

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

* * * * *

THIRTEENTH DAY

Bismarck, January 20, 1983
The Senate convened at 1:00 p.m., with President Sands presiding.

The prayer was offered by Rev. Jerry Miller, First Lutheran Church, Rugby.

Let us pray. Oh God, source of all power and authority, we give You thanks for the gift of being able to govern ourselves and determine our own rules and legislation. This is not easy - we need Your wisdom, strength, and understanding. Help us renounce our hurried, so-called acceptable methods in our attempts to erase our shortcomings. Since the death of Jesus did not frighten away Your love, do not let our sins scare away Your forgiveness. We know that You accept us in whatever condition we find ourselves. You restore us to what we should be. Grant us wisdom to make sound decisions, courage to compromise when necessary, and faith to claim Your forgiveness for our mistakes.

Send forth Your spirit into our hearts; teach us to accept ourselves without covering up our hurts. Bless our loved ones and our enemies. Bless us who have the power to determine what is best for Your people in North Dakota. Grant health and favor to the leaders of the world - attune all political leaders to the mind of Christ and dispose our days to live in Your peace now and forever. Amen.

ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MR. PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twelfth day and finds the same to be correct.

SEN. TWETEN, Chairman

SEN. DAVID 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 and find the same correctly engrossed:

SB 2079, SB 2101

SEN. FRITZELL, Chairman

SEN. DYKSHOORN MOVED that the report be adopted, which motion prevailed.

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

SB 2092, SB 2109, SB 2131, SB 2136, SB 2145, SB 2147,
SB 2159, SB 2164, SB 2211, SB 2263, SCR 4010

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1012

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGES 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:

HB 1138, HCR 3009

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SB 2072

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the Speaker has signed:

SB 2225

Very respectfully,
CHARLES FLEMING, Chief Clerk

MOTION

SEN. NETHING MOVED that the Sixth order of business be placed just ahead of the Eleventh order of business on today's calendar, which motion prevailed.

FIRST READING OF SENATE BILLS

Sen. Naaden introduced:

SB 2429: A BILL for an Act to create and enact a new section to chapter 57-60 and a new subsection to section 57-60-01 of the North Dakota Century Code, relating to taxation of transmission lines; to repeal subsection 2 of section 57-33.1-02 of the North Dakota Century Code, relating to taxation of transmission lines; and to provide an effective date.

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

Sen. Parker and Rep. A. Olson introduced:

SB 2430: A BILL for an Act to amend and reenact sections 53-02-01 and 53-02-02 of the North Dakota Century Code, relating to dances and public concerts sponsored by churches and schools.

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

Sen. Redlin introduced:

SB 2431: A BILL for an Act to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to sales and use tax collection agreements with home rule cities.

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sens. Nething, Redlin and Reps. Backes, Strinden introduced:

SCR 4017: A concurrent resolution urging the United States Congress and the United States Army Corps of Engineers, to complete a program of bank protection, stabilization, and maintenance along the Missouri River in North Dakota.

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

FIRST READING OF HOUSE BILLS

HB 1044: A BILL for an Act to create and enact a new section to chapters 6-01 and 6-06 of the North Dakota Century Code, relating to an assessment on state-chartered banks and state-chartered credit unions for additional examinations; and to amend and reenact sections 6-01-17, 6-05-28, subsection 4 of section 6-06-08, and section 6-09-29 of the North Dakota Century Code, relating to a yearly assessment on state-chartered banks, and examination fees for trust companies, credit unions, the North Dakota central credit union, and the Bank of North Dakota.

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

HB 1049: A BILL for an Act to amend and reenact section 64-02-10 of the North Dakota Century Code, relating to fees collected by the department of weights and measures under the public service commission.

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

HB 1086: A BILL for an Act to amend and reenact sections 19-01-10, 19-02.1-21, 19-08-01, 19-08-03, and 19-08-05 of the North Dakota Century Code, relating to the regulation of beverages by the state laboratories department.

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

HB 1112: A BILL for an Act to authorize the board of university and school lands and the North Dakota parks and recreation department to exchange certain lands in Oliver and McKenzie Counties.

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

HB 1127: A BILL for an Act to amend and reenact section 15-10-19 of the North Dakota Century Code, relating to the definition of nonresident students for tuition purposes at state institutions of higher learning.

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

HB 1130: A BILL for an Act to amend and reenact section 23-01-02.1 of the North Dakota Century Code, relating to confidential information received by hospital utilization committees and internal hospital quality assurance review committees.

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

HB 1141: A BILL for an Act to repeal section 20.1-03-26 of the North Dakota Century Code, relating to the taking and transporting of game birds by nonresidents.

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

HB 1151: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 19-03.1-36 of the North Dakota Century Code, relating to property traceable to controlled substances which is subject to forfeiture.

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

HB 1202: A BILL for an Act to amend and reenact section 29-04-02 of the North Dakota Century Code, relating to prosecution for felonies other than murder within three years.

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

HB 1204: A BILL for an Act to amend and reenact section 21-03-19 of the North Dakota Century Code, relating to the terms of municipal general obligation bonds.
Was read the first time and referred to the Committee on Political Subdivisions.

HB 1225: A BILL for an Act to authorize the commissioner of insurance to determine jurisdiction of providers of health care benefits.
Was read the first time and referred to the Committee on Industry, Business, and Labor.

HB 1231: A BILL for an Act to amend and reenact section 11-18-05 of the North Dakota Century Code, relating to fees of the register of deeds' office.
Was read the first time and referred to the Committee on Political Subdivisions.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3003: A concurrent resolution setting forth statewide goals for postsecondary education.
Was read the first time and referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2066 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SB 2066 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2139 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SB 2139 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2161 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

SB 2161 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2171 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

SB 2171 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred SB 2208 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

SB 2208 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred SB 2220 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. VOSPER, Chairman

SB 2220 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2236 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, delete line 12 and insert in lieu thereof the following language:

"class AA felony is a class A felony shall be and an attempt to commit a class A felony is a class B felony,"

And renumber the lines accordingly

SEN. CHRISTENSEN, Chairman

SB 2236 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred SB 2243 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

SB 2243 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2246 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 9, after "54-27.1-08," insert immediately thereafter the word "and"

On page 1, line 9, delete ", and 54-27.1-10"

On page 2, line 24, after the first word "energy" insert immediately thereafter the word "conservation"

On page 2, line 24, after the second word "energy" insert immediately thereafter the word "conservation"

On page 8, line 7, "54-27.1-08," insert immediately thereafter the word "and"

On page 8, line 7, delete ", and 54-27.1-10"

And renumber the lines accordingly

SEN. LODOEN, Chairman

SB 2246 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Education to which was referred SB 2250 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 9, delete the words "to authorize the state board of higher education to"

On page 1, delete line 10

On page 1, delete line 11

On page 1, line 12, delete the words "North Dakota and to provide an appropriation;"

On page 2, delete lines 31 through 35

On page 3, delete lines 1 through 11

And renumber the lines, sections, and pages accordingly

SEN. PETERSON, Chairman

SB 2250 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2252 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2252 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2253 has had the same under consideration

and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 8, line 15, delete the letter "i" and insert in lieu thereof the numeral "1"

On page 9, line 4, delete the numeral "1" and insert in lieu thereof the numeral "1"

On page 9, line 5, delete the numeral "2" and insert in lieu thereof the numeral "2"

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

SB 2253 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2279 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 7, line 4, overstrike the word "ten" and insert immediately thereafter the word "twenty"

On page 12, line 4, overstrike the word "ten" and insert immediately thereafter the word "twenty"

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

SB 2279 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2280 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2280 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2291 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

SB 2291 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SCR 4006 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SCR 4006 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. LODOEN MOVED that SB 2350 be returned to the Senate floor from the Committee on State and Federal Government, which motion prevailed.

SEN. LODOEN MOVED that SB 2350 be rereferred to the Committee on Industry, Business, and Labor, which motion prevailed.

SEN. MUTCH MOVED that SB 2409 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

SEN. MUTCH MOVED that SB 2409 be rereferred to the Committee on Transportation, which motion prevailed.

REPORTS OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nominations for the North Dakota Council on the Arts:

Lodoen, Chairman
Tweten
Bakewell
Todd
Berube
Grotberg
Satom

SEN. NETHING, Chairman

SEN. NETHING MOVED that the report be adopted, which motion prevailed.

MR. PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nominations to the State Board of Higher Education:

Peterson, Chairman
Streibel
Adams
Nelson
Miller Heinrich
Walsh
Matchie

SEN. NETHING, Chairman

SEN. NETHING MOVED that the report be adopted, which motion prevailed.

MR. PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nominations for the State Historical Board:

Dykshoorn, Chairman
Reiten
Parker
Stenehjem
Hilken
Maixner
Lashkowitz

SEN. NOTHING, Chairman

SEN. NOTHING MOVED that the report be adopted, which motion prevailed.

MR. PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nominations for the Postsecondary Education Commission:

Tennefos, Chairman
Leibhan
Goodman
Wright
Heigaard
Krauter
Dotzenrod

SEN. NOTHING, Chairman

SEN. NOTHING MOVED that the report be adopted, which motion prevailed.

MR. PRESIDENT: Your procedural Committee on Committees respectfully submit the following committee to consider the nominations for the State Board of Public School Education:

Olson, Chairman
Erickson
Fritzell
Moore
Waldera
Barth
Tallackson

SEN. NOTHING, Chairman

SEN. NOTHING MOVED that the report be adopted, which motion prevailed.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

STATE OF NORTH DAKOTA
EXECUTIVE OFFICE
BISMARCK

December 8, 1982

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

Dear Mr. President:

I have made the following appointments which are subject to Senate confirmation:

North Dakota Council on the Arts (Section 54-54-02)

Ms. Anne-Marit Bergstrom, Devils Lake	July 1, 1982 - July 1, 1987
Mrs. Mary Ellen Berning, Minot	July 1, 1982 - July 1, 1987
Mrs. Marjorie Mattson, Minot	July 1, 1982 - July 1, 1987
Ms. Catherine Mulligan, Fargo	July 1, 1982 - July 1, 1985
Mr. Charles Stroup, Hazen	July 1, 1982 - July 1, 1987
Mr. Clifton Sundt, Williston	June 7, 1982 - July 1, 1985
Mrs. Kathie Anderson, Grand Forks	July 1, 1983 - July 1, 1988
Mrs. Susan Freeman, Fargo	July 1, 1983 - July 1, 1988
Mrs. Audrey Kloubec, Fargo	July 1, 1983 - July 1, 1988
Mrs. Arlene Saugstad, Minot	July 1, 1983 - July 1, 1988
Mrs. Patricia O'Hara Smith, Bismarck	July 1, 1983 - July 1, 1988

State Board of Higher Education (Section 15-10-02)

Dr. Jack H. Pfister, Wahpeton	July 1, 1982 - July 1, 1989
-------------------------------	-----------------------------

State Historical Board (Section 55-01-01)

Ms. Mabel Olson, Velva	July 1, 1982 - June 30, 1985
Mrs. Sheila Robinson, Coleharbor	July 1, 1982 - June 30, 1985
Mr. Alois Spielman, Fargo	July 1, 1982 - June 30, 1985

Postsecondary Education Commission (Section 15-20-01)

Mr. Harold Anderson, Bismarck	July 1, 1982 - June 30, 1985
-------------------------------	------------------------------

State Board of Public School Education (Section 15-21-17)

Dr. Vernon Bennett, Fargo	July 1, 1982 - June 30, 1987
Mr. Ralph Kingsbury, Grafton	July 1, 1982 - June 30, 1987

It is requested that the Senate give favorable consideration to these appointments.

Sincerely,

ALLEN I. OLSON
Governor

GOVERNOR OLSON'S APPOINTMENT REFERRALS

THE PRESIDENT REFERRED the appointments of Ms. Anne-Marit Bergstrom, Mrs. Mary Ellen Berning, Mrs. Marjorie Mattson, Ms. Catherine Mulligan, Mr. Charles Stroup, Mr. Clifton Sundt, Mrs. Kathie Anderson, Mrs. Susan Freeman, Mrs. Audrey Kloubec, Mrs. Arlene Saugstad, and Mrs. Patricia O'Hara Smith to the **Select Committee for the North Dakota Council on the Arts.**

THE PRESIDENT REFERRED the appointment of Dr. Jack H. Pfister to the **Select Committee for the State Board of Higher Education.**

THE PRESIDENT REFERRED the appointments of Ms. Mabel Olson, Mrs. Sheila Robinson, and Mr. Alois Spielman to the **Select Committee for the State Historical Board.**

THE PRESIDENT REFERRED the appointment of Mr. Harold Anderson to the **Select Committee for the Postsecondary Education Commission.**

THE PRESIDENT REFERRED the appointments of Dr. Vernon Bennett and Mr. Ralph Kingsbury to the **Select Committee for the State Board of Public School Education.**

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2004 as recommended by the **Committee on Appropriations** as printed on page 245 of the Senate Journal be adopted, which motion prevailed.

SEN. LEE MOVED that the amendments to SB 2104 as recommended by the **Committee on Natural Resources** as printed on page 246 of the Senate Journal be adopted, which motion prevailed.

SEN. LEE MOVED that the amendments to SB 2106 as recommended by the **Committee on Natural Resources** as printed on page 247 of the Senate Journal be adopted, which motion prevailed.

SEN. LEE MOVED that the amendments to SB 2108 as recommended by the **Committee on Natural Resources** as printed on page 247 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2138 as recommended by the **Committee on Judiciary** as printed on pages 247 and 248 of the Senate Journal be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully reports that the following bill was delivered to the Governor at the hour of 1:48 p.m., January 20, 1983:

SB 2225

SEN. FRITZELL, Chairman

SEN. KUSLER MOVED that the report be adopted, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2015: A BILL for an Act making an appropriation for defraying expenses of various commissions, departments, and divisions thereof of the state 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 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Mutch

ABSENT AND NOT VOTING: None

SB 2015 passed and the title was agreed to.

SB 2049: A BILL for an Act to amend and reenact subsection 2 of section 57-51-15 of the North Dakota Century Code, relating to maximum allocations of annual revenues to counties from the oil and gas gross production tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg;

Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan;
 Lodoen; Maixner; Meyer, D.; Meyer, J.; Moore; Mutch;
 Naaden; Nelson; Nething; Olson; Parker; Peterson;
 Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme;
 Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;
 Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Matchie

ABSENT AND NOT VOTING: Lips

SB 2049 passed and the title was agreed to.

SB 2079: A BILL for an Act to create and enact a new subsection to section 39-10-49 of the North Dakota Century Code, relating to prohibition of parking in a handicapped access zone; and to amend and reenact subsections 1 and 5 of section 39-01-15 of the North Dakota Century Code, relating to designation of handicapped access zones.

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 23 YEAS, 27 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Grotberg; Heigaard;
 Miller Heinrich; Hilken; Kilander; Krauter; Kusler;
 Lashkowitz; Maixner; Meyer, J.; Parker; Redlin; Reiten;
 Satrom; Stromme; Thane; Todd; Walsh; Wenstrom;
 Wogsland; Wright

NAYS: Adams; Bakewell; Barth; David; Dotzenrod;
 Dykshoorn; Erickson; Fritzell; Goodman; Holmberg; Lee;
 Leibhan; Lodoen; Matchie; Meyer, D.; Moore; Mutch;
 Naaden; Nelson; Nething; Olson; Peterson; Stenehjem;
 Streibel; Tennefos; Vosper; Waldera

ABSENT AND NOT VOTING: Lips; Tallackson; Tweten

SB 2079 was declared lost.

SB 2101: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to a nonresident husband and wife fishing license; and to amend and reenact subsections 7 and 8 of section 20.1-03-12 of the North Dakota Century Code, relating to the fees for a nonresident fishing license; and declaring

an emergency or, in the alternative, 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 41 YEAS, 11 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wright

NAYS: Barth; Berube; Christensen; Heigaard; Leibhan; Lodoen; Redlin; Stromme; Tallackson; Tweten; Wogsland

ABSENT AND NOT VOTING: Lips

SB 2101 passed and the title was agreed to.

SB 2149: A BILL for an Act to amend and reenact section 54-44-11 of the North Dakota Century Code, relating to office's operating funds creation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Miller Heinrich; Satrom

ABSENT AND NOT VOTING: Lips

SB 2149 passed and the title was agreed to.

SB 2180: A BILL for an Act to amend and reenact subsection 7 of section 57-06-02 of the North Dakota Century Code, relating to the definition of pipeline company for ad valorem taxation purposes.

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 5 YEAS, 47 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Kusler; Maixner; Matchie; Vosper; Wogsland

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Lashkowitz; Lee; Leibhan; Lodoen; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: Lips

SB 2180 was declared lost.

SB 2183: A BILL for an Act to amend and reenact section 26-34-01 of the North Dakota Century Code, relating to the establishment of primary and excess automobile liability coverages in certain instances.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lips; Maixner; Nething

SB 2183 passed and the title was agreed to.

SB 2190: A BILL for an Act to create and enact a new subsection to section 43-09-15 of the North Dakota Century Code; and to amend and reenact sections 43-09-05, 43-09-14, and 43-09-20 of the North Dakota Century Code, relating to the value of electrical installations requiring inspection in municipalities, undertaking and liability insurance for electricians contracting for electrical installations, and reasons for nonrenewal of license.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lips

SB 2190 passed and the title was agreed to.

SB 2242: A BILL for an Act to create and enact two sections to chapter 10-28 of the North Dakota Century Code, relating to annual report filing requirements of nonprofit corporations and information requirements, filing deadline, fee, and dissolution of corporations for failing to file annual reports.

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 1 YEA, 51 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Lashkowitz

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Lips

SB 2242 was declared lost.

SB 2272: A BILL for an Act to amend and reenact subsection 8 of section 57-37.1-01 of the North Dakota Century Code, relating to coordinating state and federal estate tax provisions; providing an effective date; and declaring an emergency.

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 0 YEAS, 52 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Lips

SB 2272 was declared lost.

SB 2283: A BILL for an Act to amend and reenact section 26-08-11.1 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 6 of section 26.1-05-19 of the North Dakota Century Code as created by House Bill No. 1054, relating to investments in a data processing system by domestic 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 52 YEAS, 0 NAYS, 1 ABSENT AND VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lips

SB 2283 passed and the title was agreed to.

SB 2288: A BILL for an Act to amend and reenact section 15-28-09 of the North Dakota Century Code, relating to filing deadlines and the printing of ballots for public school district elections.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lips

SB 2288 passed and the title was agreed to.

SB 2293: A BILL for an Act to amend and reenact section 55-02-07 of the North Dakota Century Code, relating to the handling and protection of prehistoric or historic artifacts or sites.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Lips

SB 2293 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4004: A concurrent resolution requesting the Congress of the United States to again propose for ratification by the states an amendment to the federal constitution to provide that equality of rights under the law would not be denied or abridged by the United States or by any state on account of sex, and that the Congress would have the power to enforce, by appropriate legislation, the provisions of such an article.

Which has been read.

REQUEST

SEN. LASHKOWITZ REQUESTED a recorded roll call vote on the adoption of SCR 4004, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 35 YEAS, 18 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Barth; Dotzenrod; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Nelson; Nething; Olson;

Peterson; Redlin; Reiten; Satrom; Stenehjøm; Stromme; Tallackson; Thane; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; Berube; Christensen; David; Dykshoorn; Erickson; Lee; Leibhan; Moore; Mutch; Naaden; Parker; Streibel; Tennefos; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: None

SCR 4004 was declared adopted.

SCR 4005: A concurrent resolution directing the Legislative Council to conduct a study of the caseload of the North Dakota Supreme Court.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4005 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILL

HB 1212: A BILL for an Act to amend and reenact section 16.1-12-07 of the North Dakota Century Code, relating to filing deadline to withdraw from a nomination.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjøm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Naaden

HB 1212 passed and the title was agreed to.

MOTION

SEN. NETHING MOVED that after the reading of SB 2004, SB 2066, SB 2104, SB 2106, SB 2108, SB 2138, SB 2139, SB 2161, SB 2171, SB 2208, SB 2243, SB 2252, SB 2280, SB 2291, and SCR 4006, the Senate adjourn and convene at 12:30 p.m., Friday, January 21, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary