Bill for an Act to amend and reenact section 4-28-03 of the North Dakota Century Code, relating to the election, appointment, term, and meetings of wheat commission members.

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

House Bill No. 1429. — A Bill for an Act to amend and reenact section 27-06-08 of the North Dakota Century Code, relating to fees for court reporter transcripts.

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

House Bill No. 1444. — A Bill for an Act to create and enact three new sections to chapter 38-08.1 of the North Dakota Century Code, relating to the filing of a surety bond before engaging in geophysical exploration and the issuance of an exploration permit; and to amend and reenact subsection 1 of section 38-08.1-01 and sections 38-08.1-02, 38-08.1-03, 38-08.1-04, 38-08.1-05, and 38-08.1-06 of the North Dakota Century Code, relating to definitions, persons required to comply with certain requirements, filing a notice of intention to engage in geophysical exploration, filing a record of work performed, and the duty to plug drill holes.

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

House Bill No. 1447. — A Bill for an Act to create and enact a new section to chapter 57-15 of the North Dakota Century Code, relating to a township mill levy for the purchase and operation of mowing or snow removal equipment.

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

House Bill No. 1489. — A Bill for an Act to create and enact two new sections to chapter 38-16 of the North Dakota Century Code, relating to the reclamation of lands affected by surface mining operations and providing a civil penalty for failure to reclaim affected lands.

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

House Bill No. 1501. — A Bill for an Act providing for the regulation of propane exploders; and providing a penalty.

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

House Bill No. 1547. — A Bill for an Act to amend and reenact section 27-20-04, subsection 1 of section 27-20-16, and sections 27-20-28 and 27-20-35 of the North Dakota Century Code, relating to juvenile court concurrent jurisdiction of proceedings to treat or commit a mentally retarded or mentally ill child, place of detention, child investigation and report, and disposition of a mentally ill or retarded child; and providing for juvenile court concurrent jurisdiction of proceedings to treat or commit an alcohol or drug abusing child.

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

House Bill No. 1561. — A Bill for an Act to amend and reenact subsection 7 of section 15-40.1-08 of the North Dakota Century Code to allow foundation payments to approved out-of-state kindergarten programs.

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

House Bill No. 1593. — A Bill for an Act to create and enact a new section to chapter 26-29 of the North Dakota Century Code, requiring a fire and property insurance rating organization to maintain an office within the state.

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

House Bill No. 1615. — A Bill for an Act to create and enact a new section to chapter 57-38.2 of the North Dakota Century Code, relating to qualified plan income averaging for income tax purposes; to amend and reenact subsection 8 of section 57-37.1-01, and sections 57-38.2-02 and 57-38.2-04 of the North Dakota Century Code, relating to updating the federalization of the state estate tax, qualified plan income averaging, and rules and regulations for the administration of income averaging; and providing an effective date.

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

House Bill No. 1618. — A Bill for an Act to create and enact a new subsection to section 54-44-04 and two new sections to chapter 54-44 of the North Dakota Century Code, relating to placing responsibility for distribution of federal and state surplus property in the department of accounts and purchases; and to repeal chapter 15-61 of the North Dakota Century Code, relating to the personnel, powers, and duties of the division of surplus property of the department of public instruction.

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

House Bill No. 1637. — A Bill for an Act to amend and reenact sections 15-51-12, 15-51-14, 15-51-15, 15-51-16, and 15-51-22 of the North Dakota Century Code, relating to powers and duties of the Fargo school district board of education, providing for the appointment by the Fargo board of education of a board treasurer.

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

FIRST READING OF
HOUSE CONCURRENT RESOLUTIONS

House Concurrent Resolution No. 3007. — A concurrent resolution urging Congress to provide for direct funding of services to Indian reservations in North Dakota.

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

House Concurrent Resolution No. 3010. — A concurrent resolution authorizing public television coverage of the activities of the Forty-seventh Legislative Assembly and future assemblies; and providing for the preparation of guidelines for public television coverage by the Legislative Council, or its designee.

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

House Concurrent Resolution No. 3017. — A concurrent resolution directing a Legislative Council study of the methods in which lands owned by the state of North Dakota, any of its agencies, or any of its political subdivisions are sold or leased for agricultural purposes during the 1981-83 biennium.

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

House Concurrent Resolution No. 3018. — A concurrent resolution creating a special Legislative Council interim committee and directing the Legislative Council to conduct a study of the impacts on North Dakota from the proposed Tenneco coal gasification plant at Wibaux, Montana, and methods by which the impacts may be lessened by impact aid grants.

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

House Concurrent Resolution No. 3025. — A concurrent resolution directing the Legislative Council to conduct a study of the apportionment and distribution of net proceeds of cooperatives.

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

House Concurrent Resolution No. 3030. — A concurrent resolution urging Congress to control grasshopper infestation on federal lands.

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

House Concurrent Resolution No. 3037. — A concurrent resolution urging Congress to balance the federal budget.

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

House Concurrent Resolution No. 3039. — A concurrent resolution urging the President and Congress to formulate a comprehensive national energy policy.

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

House Concurrent Resolution No. 3040. — A concurrent resolution commending the volunteer spirit in the people of North Dakota and the United States.

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

House Concurrent Resolution No. 3042. — A concurrent resolution congratulating Mrs. Don L. Shide on her election as International President of the General Federation of Women's Clubs.

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

Senator Nothing moved that at the conclusion of the 13th Order of Business and after the reading of Senate Bills Nos. 2001, 2005, 2006, 2010, 2011, 2068, 2135, 2217, 2280, 2314, 2322, 2058, 2215, 2373, 2334, 2338,

WEDNESDAY, FEBRUARY 18, 1981

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2344, 2358, 2372, 2378, 2386, 2389, 2392, 2415, 2421, 2432, 2435, SCR No. 4050, and House Bills Nos. 1044, 1107, 1216, 1336, 1383, 1452, 1462, 1522, 1557 and 1587, the Senate adjourn and convene at 1:00 p.m., Thursday, February 19, 1981, which motion prevailed.

LEO LEIDHOLM, Secretary