

FRIDAY, MARCH 4, 1983

1273

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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FORTY-SECOND DAY

Bismarck, March 4, 1983

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

The prayer was offered by Rev. Bob Paul, McCabe United Methodist Church, Bismarck.

Lord God, quiet the clamoring voices that surround us and demand our attention, so that in this moment we may listen to Your word. We offer to You, Lord and Leader, our gift of thanks for You are generous in Your Lordship, gracious and good in all things. We pray that the decisions we must make this day will honor You and Your will for the world. When voices all around ask that we follow their lead and when we ourselves offer leadership to others, help us to remember that You are our one true leader to whom we owe our ultimate loyalty. We pray that we may honor Thee with our lips, our acts, our lives, our all. Eternal God, hear our prayer. Amen.

ROLL CALL

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

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 Forty-first day and finds the same to be correct.

SEN. TWETEN, Chairman

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

MESSAGES TO THE HOUSE
SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has failed to pass:

HB 1081, HB 1555

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 1422, HB 1457, HB 1471, HB 1524, HB 1632

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1300, HB 1522, HB 1535

Very respectfully,
LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

HOUSE CHAMBER

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

SB 2153, SB 2218, SB 2252, SB 2254, SB 2256, SB 2257,
SB 2263, SB 2389

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1059, HB 1065, HB 1121, HB 1127, HB 1129, HB 1142,
HB 1166, HB 1188, HB 1218, HB 1223, HB 1226, HB 1232,
HB 1271, HB 1287, HB 1303, HB 1325, HB 1332, HB 1344,
HB 1391, HB 1392, HB 1411, HB 1412, HB 1434, HB 1438,
HB 1453, HB 1465, HB 1469, HB 1484, HB 1497, HB 1561,
HB 1624, HB 1631, HB 1634, HB 1660, HCR 3001, HCR 3003,
HCR 3004, HCR 3008

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 2195, SB 2200, SB 2213, SB 2223, SB 2258, SB 2283,
SB 2284, SB 2293, SB 2298, SB 2396, SB 2406, SB 2434

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1661, and the

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Speaker has appointed as a conference committee to act with a like committee from the Senate on HB 1661:

Reps. R. Meiers, A. Olson, Stofferahn

Very respectfully,

CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to the following and subsequently passed the same:

HB 1064, HB 1065, HB 1110, HB 1219, HB 1220, HB 1225,
HB 1271, HB 1274, HB 1287, HB 1303

Very respectfully,

CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2104, SB 2106, SB 2432, and SB 2450 which the House has amended as follows:

HOUSE AMENDMENTS TO SB 2104

On page 1 of the engrossed bill, line 1, delete the words "amend and reenact" and insert in lieu thereof the word "repeal"

On page 1 of the engrossed bill, delete lines 6 through 27

On page 2 of the engrossed bill, delete lines 1 and 2 and insert in lieu thereof the following:

"SECTION 1. REPEAL. Section 20.1-01-27 of the 1981 Supplement to the North Dakota Century Code is hereby repealed."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SB 2106

On page 1 of the engrossed bill, line 19, after the word "exceed" insert the words "fifty percent of"

On page 1 of the engrossed bill, line 22, delete the words "total number of licenses prescribed"

On page 1 of the engrossed bill, delete line 23 and insert in lieu thereof the words "fifty percent level"

On page 1 of the engrossed bill, line 25, delete the words "The licenses issued by"

On page 1 of the engrossed bill, delete lines 26 through 28

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2432

On page 1 of the engrossed bill, line 16, delete the word "twenty-five" and insert in lieu thereof the word "fifty"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2450

On page 1 of the engrossed bill, line 23, delete the words "at least"

And renumber the lines accordingly

Very respectfully,
CHARLES FLEMING, Chief Clerk

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 enrolled:

SB 2042, SB 2048, SB 2100, SB 2107, SB 2117, SB 2119,
SB 2129, SB 2209, SB 2221, SB 2237, SB 2253, SB 2330,
SB 2349, SB 2420, SB 2463

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2042, SB 2048, SB 2100, SB 2107, SB 2117, SB 2119,
SB 2129, SB 2209, SB 2221, SB 2237, SB 2253, SB 2330,
SB 2349, SB 2420, SB 2463

LEO LEIDHOLM, Secretary

POINT OF PERSONAL PRIVILEGE

SEN. LASHKOWITZ: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Members of the Senate: I want to share a concern with you this afternoon and that is the flood, even the torrent, of telephone messages that we have all been receiving. I have in my hand at this moment a copy of this message addressed to people all across our state. I want to make it a matter of record I am appalled and disturbed that these scare and panic tactics, apparently adopted by a certain alleged nonprofit corporation, leading thousands of our fellow citizens to fear that their health payments and insurance premiums will be going up as a result of pending legislation.

It is regrettable that members of this legislature have not had a chance to communicate with all of these citizens and I hope through this vehicle, transmitting my concerns into the Journal, that this will help open the avenues of communication.

I wish to assure the people who have asked me as a member of the legislature, "Will I do something to help them?" I will try. What I am proposing will assure them that their health payments and premium rates need not increase. However, in order to assure that this does not happen, and I am certain that the present legislation is basically sound, and well crafted and designed to meet an emergency situation in this state that we're all painfully aware of, I am proposing amendments to Senate Bills 2493 and 2494, which will assure the people across the state that: (1) there will not be an automatic rate increase as a result of this legislation; (2) there will be no interim rate increases, and (3) if the party seeks and wishes a rate increase, that this must be done upon proper application with a proper public hearing held in every county in the state of North Dakota in which there are insurance policyholders or people having contracts with those desiring to increase their rates.

This process is designed to doubly ensure that this feared contingency, rate increase, does not come to pass. I wish through this vehicle to underscore our concern this afternoon to these thousands of North Dakotans: that we, as responsible legislators, are trying to balance our budgets, provide for the needs of our state, social programs, governance of this state, and the needs of our citizens as you, ladies and gentlemen, may determine in the days remaining in this session.

But, above all else, I want to send a message across the state of North Dakota that there will be no rate increase, automatically or interim, or unless there is an economic emergency which they will have to show with facts and proof.

Mr. President, Members of the Senate, I am asking that my remarks be incorporated in the record, that I wish to advise the Members of the Senate that I will provide every member of this body with copies of my amendments which are prepared and available at this time.

Thank you, Mr. President.

POINT OF PERSONAL PRIVILEGE

SEN. NETHING: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. President and Ladies and Gentlemen of the Senate: I concur with the remarks of the previous Senator, other than the fact that I am not in a position to concur or not concur with his amendments.

What the Senator is referring to is perhaps the lousiest, lowest type of attempt to influence this body. I say that, because we don't even have the bill put together. The committee does not have the bill put together. The information hasn't been gathered. Yet people are writing us at the request of two individuals to vote against the bill.

Generally, most lobbyists give us the opportunity to hold the committee hearing, consider the amendments, and to consider further amendments. I think this body should know that one of the people who signed that letter sat in my office and promised me their cooperation, and I thanked him for that.

Let me tell you the status of the Senate Bills 2493 and 2494 as of today. The bills have been heard in committee. A variety of people are attempting to bring the parties together so that we can treat them all fairly: that includes the domestic companies, that includes the foreign companies. Our Insurance Commissioner's office is working closely with all of them, attempting to come up with a solution to a very, very difficult problem. It does take some time to come up with the balance that's necessary to raise \$36,000,000 and to treat everyone fairly. I hope this weekend when you go home and these people continue to barrage you and your family and your office with these telephone calls, that you be patient with them and ask them to be patient with you. I think we can arrive at a fair solution, but it's extremely difficult. It's extremely difficult when an intensive lobbying effort is made, when they aren't talking about the facts of the matter, and are simply preying on the emotions of the people. I hope you will remind those people that call you of just exactly the tactics that are being used.

POINT OF PERSONAL PRIVILEGE

SEN. LASHKOWITZ: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Mr. President and Members of the Senate: I neglected to make one additional comment and that is simply this, Mr. President, if I may proceed for just one moment, please.

Members of the Senate, before I prepared these amendments I want you to know that I checked very carefully in the insurance office and I am happy to confirm what I already believe, and I think you well know, that this industry is

in a very healthy condition and well able to pay the taxes proposed.

CONSIDERATION OF AMENDMENTS

SEN. CHRISTENSEN MOVED that the amendments to HB 1278 as recommended by the **Committee on Judiciary** as printed on page 1252 of the Senate Journal be adopted, which motion prevailed.

SEN. GOODMAN MOVED that the proposed amendments to HB 1295 as printed on page 1253 of the Senate Journal be amended as follows:

On page 1253 of the Senate Journal, the nineteenth printed line, after the words "developmental disabilities" insert the words "as defined in section 25-01.2-01"

On page 1253 of the Senate Journal, the twenty-eighth printed line, after the words "habilitation services," delete the word "and" and insert in lieu thereof the word "or"

And renumber the lines accordingly

SEN. GOODMAN MOVED that the amendments to the amendments on HB 1295 be adopted, which motion prevailed.

SEN. GOODMAN MOVED that the amendments to HB 1295 as recommended by the **Committee on Finance and Taxation** as printed on page 1253 of the Senate Journal be adopted, which motion prevailed.

SEN. PETERSON MOVED that the amendments to HB 1482 as recommended by the **Committee on Education** as printed on page 1254 of the Senate Journal be adopted, which motion prevailed.

SEN. LODOEN MOVED that the amendments to HB 1543 as recommended by the **Committee on State and Federal Government** as printed on page 1254 of the Senate Journal be adopted, which motion prevailed.

SEN. LODOEN MOVED that the amendments to HCR 3018 as recommended by the **Committee on State and Federal Government** as printed on pages 1255 and 1256 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF A HOUSE BILL ON CONSENT CALENDAR

HB1584: A BILL for an Act to provide for notice to water resource districts whenever a county or township plans to engage in construction activities involving bridges, culverts, or drains.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 0 NAYS, 5 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.; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Moore; Parker; Redlin; Tallackson; Wenstrom

HB 1584 passed and the title was agreed to.

MOTIONS

SEN. WENSTROM MOVED that the Senate reconsider the action whereby HB 1286 lost, which motion prevailed.

SEN. HOLMBERG MOVED that HB 1286 be laid over one legislative day, which motion prevailed.

RECOGNITION

SEN. NETHING MOVED that a committee of two be appointed to escort the Honorable Governor Allen I. Olson and General David C. Jones to the rostrum, which motion prevailed.

THE PRESIDENT APPOINTED as such committee, Senators Parker and Redlin, and Governor Olson and General Jones were escorted to the rostrum.

SEN. NETHING MOVED that the remarks of Governor Olson and General Jones be printed in the Journal, which motion prevailed.

REMARKS OF GOVERNOR ALLEN I. OLSON

Thank you very much. This is a special occasion for all of us. Our shared state of North Dakota has produced an extraordinary number of people who have contributed to the world and to this nation and usually at just the time when they are needed.

You know General Dave Jones, you know his illustrious career, you know that his portrait hangs just one floor below us in our Hall of Honor for the State of North Dakota as a Theodore Roosevelt Award winner. I think it is most appropriate that he returns to his home state for a few hours at this time to encourage and support the Reserve and Guard Service in this country and also to

speak to both Houses of the North Dakota Legislature at a time when we are engaged in a national debate over establishing priorities in the federal budget as we are in the State of North Dakota; but it is particularly important, as I indicated, that the right people emerge at the right time. General Jones served an unprecedented two terms as Chairman of the Joint Chiefs of Staff during which time he encouraged the Congress and this country to consider a different approach to how we manage our military affairs in this country. His voice is continuing to be heard as this debate escalates to one national in scope. He continues to consult with the Congress and with others.

Ladies and Gentlemen of the Senate, it is my privilege to offer to you our fellow North Dakotan, General Dave Jones.

REMARKS OF GENERAL DAVID C. JONES

Governor Olson, Mr. President, and, it is great to call my old friend from Minot school days, Ernie Sands, Mr. President and Lieutenant Governor here in North Dakota. You do me great honor. I was honored last year to accept the Roughrider Award and have my portrait hung here in the Capitol, and you do me a special honor of letting me stand here today.

My parents moved our family to Bismarck when I was two years old. We lived here for a number of years and then we moved to Williston and then to Minot. I went to the University at Grand Forks and the Minot State College. My father was in the grain business, and he traveled all over North Dakota. In the summer I went with him and I have been in about every little town and every city in this great state. He was very interested in politics, and it was a time of great interest in politics. We had Wild Bill Langer, and we had this white elephant out in the middle of nowhere--at least that, what it was called when it was first built, this beautiful Capitol that we have.

I retained this love of government and politics in the best sense of the word "politics" throughout my military career, not only my time in Washington but when I served overseas. I lived overseas more than ten years, most of it in Germany and in Japan.

It reinforced my conviction that we do have the best form of government of any countries in the world. It was a little disturbing in a couple of ways, one is that here in our country we tend to have too much confrontation of government, business, and labor, or even within the government between the executive and legislative branches or between Washington and the states and the cities. With the very severe problems we have facing the nation, we need bipartisanship, we need cooperation; I don't mean total agreement obviously, but in all sectors of our society working much more closely.

The other disturbing feature is the problem of looking at problems in the long term. We are an impatient people, we Americans, and in some ways that is good--it helps us solve some

problems immediately, but with that impatience, on the other side of the coin, goes too often a lack of discipline in long-term planning, a tendency to address the problem of the moment without looking at what it means in the long term. This is particularly vexing in national security and in defense and in foreign policy.

I spent two and one-half days this last weekend with twenty leaders from Latin America, and the number one criticism of the United States was inconsistency. Our policies change so radically so quickly. There is a lack of continuity.

I became a member of the Joint Chiefs of Staff about eight and two-thirds years ago. In that time period we have had four presidents and, if you look back fifty years, in the first twenty-eight years of that fifty, we only had three presidents and in the last twenty-two we have had six, and in the last eight plus years, we have had four presidents, four secretaries of defense, five deputy secretaries of defense, five secretaries of state, and five national security advisors.

We have this problem of continuity and we have the problem in the political expediency. I am not criticizing any administration or any individual but it is just that, in our system, and I see it on Capitol Hill as well, there is less tenure, less influence by the chairmen, less cohesiveness there in defense. Everyone is worried and interested about our defense budget today. What I am concerned about is looking at the long-term problems.

I have testified in the last two weeks before two committees of Congress, the House Budget Committee and the Senate Budget Committee. I spent many, many hours in pleading with them that on the defense budget as they look at 1984, and I wasn't advocating any cuts in the defense budget, but, please, if they act on that budget and make some reductions, if they decide that there is a certain amount that needs to be cut, first look in the future and then decide what to do now, rather than look at what's happened in the past. That is the expediency of the moment, cutting things today by deferring or doing things that may solve the problem of today or at least currently solve it by cutting back on training, cutting back on spare parts, cutting back on things that aren't visible, but it comes home in double order in the days ahead by having ships that can't sail and airplanes that can't fly.

We are taking the politically easy way out, and what I was urging them is to take the more difficult road, make some tough decisions today so that we don't have the problem a few years from now that we have today because the problems we have today in the defense budget, and I think this is true in much of the country, is that we went to political expediency in the past and looked to the immediate solutions and didn't look at the long term. That's what I am trying to do now in not only testimony on the 1984 budget, but, in trying to bring about a restructuring of our defense establishment and the cooperation of the Congress in

such a way that we can look to the future, because the threat is long term, the threat is growing in a very steady way.

There were a number of us who testified before Congress a few years ago as our defense consensus, saying what we needed was steady growth in defense. The worst thing we could have is a sharp rise and erosion of support: start a whole bunch of programs and then all of a sudden drastic cutbacks in our defense and we would have started a lot of things we couldn't finish. Hopefully, we are not at that point now, but the first indicators were at the back side of that curve, and if we do have the cut in defense, which I am not advocating; I am only just pleading that we look at it in a disciplined long-term way.

I'm without any experience in state government, and no experience and very little knowledge except as a boy traveling this country, that permeates much of our government, state level, local level. I'm in the corporate world now and I find it permeates much of the corporate world of this reaction to your term as opposed to long-term; so as one who served in the military for forty years, that's about the only advice I can give except one last point.

In my eight years in Washington, I felt that in my job sometimes I spent all my time either being lobbied or lobbying. Somebody was trying to sell me or my trying to sell somebody else. So I would just like your indulgence for ten seconds, and what I was going to say is that I was with the board of regents a number of times participating with them as recently as two weeks ago and I am very impressed with where Minot State has gone, and just a little bit of lobbying, when you come up with the bill on Dakota Northwestern University, look at the merits of the case. With that little exception of lobbying, thank you very much for the honor you have shown me.

God bless you, and God bless the great people of the State of North Dakota. Thank you.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1063 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. HOLMBERG, Chairman

HB 1063 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Appropriations to which was referred HB 1095 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1095 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1206 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1206 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1296 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 of the engrossed bill, line 10, overstrike the words "unplatted lands" and insert immediately thereafter the word "land"

On page 1 of the engrossed bill, line 16, after the first word "Property" insert the words "platted on or after March 30, 1981,"

And renumber the lines accordingly

SEN. GOODMAN, Chairman

HB 1296 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1312 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1312 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1366 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1366 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1379 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1379 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1384 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1384 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1431 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1431 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HB 1563 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HB 1563 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1571 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. HOLMBERG, Chairman

HB 1571 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1573 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

HB 1573 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1579 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1579 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1587 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1587 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1649 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1649 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HB 1718 has had the same under consideration and recommends that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SEN. VOSPER, Chairman

HB 1718 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3012 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3012 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3017 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3017 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3019 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3019 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3021 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3021 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3022 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3022 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3031 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3031 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3033 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. VOSPER, Chairman

HCR 3033 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HCR 3034 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3034 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred HCR 3050 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 1, delete the word "the"

On page 1, line 2, delete the words "wage base"

On page 1, after line 5, insert the following:

"WHEREAS, many states now allow the employer the option either to be insured with a private insurance carrier, a state Workmen's Compensation Program or a self-insured insurance plan; and"

On page 1, line 24, after the word "and" insert the following: "the option of coverage through a private Workmen's Compensation Insurance Program, the North Dakota Workmen's Compensation Insurance Program or a self-administered insurance plan; and"

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

HCR 3050 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4051: A concurrent resolution for the amendment of section 8 of article III of the Constitution of the State of North Dakota, relating to the number of years a two-thirds vote of the Legislative Assembly is required to amend or repeal certain initiated or referred measures.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 19 YEAS, 32 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Dykshoorn; Fritzell; Goodman; Holmberg; Kilander; Lashkowitz; Lips; Moore; Nelson; Nething; Olson; Peterson; Stenehjem; Tennefos; Todd; Wenstrom

NAYS: Earth; Berube; Christensen; Dotzenrod; Erickson; Grotberg; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lee; Leibhan; Maixner; Matchie; Meyer, D.; Meyer, J.; Mutch; Naaden; Parker; Redlin; Reiten; Satrom; Streibel; Stromme; Thane; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

ABSENT AND NOT VOTING: Lodoen; Tallackson

SCR 4051 was declared lost.

SECOND READING OF HOUSE BILLS

HB 1448: A BILL for an Act to provide for negotiation and arbitration rights and procedures for public employees, except teachers; and to repeal chapter 34-11 of the North Dakota Century Code, relating to mediation of disputes between public employers and employees.

Which has been read and has committee recommendation of DO NOT PASS.

MOTION

SEN. SATROM MOVED that HB 1448 be amended as follows:

On page 1 of the engrossed bill, line 1, delete the words "and arbitration rights" and insert in lieu thereof the words ", mediation, and factfinding"

- On page 1 of the engrossed bill, line 2, delete the first word "and"
- On page 9 of the engrossed bill, line 2, after the word "unresolved" insert the word "noneconomic"
- On page 10 of the engrossed bill, line 4, delete the word "arbitration" and insert in lieu thereof the word "factfinding"
- On page 10 of the engrossed bill, line 9, delete the word "arbitration" and insert in lieu thereof the word "factfinding"
- On page 10 of the engrossed bill, line 16, delete the word "arbitrators" and insert in lieu thereof the word "factfinders"
- On page 10 of the engrossed bill, line 17, after the period insert the following new sentence: "The commissioner shall place on the factfinding list only the names of individuals with recognized competence in public sector labor management relations."
- On page 10 of the engrossed bill, line 18, delete the word "arbitration" and insert in lieu thereof the word "factfinding"
- On page 10 of the engrossed bill, line 26, delete the word "arbitration" and insert in lieu thereof the word "factfinding"
- On page 10 of the engrossed bill, line 29, delete the words "issue an award which is final" and insert in lieu thereof the words "and, after such further investigation as it may elect to perform, it shall make its findings and recommendations. Within forty days after the request to render assistance is received, the findings and recommendations of the panel shall be transmitted to the contending parties and if the issue is not then resolved, the panel shall, between ten and twenty days after such transmittal, make its findings and recommendations public. In the event that facts are found or recommendations made under factfinding procedures agreed upon between the contending parties and the impasse continues, the panel may consider the findings and recommendations without instituting its own factfinding procedures and from them issue its own findings and recommendations to the contending parties, and if the issue is not then resolved, the panel shall, between ten and twenty days after such transmittal, make its findings and recommendations public"

- On page 10 of the engrossed bill, line 30, delete the words "and binding upon the parties"
- On page 10 of the engrossed bill, line 35, delete the word "decision" and insert in lieu thereof the word "recommendation"
- On page 11 of the engrossed bill, line 4, delete the word "decision" and insert in lieu thereof the word "recommendation"
- On page 11 of the engrossed bill, line 8, delete the word "arbitration" and insert in lieu thereof the word "factfinding"
- On page 11 of the engrossed bill, line 12, delete the words "a decision and order" and insert in lieu thereof the word "recommendations"
- On page 11 of the engrossed bill, line 13, delete the word "order" and insert in lieu thereof the word "recommendations"
- On page 11 of the engrossed bill, line 14, delete the word "order" and insert in lieu thereof the word "recommendations"
- On page 11 of the engrossed bill, line 17, delete the word "arbitration" and insert in lieu thereof the word "factfinding"
- On page 11 of the engrossed bill, line 20, delete the words "an arbitration" and insert in lieu thereof the words "a factfinding"
- On page 11 of the engrossed bill, line 21, delete the words "an order" and insert in lieu thereof the word "recommendations"
- On page 11 of the engrossed bill, line 24, delete the word "order" and insert in lieu thereof the word "recommendations"
- On page 11 of the engrossed bill, line 27, after the word "mediation" insert the words "and factfinding"
- On page 11 of the engrossed bill, line 29, after the word "budget" and before the period insert the words ", except that each party to the factfinding shall be responsible for the costs of its own representatives and witnesses", and delete the words "All other costs, including the costs of"

On page 11 of the engrossed bill, delete lines 30 through 32

And renumber the lines and pages accordingly

MOTION

SEN. SATROM MOVED that the proposed amendments be adopted.

REQUEST

SEN. REDLIN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to HB 1448, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to HB 1448, the roll was called and there were 27 YEAS, 23 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; Dotzenrod; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Olson; Redlin; Satrom; Stenehjem; Stromme; Todd; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; David; Dykshoorn; Erickson; Goodman; Lee; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Parker; Peterson; Reiten; Streibel; Tennefos; Thane; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Leibhan; Tallackson; Wenstrom

The proposed amendments to HB 1448 were adopted.

MOTION

SEN. SATROM MOVED that the rules be suspended, that HB 1448 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1448: A BILL for an Act to provide for negotiation, mediation, and factfinding procedures for public employees, except teachers; and to repeal chapter 34-11 of the North Dakota Century Code, relating to mediation of disputes between public employers and employees.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 22 YEAS, 30 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Dotzenrod; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Redlin; Satrom; Stenehjem; Stromme; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Kilander; Lee; Leibhan; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: Tallackson

HB 1448 was declared lost.

HB 1547: A BILL for an Act to amend and reenact section 27-20-10 of the North Dakota Century Code, relating to statements made during informal adjustment under the Uniform Juvenile Court Act.

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 3 YEAS, 48 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Heigaard; Kusler; Olson

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

ABSENT AND NOT VOTING: Berube; Tallackson

HB 1547 was declared lost.

HB 1716: A BILL for an Act to prohibit the use of a heating device which uses certain forms of gas in structures which are not properly vented; and to provide a penalty.

Which has been read.

MOTION

SEN. KUSLER MOVED that HB 1716 be amended as follows:

On page 1 of the reengrossed bill, line 2, after the word "in" insert the word "certain"

On page 1 of the reengrossed bill, line 7, delete the word "It" and insert in lieu thereof the words "Except in private residences, it"

And renumber the lines accordingly

MOTIONS

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

SEN. KUSLER MOVED that the rules be suspended, that HB 1716 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1716: A BILL for an Act to prohibit the use of a heating device which uses certain forms of gas in certain structures which are not properly vented; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 19 YEAS, 32 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Barth; Christensen; Fritzell; Heigaard;
Miller Heinrich; Hilken; Kilander; Krauter; Kusler;
Lashkowitz; Maixner; Matchie; Meyer, J.; Redlin;
Satrom; Stenehjelm; Todd; Waldera; Wright

NAYS: Adams; Bakewell; David; Dotzenrod; Dykshoorn;
Erickson; Goodman; Grotberg; Holmberg; Lee; Leibhan;
Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson;
Nething; Olson; Parker; Peterson; Reiten; Streibel;
Stromme; Tennefos; Thane; Tweten; Vosper; Walsh;
Wenstrom; Wogsland

ABSENT AND NOT VOTING: Berube; Tallackson

HB 1716 was declared lost.

HB 1039: A BILL for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Berube; Tallackson

HB 1039 passed and the title was agreed to.

HB 1054: A BILL for an Act to create and enact chapters 26.1-01, 26.1-02, 26.1-03, 26.1-04, 26.1-05, 26.1-06, 26.1-07, 26.1-08, 26.1-09, 26.1-10, 26.1-11, 26.1-12, 26.1-13, 26.1-14, 26.1-15, 26.1-16, 26.1-17, 26.1-18, 26.1-19, 26.1-20, 26.1-21, 26.1-22, 26.1-23, 26.1-24, and 26.1-25 of the North Dakota Century Code, relating to the commissioner of insurance; insurance company general provisions, examinations and reports and the premium tax, prohibited practices, organization and operation, takeover bids, and consolidation, reinsurance, and dissolution; comprehensive health association; reciprocal or interinsurance exchanges; insurance holding company systems; foreign insurance companies; incorporated mutual companies; county mutual insurance companies; medical malpractice mutual insurance company; fraternal benefit societies; benevolent societies; nonprofit health service corporations; health maintenance organizations; prepaid legal service organizations; title insurance companies; state bonding fund; state fire and tornado fund; state unsatisfied judgment fund; the insurance premium; and fire, property, and casualty insurance rates; to repeal sections 6-05-19, 6-05-20, 6-05-21, 6-05-22, 6-05-23, 6-05-24, 6-05-30, 6-05-31, 6-05-32, 6-05-33, chapters 26-01 and 26-04, section 26-05-03, chapters 26-07, 26-08, 26-09, 26-09.1, sections 26-10-02, 26-10-03, 26-10-04, 26-10-05, 26-10-09, 26-10-10, 26-10-11, 26-10-13.1, 26-10-14, 26-10-15, 26-10-16, chapters 26-11, 26-12, 26-14, 26-15, 26-16, 26-16.1, sections 26-17.1-50, 26-17.1-51, 26-17.1-52, 26-17.1-53, 26-18-01, 26-18-02, 26-18-12, chapters 26-20, 26-21, 26-21.1, 26-21.2, 26-23, 26-24, 26-25, 26-26, 26-27, 26-27.1, 26-27.2, 26-27.3, 26-28, 26-29, 26-30, 26-32, 26-37, 26-38, 26-40, and 39-17 of the North Dakota Century Code, relating to insurance; to provide penalties; to provide for transition; 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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Berube; Leibhan; Redlin; Tallackson

HB 1054 passed, the title was agreed to, and the emergency clause carried.

HB 1055: A BILL for an Act to create and enact section 26-18-13 of the North Dakota Century Code, relating to termination of fire and casualty insurance agency contracts; and to amend and reenact sections 4-36-26, 6-03-48, 6-05-01, 6-05-04, 6-05-08, 6-09.2-10, 6-09.4-15, 7-04-09, 10-30-14, subsection 14 of section 15-10-17, section 15-55-08, subsection 1 of section 23-17.2-03, sections 26-02-46, 26-03-39.3, 26-03-42, 26-03-48.1, subsection 2 of section 26-03.5-02, sections 26-09.2-06, 26-17.1-13, 26-17.1-16, 26-17.1-22, 26-39-02, 26-39-05, 37-03-13, 40-24-19, 40-33.2-10, 40-38.1-07, 40-58-11, 40-61-13, 43-13-31, 54-52-09, subsection 5 of section 54-52.1-01, and sections 54-52.1-10, 61-02-68.13, and 61-02-72 of the North Dakota Century Code, relating to references to insurance, insurance companies, and insurance laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme;

Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh;
Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Leibhan; Redlin;
Tallackson

HB 1055 passed and the title was agreed to.

HB 1208: A BILL for an Act to amend and reenact sections 27-02-07, 27-11-01, 27-11-13, and 27-11-22 of the North Dakota Century Code, relating to the supreme court's authority to adopt rules relating to the practice of law, the penalty for practicing law without a license, the certificate of admission and licensure fee requirements for the practice of law, and the powers of the state bar board.

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 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; 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; Nelson; Nething; Olson; Parker; Peterson;
Reiten; Satrom; Stenehjerm; Streibel; Stromme; Tennefos;
Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom;
Wogsland; Wright

NAYS: Mutch; Naaden

ABSENT AND NOT VOTING: Berube; Redlin; Tallackson

HB 1208 passed and the title was agreed to.

HB 1413: A BILL for an Act to amend and reenact section 18-11-03 of the North Dakota Century Code, relating to the definition of "fireman".

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 43 YEAS, 5 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Christensen; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Nelson; Nothing; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; David; Mutch; Naaden; Vosper

ABSENT AND NOT VOTING: Berube; Dotzenrod; Goodman; Redlin; Tallackson

HB 1413 passed and the title was agreed to.

HB 1606: A BILL for an Act to amend and reenact section 31-01-16.2 of the North Dakota Century Code, relating to compensation of municipal court witnesses.

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; 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; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Redlin; Tallackson

HB 1606 passed and the title was agreed to.

HB 1650: A BILL for an Act to amend and reenact section 20.1-02-18.3 of the North Dakota Century Code, relating to

the suspension of federal authority to acquire interests in land.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 44 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Fritzell; Heigaard; Miller Heinrich; Nelson; Wogsland

ABSENT AND NOT VOTING: Berube; Goodman; Redlin; Tallackson

HB 1650 passed and the title was agreed to.

HB 1686: A BILL for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code, relating to when coal is considered severed for the purposes of the coal severance tax.

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; 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; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Redlin; Tallackson

HB 1686 passed and the title was agreed to.

FRIDAY, MARCH 4, 1983

1299

MOTION

SEN. LIPS MOVED that HB 1667 be laid over one legislative day, which motion prevailed.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3041: A concurrent resolution directing the Legislative Council to conduct a study to examine technological possibilities and methods for improved landfill management and the potential for agricultural and other uses for municipal wastes.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3041 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do not concur in the House amendments to SB 2170 as printed on page 1147 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2170:

Sens. Erickson, Kilander, Dotzenrod

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. WRIGHT MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1661, which motion prevailed.

THE PRESIDENT ANNOUNCED the following appointment to a Conference Committee on HB 1661:

Sens. Wright, Christensen, Miller Heinrich

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 1:24 p.m., March 4, 1983:

SB 2153, SB 2218, SB 2252, SB 2254, SB 2256, SB 2257,
SB 2263, SB 2389

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1059, HB 1065, HB 1121, HB 1127, HB 1129, HB 1142,
HB 1166, HB 1188, HB 1218, HB 1223, HB 1226, HB 1232,
HB 1271, HB 1287, HB 1303, HB 1325, HB 1332, HB 1344,
HB 1391, HB 1392, HB 1411, HB 1412, HB 1434, HB 1438,
HB 1453, HB 1465, HB 1469, HB 1484, HB 1497, HB 1561,
HB 1624, HB 1631, HB 1634, HB 1660, HCR 3001, HCR 3003,
HCR 3004, HCR 3008

LEO LEIDHOLM, Secretary

PRESENTATION OF PETITIONS AND COMMUNICATIONS

Allen I. Olson
Governor

March 4, 1983

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

Dear Mr. President:

This is to inform you that on March 3, 1983, I signed the following:

SB 2136, SB 2290.

Sincerely,

ALLEN I. OLSON
Governor

MOTIONS

SEN. NELSON MOVED that the absent Senator be excused, which motion prevailed.

SEN. NOTHING MOVED that after the reading of HB 1095, HB 1206, HB 1278, HB 1286, HB 1295, HB 1312, HB 1366, HB 1379, HB 1384, HB 1431, HB 1445, HB 1482, HB 1543, HB 1563, HB 1571, HB 1573, HB 1579, HB 1587, HB 1649, HB 1667, HB 1718, HCR 3012, HCR 3017, HCR 3018, HCR 3019, HCR 3021, HCR 3022, HCR 3023, HCR 3033, and HCR 3034, the Senate adjourn and convene at 1:00 p.m., Monday, March 7, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary