

## JOURNAL OF THE SENATE

## Forty-eighth Legislative Assembly

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## FIFTY-SEVENTH DAY

Bismarck, March 25, 1983

The Senate convened at 10:00 a.m., with President Sands presiding.

The prayer was offered by Rev. Francis Tannehill, McCabe United Methodist Church, Bismarck.

Gracious God, Who gives meaning and purpose to our lives, bless and guide these men and women who have been chosen to plan for the future of our state. Help them to be persons of vision and faith, who through honest concern for all the people will bring peace and prosperity to our state and nation. Reward them with the knowledge that they have dealt fairly and faithfully with the great issues of this day. Give to them, and all of us, a renewal of our faith in Thee and the ways of freedom. As we trace Your guiding presence in the lives of those who first came to these plains, to establish homes and seek a way of life, enable us to acknowledge You as a living, guiding presence among us. In the name of the Father, the Son, and the Holy Spirit. 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 Fifty-sixth day and finds the same to be correct.

SEN. TWETEN, Chairman

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

MESSAGES TO THE HOUSE  
SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has refused to concur in the House amendments to SB 2187 and SB 2358, and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2187: Sens. Stenehjem, Christensen, Kusler

SB 2358: Sens. Mutch, Erickson, Dotzenrodt

Very respectfully,  
LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

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

HB 1003, HB 1011, HB 1269

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 1254, HB 1289, HB 1316, HB 1349, HCR 3011, HCR 3026,  
HCR 3044, HCR 3068, HCR 3069, HCR 3071, HCR 3073, HCR 3076,  
HCR 3077, HCR 3079, HCR 3082, HCR 3087

Very respectfully,  
LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

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

HB 1159, HB 1338, HB 1369, HB 1681, HB 1696, HB 1723,  
HCR 3014, HCR 3015, HCR 3016

Very respectfully,  
LEO LEIDHOLM, Secretary

#### CONSIDERATION OF AMENDMENTS

SEN. NOTHING MOVED that the amendments to SB 2493 as recommended by the Committee on Finance and Taxation as printed on pages 1819-1829 of the Senate Journal be referred back to the Committee on Finance and Taxation, which motion prevailed.

SEN. GOODMAN MOVED that the amendments to SB 2497 as recommended by the Committee on Finance and Taxation as printed on pages 1829-1831 of the Senate Journal be adopted.

#### REQUEST

SEN. REDLIN REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2497, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2497, the roll was called and there were 31 YEAS, 21 NAYS, and 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dykshoorn;  
Erickson; Fritzell; Goodman; Holmberg; Kilander; Lee;

Leibhan; Lips; Lodoen; Moore; Mutch; Naaden; Nelson;  
Nething; Olson; Parker; Peterson; Reiten; Stenehjem;  
Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wright

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

ABSENT AND NOT VOTING: Tallackson

The proposed amendments to SB 2497 were adopted.

#### CONSIDERATION OF AMENDMENTS

SEN. MUTCH MOVED that the amendments to HB 1539 as recommended by the Committee on Transportation as printed on pages 1831-1833 of the Senate Journal be adopted, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2498: A BILL for an Act to amend and reenact section 57-38-30 of the North Dakota Century Code, relating to the rate of income tax on corporations; and to provide an effective date and an expiration date.

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

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 20 YEAS, 32 NAYS, 1 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Tallackson

SB 2498 was declared lost.

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#### SECOND READING OF A HOUSE BILL

HB 1725: A BILL for an Act to provide for administration by the superintendent of public instruction of grants for the operation of teacher centers designed to develop curricula used in public schools in this state and to assist teachers

from public and nonpublic schools; and to provide an appropriation.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 27 YEAS, 24 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; Dotzenrod; Fritzell; Grothberg; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Redlin; Reiten; Satrom; Stromme; Thane; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Dykshoorn; Erickson; Holmberg; Kilander; Lee; Leibhan; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Stenehjem; Streibel; Tennefos; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Goodman; Tallackson

HB 1725 passed and the title was agreed to.

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#### MOTIONS

SEN. NETHING MOVED that HB 1474, HB 1570, HB 1644, HB 1687, HB 1724, HB 1729, HB 1236, HB 1249, and HB 1500 be placed at the foot of the calendar, which motion prevailed.

SEN. NETHING MOVED that HB 1617 be laid over one legislative day, which motion prevailed.

#### SECOND READING OF A HOUSE BILL

HB 1627: A BILL for an Act to amend and reenact section 28-01.1-02 of the North Dakota Century Code, relating to the statute of limitations for products liability actions.

Which has been read.

SEN. STENEHJEM MOVED that HB 1627 be amended as follows:

On page 2 of the engrossed bill, line 13, delete the word "four" and insert in lieu thereof the word "three"

On page 2 of the engrossed bill, line 17, delete the word "four" and insert in lieu thereof the word "three"

And renumber the lines accordingly

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

SEN. STENEHJEM MOVED that the rules be suspended, that HB 1627 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; 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; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Tallackson

HB 1627 passed and the title was agreed to.

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#### MOTION

SEN. NETHING MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Sands presiding.

#### MOTIONS

SEN. ADAMS MOVED that SCR 4059 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

SEN. ADAMS MOVED that SCR 4059 be rereferred to the Committee on Industry, Business, and Labor, which motion prevailed.

#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2062 as printed on page 1678 of the Senate Journal, which motion prevailed.

SEN. LODOEN MOVED that the rules be suspended, that SB 2062 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2062: A BILL for an Act to create and enact a new section to chapter 24-02 and one new section to chapter 54-44 of the

North Dakota Century Code, relating to the creation of a central management system for state motor vehicles, and the purchase of motor vehicles.

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, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; 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; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Holmberg

ABSENT AND NOT VOTING: Goodman; Lips; Tallackson

SB 2062 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. PETERSON MOVED that the Senate do concur in the House amendments to SB 2073 as printed on page 1417 of the Senate Journal, which motion prevailed.

SEN. PETERSON MOVED that the rules be suspended, that SB 2073 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2073: A BILL for an Act to create and enact two new sections to title 15 and a new section to chapter 15-10 of the North Dakota Century Code, relating to jurisdiction of the board of higher education, or in the alternative the board of postsecondary education, over junior colleges and off-campus educational centers; to amend and reenact sections 15-10-01, 15-18-03, 15-18-04.2, 15-18-05, 15-18-06, and 15-55-18 of the North Dakota Century Code, relating to the assumption by the state of jurisdiction by the board of higher education or in the alternative the board of postsecondary education over junior colleges and off-campus educational centers; to repeal sections 15-18-01, 15-18-02, 15-18-04, 15-18-04.1, 15-18-07, 15-18-08, 15-18-09, and 15-18-10 of the North Dakota

Century Code, relating to the operation of junior colleges and off-campus educational centers; and to provide an effective date.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 25 YEAS, 27 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Grotberg; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Leibhan; Lips; Maixner; Meyer, J.; Olson; Redlin; Reiten; Satrom; Stenehjem; Stromme; Walsh; Wenstrom; Wogsland

NAYS: Adams; David; Erickson; Fritzell; Goodman; Holmberg; Kilander; Lashkowitz; Lee; Lodoen; Matchie; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Parker; Peterson; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wright

ABSENT AND NOT VOTING: Tallackson

SB 2073 was declared lost.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate do concur in the House amendments to SB 2084 as printed on page 1678 of the Senate Journal, which motion prevailed.

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2084 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2084: A BILL for an Act to amend and reenact section 14-07.1-06 and subsection 1 of section 29-06-15 of the North Dakota Century Code, relating to warrantless arrests for domestic violence.

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 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; Naaden; Nelson; Nothing; 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: Tallackson

SB 2084 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2093 as printed on page 1764 of the Senate Journal, which motion prevailed.

SEN. LODOEN MOVED that the rules be suspended, that SB 2093 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2093: A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota Century Code, relating to self-insurance of the health insurance benefits coverage under the state uniform group insurance program; and to amend and reenact sections 54-52.1-01, 54-52.1-04, and 54-52.1-06 of the North Dakota Century Code, relating to definitions and board authority to contract for insurance under the uniform group insurance program.

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 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; Naaden; Nelson; Nothing; 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: Tallackson

SB 2093 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. WOGSLAND MOVED that the Senate do concur in the House amendments to SB 2112 as printed on page 1451 of the Senate Journal, which motion prevailed.

SEN. WOGSLAND MOVED that the rules be suspended, that SB 2112 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2112: A BILL for an Act to create and enact section 10-21-13.2 of the North Dakota Century Code, relating to involuntary dissolution of corporations for failure to file annual reports; and to amend and reenact section 10-21-13.1 of the North Dakota Century Code, relating to action of secretary of state regarding corporations not filing annual report on time.

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 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; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Peterson; Tallackson; Wenstrom

SB 2112 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. OLSON MOVED that the Senate do concur in the House amendments to SB 2128 as printed on page 1801 of the Senate Journal, which motion prevailed.

SEN. OLSON MOVED that the rules be suspended, that SB 2128 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2128: A BILL for an Act to amend and reenact section 31-03-29 of the North Dakota Century Code, relating to mileage and fees of witnesses from another state.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; 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; Stenehjerm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Tallackson; Wright

SB 2128 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SB 2142 as printed on page 1656 of the Senate Journal, which motion prevailed.

SEN. WRIGHT MOVED that the rules be suspended, that SB 2142 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2142: A BILL for an Act to create and enact a new subsection to section 18-01-02 and a new section to chapter 18-01 of the North Dakota Century Code, relating to providing for the education of the citizens of North Dakota on the hazards of fire through organized programs by the state fire marshal's office.

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 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; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; 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: Krauter; Naaden; Tallackson

SB 2142 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. MUTCH MOVED that the Senate do not concur in the House amendments to SB 2144 as printed on pages 1801 and 1802 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 2144:

Sens. Erickson, Mutch, Dotzenrod

## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2145 as printed on page 1656 of the Senate Journal, which motion prevailed.

SEN. MUTCH MOVED that the rules be suspended, that SB 2145 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2145: A BILL for an Act to amend and reenact subsection 4 of section 39-04-19 and section 39-18-03 of the North Dakota Century Code, relating to registration fees for certain trailers and mobile homes, travel trailers and house trailers; and to repeal section 39-04-21.1 of the North Dakota Century Code, relating to prorated registration fees for certain trailers.

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 43 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Barth; Berube; Miller Heinrich; Hilken; Leibhan; Matchie; Wogsland

ABSENT AND NOT VOTING: Dotzenrod; Tallackson; Vosper

SB 2145 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. REITEN MOVED that the Senate do concur in the House amendments to SB 2156 as printed on page 1567 of the Senate Journal, which motion prevailed.

SEN. REITEN MOVED that the rules be suspended, that SB 2156 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2156: A BILL for an Act to amend and reenact sections 49-02-17 and 49-02-18 of the North Dakota Century Code, relating to unreasonable rates, rules, and practices affecting interstate commerce, and to action by the public service commission to seek correction of such unreasonable rates, rules, and practices.

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 51 YEAS, 0 NAYS, 2 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; 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: Maixner; Tallackson

SB 2156 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SB 2189 as printed on page 1656 of the Senate Journal, which motion prevailed.

SEN. WRIGHT MOVED that the rules be suspended, that SB 2189 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2189: A BILL for an Act to create and enact chapter 37-12.1 of the North Dakota Century Code, relating to the state defense force; to repeal sections 37-04-05, 37-07.1-04, 37-07.2-02, and chapter 37-12 of the North Dakota Century Code, relating to bonds of officers, limitations on waiver of tuition fees, limitations on grants, and the North Dakota state guard.

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, 9 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Berube; Miller Heinrich; Hilken; Maixner; Matchie;  
Meyer, J.; Redlin; Waldera; Wogsland

ABSENT AND NOT VOTING: Dotzenrod; Krauter; Tallackson

SB 2189 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2196 as printed on page 1657 of the Senate Journal, which motion prevailed.

SEN. MUTCH MOVED that the rules be suspended, that SB 2196 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2196: A BILL for an Act to create and enact a new subsection to section 39-01-01 of the North Dakota Century Code, relating to the definition of a passenger motor vehicle; to amend and reenact sections 39-04-06, 39-04-10.1, and 39-04-37 of the North Dakota Century Code, relating to the rescission or suspension of registration, the manufacturer's plate, and registration violations.

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; Berube; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; 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; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Christensen; Heigaard; Tallackson; Wenstrom

SB 2196 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. REITEN MOVED that the Senate do concur in the House amendments to SB 2224 as printed on page 1568 of the Senate Journal, which motion prevailed.

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2224 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2224: A BILL for an Act to provide for a reduction in motor vehicle insurance rates of senior citizens successfully completing a motor vehicle accident prevention course.

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

NAYS: None

ABSENT AND NOT VOTING: Lee; Naaden; Tallackson; Tweten

SB 2224 passed and the title was agreed to.

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## MOTION

SEN. NETHING MOVED that SB 2244 be laid over one legislative day, which motion prevailed.

## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate do concur in the House amendments to SB 2267 as printed on page 1494 of the Senate Journal, which motion prevailed.

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2267 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2267: A BILL for an Act to amend and reenact sections 62-01-04 and 62-01-20 of the North Dakota Century Code, relating to persons prohibited from possessing pistols; and to provide a penalty.

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, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; 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; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz

ABSENT AND NOT VOTING: Goodman; Tallackson; Tweten

SB 2267 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. PETERSON MOVED that the Senate do concur in the House amendments to SB 2288 as printed on page 1680 of the Senate Journal, which motion prevailed.

SEN. PETERSON MOVED that the rules be suspended, that SB 2288 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

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 as amended, 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; 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; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright



NAYS: None

ABSENT AND NOT VOTING: Goodman; Tallackson; Tweten

SB 2288 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SB 2291 as printed on page 1568 of the Senate Journal, which motion prevailed.

SEN. WRIGHT MOVED that the rules be suspended, that SB 2291 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2291: A BILL for an Act to amend and reenact section 23-06-04 of the North Dakota Century Code, relating to the date of burial.

Which has been read.

#### ROLL CALL

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

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; 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; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman; Tallackson; Tweten

SB 2291 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to SB 2294 as printed on page 1657 of the Senate Journal, which motion prevailed.

SEN. MUTCH MOVED that the rules be suspended, that SB 2294 be deemed properly reengrossed and placed on the calendar, as

amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2294: A BILL for an Act to amend and reenact section 49-09-04.3 of the North Dakota Century Code, relating to removal of abandoned materials from abandoned railway lines.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 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; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Mutch; Tallackson

SB 2294 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LEE MOVED that the Senate do concur in the House amendments to SB 2319 as printed on pages 1453 and 1454 of the Senate Journal, which motion prevailed.

SEN. LEE MOVED that the rules be suspended, that SB 2319 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2319: A BILL for an Act to amend and reenact subsection 2 of section 38-11.1-03, sections 38-11.1-04, 38-11.1-05, 38-11.1-08, and 38-11.1-09 of the North Dakota Century Code, relating to the definition of "drilling operations," surface damage and disruption payments, notice of oil and gas drilling operations to surface owners, offers of settlement for damages resulting from drilling operations, and legal actions in regard to damages resulting from drilling operations.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; 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; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: David; Mutch; Tallackson

SB 2319 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. VOSPER MOVED that the Senate do concur in the House amendments to SB 2321 as printed on pages 1680-1682 of the Senate Journal, which motion prevailed.

SEN. VOSPER MOVED that the rules be suspended, that SB 2321 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2321: A BILL for an Act to amend and reenact section 41-09-28 of the North Dakota Century Code, relating to protection and responsibility given buyers of goods and commission merchants selling livestock or agricultural products.

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 40 YEAS, 9 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Parker; Peterson; Reiten; Streibel; Stromme; Tennefos;

Thane; Todd; Vosper; Waldera; Wenstrom; Wogsland;  
Wright

NAYS: Fritzell; Lashkowitz; Lips; Olson; Redlin; Satrom;  
Stenehjem; Tweten; Walsh

ABSENT AND NOT VOTING: David; Mutch; Nething; Tallackson

SB 2321 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LEE MOVED that the Senate do concur in the House amendments to SB 2344 as printed on page 1568 of the Senate Journal, which motion prevailed.

SEN. LEE MOVED that the rules be suspended, that SB 2344 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2344: A BILL for an Act to amend and reenact section 61-16.1-52 of the North Dakota Century Code, relating to the closing of noncomplying drains.

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 51 YEAS, 0 NAYS, 2 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; Tennefos; Thane; Todd; Tweten; Vosper;  
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Mutch; Tallackson

SB 2344 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate do concur in the House amendments to SB 2362 as printed on page 1494 of the Senate Journal, which motion prevailed.

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2362 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2362: A BILL for an Act to amend and reenact subsection 5 of section 39-06.1-03 of the North Dakota Century Code, relating to jury trial on appeal from noncriminal traffic convictions.

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 51 YEAS, 0 NAYS, 2 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; Stenehjelm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Mutch; Tallackson

SB 2362 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate do concur in the House amendments to SB 2367 as printed on page 1568 of the Senate Journal, which motion prevailed.

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2367 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2367: A BILL for an Act to require a person summoned to court on a felony charge to submit to the sheriff for

identification purposes; and to amend and reenact section 12-60-10 of the North Dakota Century Code, relating to records of the bureau of criminal investigation.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; 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; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman; Mutch; Tallackson

SB 2367 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. REITEN MOVED that the Senate do concur in the House amendments to SB 2382 as printed on page 1358 of the Senate Journal, which motion prevailed.

SEN. REITEN MOVED that the rules be suspended, that SB 2382 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2382: A BILL for an Act to amend and reenact sections 43-07-04 and 43-07-10 of the North Dakota Century Code, relating to contractor's licenses and renewals.

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, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; 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;  
 Tennefos; Thane; Todd; Vosper; Waldera; Walsh;  
 Wenstrom; Wogsland; Wright

NAYS: Tweten

ABSENT AND NOT VOTING: Goodman; Mutch; Tallackson

SB 2382 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. PETERSON MOVED that the Senate do concur in the House amendments to SB 2386 as printed on page 1569 of the Senate Journal, which motion prevailed.

SEN. PETERSON MOVED that the rules be suspended, that SB 2386 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2386: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to modification of the traditional public school calendar following approval by the superintendent of public instruction.

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 47 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod;  
 Dykshoorn; Erickson; Fritzell; 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; Tennefos;  
 Thane; Tweten; Vosper; Waldera; Walsh; Wenstrom;  
 Wogsland; Wright

NAYS: David; Todd

ABSENT AND NOT VOTING: Barth; Goodman; Mutch; Tallackson

SB 2386 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SB 2404 as printed on page 1658 of the Senate Journal, which motion prevailed.

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2404 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2404: A BILL for an Act to amend and reenact section 58-02-01 of the North Dakota Century Code, relating to organization of townships.

Which has been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Barth; Lee; Mutch; Tallackson

SB 2404 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SB 2447 as printed on page 1569 of the Senate Journal, which motion prevailed.

SEN. WRIGHT MOVED that the rules be suspended, that SB 2447 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.



## SECOND READING OF A SENATE BILL

SB 2447: A BILL for an Act to amend and reenact sections 6-09.6-01, 6-09.6-02, 6-09.6-03, 6-09.6-04, and 6-09.6-05 of the North Dakota Century Code, relating to the developmentally disabled facility loan fund; 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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; 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; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Barth; Mutch; Tallackson

SB 2447 passed, the title was agreed to, and the emergency clause carried.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. PETERSON MOVED that the Senate do concur in the House amendments to SB 2448 as printed on page 1658 of the Senate Journal, which motion prevailed.

SEN. PETERSON MOVED that the rules be suspended, that SB 2448 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2448: A BILL for an Act to amend and reenact section 6-09-15, 15-62.1-01, 15-62.1-02, 15-62.1-03, 15-62.1-04, 15-62.1-05, 15-62.1-10, 54-17-24, 54-17-25, and 54-17-26 of the North Dakota Century Code, relating to the powers of the Bank of North Dakota to make loans, the guarantee student loan program, the student loan trusts of the industrial commission, and student loan revenue bonds.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; 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; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Barth; Mutch; Tallackson

SB 2448 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SB 2465 as printed on page 1659 of the Senate Journal, which motion prevailed.

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2465 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE BILL

SB 2465: A BILL for an Act to provide for a ten-mill levy, in addition to any levies authorized by law, for organized or unorganized townships for purposes of a legal contingency fund.

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, 1 NAY, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; 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; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme;

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

NAYS: Walsh

ABSENT AND NOT VOTING: Barth; Mutch; Parker; Tallackson

SB 2465 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2474 as printed on page 1659 of the Senate Journal, which motion prevailed.

SEN. LODOEN MOVED that the rules be suspended, that SB 2474 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2474: A BILL for an Act to amend and reenact sections 54-52.2-01, 54-52.2-02, 54-52.2-03, 54-52.2-05, 54-52.2-06, and 54-52.2-07 of the North Dakota Century Code, relating to the administration, exemption from judicial process, assignability of benefits, and authorized investments of a deferred compensation program for public employees.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; 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; Tennefos; Thane; Todd; Tweten; Vosper;  
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Barth; Mutch; Tallackson

SB 2474 passed and the title was agreed to.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SCR 4006 as printed on page 1661 of the Senate Journal, which motion prevailed.

SEN. HOLMBERG MOVED that the rules be suspended, that SCR 4006 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4006: A concurrent resolution directing the Legislative Council to study and determine the powers and rights to be granted to political subdivisions under article VII of the Constitution of the State of North Dakota.

Which has been read.

The question being on the final adoption of the resolution as amended.

SCR 4006 was declared adopted on a voice vote.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SCR 4030 as printed on page 1497 of the Senate Journal, which motion prevailed.

SEN. LODOEN MOVED that the rules be suspended, that SCR 4030 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4030: A concurrent resolution urging the President and Congress of the United States to stop the sales and supplies of American technical or military equipment and technology to the Soviet Union and other Communist nations.

Which has been read.

The question being on the final adoption of the resolution as amended.

SCR 4030 was declared adopted on a voice vote.

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## CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SCR 4043 as printed on page 1569 of the Senate Journal, which motion prevailed.

SEN. LODOEN MOVED that the rules be suspended, that SCR 4043 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4043: A concurrent resolution directing a Legislative Council study of the financial management and administrative services of state government including the functions and services of the State Treasurer, Office of Management and Budget, State Tax Commissioner, Bank of North Dakota, State Auditor, Board of University and School Lands, and Director of Institutions.

Which has been read.

The question being on the final adoption of the resolution as amended.

SCR 4043 was declared adopted on a voice vote.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate reconsider the action whereby a Conference Committee was appointed on SB 2125, which motion prevailed.

SEN. OLSON MOVED that the Senate do concur in the House amendments to SB 2125 as printed on page 1567 of the Senate Journal, which motion prevailed.

SEN. OLSON MOVED that the rules be suspended, that SB 2125 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2125: A BILL for an Act to create and enact a new section to chapter 28-01 of the North Dakota Century Code, relating to the limitation on actions against the state.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotherg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson;

Redlin; Reiten; Streibel; Stromme; Tennefos; Thane;  
 Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom;  
 Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Krauter; Mutch; Satrom;  
 Stenehjøm; Tallackson

SB 2125 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. HOLMBERG MOVED that the Senate reconsider the action whereby a Conference Committee was appointed on SB 2255, which motion prevailed.

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SB 2255, as printed on page 1451 of the Senate Journal, which motion prevailed.

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2255 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2255: A BILL for an Act to amend and reenact section 36-21.1-07 of the North Dakota Century Code, relating to the prohibition on cockfights, dogfights, and other exhibitions; and to provide penalties.

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 47 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Barth; Grotberg

ABSENT AND NOT VOTING: Mutch; Parker; Stenehjøm;  
 Tallackson

SB 2255 passed and the title was agreed to.

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#### CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate reconsider the action whereby a Conference Committee was appointed on SB 2422, which motion prevailed.

SEN. OLSON MOVED that the Senate do concur in the House amendments to SB 2422, as printed on page 1494 of the Senate Journal, which motion prevailed.

SEN. OLSON MOVED that the rules be suspended, that SB 2422 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF A SENATE BILL

SB 2422: A BILL for an Act to amend and reenact section 6-08-16 and subsections 2 and 5 of section 6-08-16.2 of the North Dakota Century Code, relating to civil penalties for issuing checks with insufficient funds or without an account.

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 44 YEAS, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Heigaard; Lashkowitz; Matchie; Walsh; Wogsland

ABSENT AND NOT VOTING: Mutch; Redlin; Stenehjerm; Tallackson

SB 2422 passed and the title was agreed to.

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#### REPORTS OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill and find the same correctly engrossed:

SCR 4003

SEN. FRITZELL, Chairman

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

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly enrolled:

SB 2220, SB 2414, SB 2453, SB 2456

SEN. FRITZELL, Chairman

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

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2043, SB 2064, SB 2157, SB 2176, SB 2270, SB 2339,  
SB 2343, SB 2364, SCR 4005, SCR 4011, SCR 4022, SCR 4031,  
SCR 4046, SCR 4052

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 2004, SB 2316, SB 2351

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:

HCR 3089

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 2026, SB 2251, SB 2268, SB 2345, SB 2355

Very respectfully,  
CHARLES FLEMING, Chief Clerk



## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has failed to pass:

SB 2332

Very respectfully,  
CHARLES FLEMING, Chief Clerk

## HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2047, SB 2067, SB 2249, SB 2265, SB 2394, and SB 2402 which the House has amended as follows:

## HOUSE AMENDMENTS TO SB 2047

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact three new sections to chapter 57-15 of the North Dakota Century Code, relating to the consolidation of school district mill levies into a general fund levy and a special fund levy and exemption of debt service levies; to amend and reenact sections 15-18-04.2, 15-18-05, 15-34.2-06, 15-39.1-28, 15-40.2-12, 15-45-01, 15-47-21, 15-59-08, subsection 4.1 of section 21-03-06, sections 32-12.1-08, 32-12.1-11, 40-55-08, 40-55-09, subsection 3 of section 52-09-08, section 57-15-14, the new section to chapter 57-15, as created by section 59 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, and section 57-19-04 of the North Dakota Century Code, relating to off-campus educational center mill levies, county levies in support of junior colleges or off-campus educational centers, boarding and lodging of high school students, a teachers' retirement fund, tuition for students in grades seven through twelve, kindergartens, equalization tax levies, special education, insurance reserve fund, judgments against school districts, recreation systems, vocational education, old-age survivors' fund, and tax levy limitations; and to repeal the new section to chapter 57-15 as created by section 75 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, and sections 15-20.1-08, 57-15-15, 57-15-18.1, 57-15-18.2, 57-15-49, 57-15-52, 57-15-52.1, and 57-16-05 of the North Dakota Century Code, relating to mill levy consolidation, excess mill levies, and school district mill levies for vocational education, rental expenses, unemployment compensation, libraries, and communication and schoolbus costs.

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

**SECTION 1. AMENDMENT.** Section 15-18-04.2 of the North Dakota Century Code as contained in section 19 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

**15-18-04.2. Mill levy for off-campus educational facilities - Election.** For the purpose of maintaining and operating such off-campus educational center the school board may levy, upon ~~their~~ its own resolution, ~~a tax not exceeding the limitation in subsection 3 of section 57-15-15 eight mills.~~ If it is found, after the board by resolution has levied its maximum eight mills, that additional funds are needed, the board may submit the question of an additional mill levy not to exceed eight mills, to the electors of the district at any regular or special school election within the district. If approved by sixty percent of the electors voting, the school board may proceed with the levy and collection of the tax. The total mills levied under this section may not exceed sixteen. The levy is in addition to all other mill levy limitations provided by law, and the proceeds shall be placed in a separate fund, accounted for separately, and used exclusively for the support, operation, and maintenance of the off-campus educational center. Expenditures may be made by the school board without going through the institution of higher education with which an agreement has been entered.

**SECTION 2. AMENDMENT.** Section 15-18-05 of the North Dakota Century Code as contained in section 20 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

**15-18-05. County levy to aid junior college or educational center authorized.** The board of county commissioners of any county, or part of a county, in which a junior college or off-campus educational center of a state-supported institution of higher education has been established, or any county, or part of a county, adjacent thereto, may upon approval of the electors of such county at a countywide election, levy a tax of not exceeding ~~the limitation in subsection 11 of section 55 of this Act~~ five mills upon all the property in the county, to aid any special school district having established a junior college or off-campus educational center of a state-supported institution of higher education. The mill levy authorized by this section is over and above any mill levy limitation provided by law.

After the approval of such levy, upon petition of five percent of the electors voting in the last preceding countywide election, the county commissioners shall submit the question of the continuance of the levy to the next countywide election, and if the majority of the electors shall vote to discontinue the levy, the levy shall be discontinued in subsequent years.

SECTION 3. AMENDMENT. Section 15-34.2-06 of the North Dakota Century Code as contained in section 22 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

15-34.2-06. Payment of board and lodging for high school students permitted - Levy. If more convenient or economical, any school district may pay a reasonable allowance instead of providing vehicular transportation for eligible high school students residing in the district to attend a county agricultural and training school or a high school in another district. Any school district that furnishes either transportation or an allowance for board and lodging for students attending high schools in another district may levy a tax not exceeding the limitation in subsection 5 of section 57-15-15 pursuant to subdivision a of subsection 1 of section 17 of this Act for such purposes.

SECTION 4. AMENDMENT. Section 15-39.1-28 of the North Dakota Century Code as contained in section 23 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

15-39.1-28. Mill levy for teachers' retirement. Any school district by a resolution of its school board may levy a tax not exceeding the limitation in subsection 6 of section 57-15-15 pursuant to subdivision b of subsection 1 of section 17 of this Act, the proceeds to be used for the purposes of meeting the district's contribution to the fund arising under this chapter and to provide the district's share, if any, of contribution to the fund for contracted employees of either a multidistrict special education board or another school district where the contracted employees are also providing services to the taxing school district.

SECTION 5. AMENDMENT. Section 15-40.2-12 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-40.2-12. Levy for tuition charges permitted. The school board of any school district approving the payment of tuition charges for students in grades seven through twelve or required to make tuition payments under the provisions of this chapter may levy an amount pursuant to subdivision c of subsection 1 of section 17 of this Act sufficient to pay tuition charges, ~~which levy shall not be subject to any mill levy limitations prescribed by law.~~

SECTION 6. AMENDMENT. Section 15-45-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-45-01. Establishing kindergartens - Election on mill levy. The school board of any school district may, upon its own motion, establish free public kindergartens in connection with the public schools of the district for the instruction of resident children below school age during the regular school term. A school board which establishes free kindergartens may submit the question of providing for an annual levy sufficient to finance such kindergartens to the electors of the school district at the next annual or special school election. If a majority of the votes cast on the proposal favor the mill levy, the board shall levy such tax until the kindergartens are discontinued as provided in this chapter or until the board determines a levy is no longer necessary. Such levy shall be over and above any mill levy limitations provided by law levy a tax pursuant to subdivision f of subsection 1 of section 18 of this Act. On a petition signed by electors of the school district comprising at least five percent of the number of persons enumerated in the school census for that district for the most recent year such census was taken, but in no case less than twenty-five electors, the school board must submit the question of establishing a kindergarten program at the next annual or special school election. Whenever the question of establishing a kindergarten program is placed upon the ballot by petition, the board shall also place on that same ballot the question of providing for an annual levy sufficient to finance such program. Both proposals must be approved by a majority of the votes cast on each before either may take effect. After the kindergarten program is established, the board shall levy such tax until the program is discontinued as provided in this chapter or until the board determines a levy is no longer necessary. Such levy shall be over and above any mill levy limitations provided by law. If the question of establishing a kindergarten program is placed on the ballot, that

question must include a statement of any increase in the district's mill levy needed to finance the program. The question must be approved by the district's electors by the respective margins of electorate approval as provided for in section 57-15-14, and approval of the question constitutes elector approval of the additional mill levy necessary to finance the program.

**SECTION 7. AMENDMENT.** Section 15-47-21 of the North Dakota Century Code as contained in section 24 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

**15-47-21. Tax levies for equalization between school districts limited - Remittance tax.** When the amount to be levied on each of several districts or parts of districts affected by a change in school district boundaries has been determined, a list of the several amounts shall be made, and the respective amounts shall be set forth opposite the name of the district to which it is chargeable. The entire levy shall be stated substantially in the form provided for certifying school taxes, shall be addressed to the county auditor, and shall be signed by a majority of the members of the county committee or committees. Opposite the several descriptions of property on the tax list shall be entered the names of the school districts within which the property is situated. The levy shall be a valid levy on the taxable property of each district, and shall not exceed the limitation in subsection 7 of section 57-15-15. Not more than fifteen mills of the levy shall be extended against the taxable property in any one year, and the levy, not exceeding fifteen mills on the dollar, shall be extended from year to year until the whole amount has been levied. The county auditor shall preserve the levies and shall extend the several rates from year to year as required by law for school district taxes, and the tax shall be collected at the same time and in the same manner as other taxes are collected, and paid over to the proper school district within which the property upon which the tax is paid is situated. The proceeds of taxes upon parts of districts lying outside of the district with which they are equalized shall be paid to the clerk of the school district within which the property is situated. The taxes levied for equalization purposes shall be in addition to all other taxes for school purposes. This section applies to proceedings under article II, annexation, and article IV, involuntary dissolution of chapter 15-53.1, but does not apply to article III,

reorganization, of chapter 15-53.1 except where specifically so referenced.

**SECTION 8. AMENDMENT.** Section 15-59-08 of the North Dakota Century Code as contained in section 25 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

**15-59-08. School district special education program - Financing - Levy --~~Limitations of levy.~~** The school board of any school district may budget funds from the school district general fund for a special education program for the school district. The school board may, upon approval by a majority of the school board, levy a tax ~~not exceeding the limitation in subsection 8 of section 57-15-15 pursuant to subdivision d of subsection 1 of section 17 of this Act~~ for the purpose of carrying out a special education program for the school district, separately or in cooperation with other school districts. ~~The levy provided for in this section shall be collected and paid in the same manner as are other school district property taxes. The county treasurer shall credit the proceeds of the tax levy to a school district special education fund. Such fund shall be expended for the school district special education program.~~

**SECTION 9. AMENDMENT.** Subsection 4.1 of section 21-03-06 of the North Dakota Century Code as contained in section 30 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

- 4.1. By any school district having a community or junior college or off-campus educational center as provided in chapter 15-18 which has an enrollment of one thousand or more students, upon motion of the governing body, for capital construction purposes, including the construction and equipping of new buildings or repairing or renovating and equipping existing buildings. The governing body may levy a tax not exceeding the limitation in subsection 9 of section 57-15-15 two mills on the dollar of the taxable valuation of the school district for the purpose of paying the principal and interest on bonds issued pursuant to this subsection. The mill levy authorized by this subsection is in addition to any mill levy limitations provided by law. The total principal amount of bonds issued

pursuant to this subsection shall not exceed seven hundred thousand dollars, and any indebtedness incurred by a school district shall be within debt limitations established by law. Bonds issued under this subsection shall never become a general obligation of ~~the~~ this state of North Dakota.

SECTION 10. AMENDMENT. Section 32-12.1-08 of the North Dakota Century Code as contained in section 37 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

**32-12.1-08. Political subdivision insurance reserve fund - Mill levy.**

1. A political subdivision, other than a school district, may establish and maintain an insurance reserve fund for insurance purposes, and all political subdivisions including school districts may include in the annual tax levy of the political subdivision such amounts as are determined by the governing body to be necessary for the purposes and uses of the insurance reserve fund. The Except in the case of a school district, the tax levy authorized by this section shall not exceed the limitation in section 59 of this Act Senate Bill No. 2065, as approved by the forty-eighth legislative assembly. If a political subdivision has no annual tax levy, the political subdivision may appropriate from any unexpended balance in its general fund such amounts as the governing body of the political subdivision shall deem necessary for the purposes and uses of the insurance reserve fund.
2. The Except in the case of a school district, the fund established pursuant to this section shall be kept separate and apart from all other funds and shall be used only for the payment of claims against the political subdivision which have been settled or compromised, judgments rendered against the political subdivision for injuries arising out of risks established by this chapter, or costs incurred in the defense of claims. Payments by a school district for the same purposes shall be

made out of the district's special fund as established in section 17 of this Act.

**SECTION 11. AMENDMENT.** Section 32-12.1-11 of the North Dakota Century Code as contained in section 38 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

**32-12.1-11. Judgment against political subdivision - Additional tax levy.** If a final judgment is obtained against any political subdivision except a school district, the governing body of the political subdivision may by resolution provide for the levy and collection of an annual tax upon all of the taxable property within the political subdivision for the payment of such judgment. The amount levied under this section for the payment of a judgment against a political subdivision shall not exceed the limitation set forth in section 59 of ~~this Act~~ Senate Bill No. 2065, as approved by the forty-eighth legislative assembly.

**SECTION 12. AMENDMENT.** Section 40-55-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**40-55-08. Election to determine desirability of establishing recreation system - How called.** The governing body of any municipality, school district, or park district to which this chapter is applicable, may and upon receipt of a petition signed by at least ten qualified voters but not less than five percent of those citizens who voted at the last general election of the municipality, school district, or park district, shall submit to the electors the question of the establishment, maintenance, and conduct of a public recreation system, and except in the case of a school district, the levying of an annual tax for the conduct and maintenance thereof of not more than two and five-tenths mills on each dollar of assessed taxable valuation of all taxable property within the corporate limits or boundaries of such municipality, ~~school district~~, or park district, to be voted upon at the next general election or special municipal election, provided, however, that such questions shall not be voted upon at the next general election unless such action of the governing body shall be taken, or such petition to submit such question shall be filed thirty days prior to the date of such election. A school district may levy a tax for the establishment, maintenance, and conduct of a public recreation system pursuant to subsection 4 of section 18 of this Act.



SECTION 13. AMENDMENT. Section 40-55-09 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-55-09. Favorable vote at election - Procedure. Upon Except in the case of a school district, upon adoption of the public recreation system proposition at an election by a majority of the votes cast upon the proposition, the governing body of the municipality, ~~school district,~~ or park district, by resolution or ordinance, shall provide for the establishment, maintenance, and conduct of a public recreation system, and thereafter levy and collect annually a tax of not more than two and five-tenths mills, or not more than eight and five-tenths mills if the same is authorized as herein provided, on each dollar of the ~~net~~ taxable ~~assessed~~ valuation of all taxable property within the corporate limits or boundaries of the municipality, ~~school district,~~ or park district. This tax is to be in addition to the maximum of taxes permitted to be levied in such municipality, ~~school district,~~ or park district. The mill levy herein authorized may be raised to not more than eight and five-tenths mills when the increase is approved by the citizens of the municipality, ~~school district,~~ or park district after submission of the question in the same manner as provided in section 40-55-08 for the establishment of the public recreation system. The governing body of the municipality, ~~school district,~~ or park district shall continue to levy the tax annually for public recreation purposes until the qualified voters, at a regular or special election, by a majority vote on the proposition, decide to discontinue the levy. The governing body of the municipality, school district, or park district, in its discretion, may appropriate additional funds for the operation of the public recreation system if in the opinion of the governing body additional funds are needed for the efficient operation thereof. ~~Nothing in this~~ This chapter ~~shall be construed to~~ does not limit the power of any municipality, school district, or park district to appropriate on its own initiative general municipal, school district, or park district tax funds for the operation of a public recreation system, a community center, or character building facility. A school district may levy a tax for the conduct and maintenance of a public recreation system pursuant to subsection 4 of section 18 of this Act.

SECTION 14. AMENDMENT. Subsection 3 of section 52-09-08 of the North Dakota Century Code as contained in section 54 of Senate Bill No. 2065, as

approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

3. The political subdivision, except a school district, a multidistrict special education board and, or a center board of a multidistrict vocational education center, shall levy a tax sufficient to meet its obligations under this chapter, and, in the case of a school district, to provide that district's share of contribution to the old-age survivor's fund for contracted employees of a multidistrict special education board, up to a maximum levy not exceeding the limitation in section 59 of this Act Senate Bill No. 2065, as approved by the forty-eighth legislative assembly. Any obligations under this chapter over and above the amount raised by the maximum levy permitted in this section shall be paid out of the general fund of the political subdivision. All payments by a school district for obligations incurred under this chapter shall be made out of the school district's special fund established pursuant to section 17 of this Act.

SECTION 15. AMENDMENT. Section 57-15-14 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-15-14. Tax levy limitations in school districts. The aggregate amount levied each year for the purposes listed in section 18 of this Act by any school district, except the Fargo school district, shall not exceed such the amount as will be produced by a in dollars which the school district levied for the prior school year plus eighteen percent up to a general fund levy of twenty-four seventy mills on the dollar of the net assessed taxable valuation of the district, except that:

1. In any school district having a total population in excess of four thousand according to the last federal decennial census:
  - a. There may be levied any specific number of mills that upon resolution of the school board has been submitted to and approved by a majority of the electors voting upon the question at any regular or special school district election.

- b. There shall be no limitation upon the taxes which may be levied if upon resolution of the school board of any such district the removal of the mill levy limitation has been submitted to and approved by a majority of the electors voting at any regular or special election upon such question.
2. In any school district having a total population of less than four thousand according to the last federal decennial census, there may be levied any specific number of mills that upon resolution of the school board has been approved by ~~sixty~~ fifty-five percent of the electors voting upon the question at any regular or special school election.

The question of authorizing or discontinuing such specific number of mills authority or unlimited taxing authority in any school district shall be submitted to the electorate at the next regular election upon resolution of the school board or upon the filing with the school board of a petition containing the signatures of electors of the district equal in number to twenty percent of the number of persons enumerated in the school census for that district for the most recent year such census was taken, unless such census is greater than four thousand in which case only fifteen percent of the number of persons enumerated in the school census shall be required. However, not fewer than twenty-five signatures shall be required unless the district has fewer than twenty-five electors, in which case the petition shall be signed by not less than twenty-five percent of the electors of the district. In those districts with fewer than twenty-five electors, the number of electors in the district shall be determined by the county superintendent for such county in which such school is located. However, the approval of discontinuing either such authority shall not affect the tax levy in the calendar year in which the election is held. The election shall be held in the same manner and subject to the same conditions as provided in this section for the first election upon the question of authorizing the mill levy.

**SECTION 16. AMENDMENT.** The new section to chapter 57-15 of the North Dakota Century Code as created by section 59 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

Exceptions to tax levy limitations in political subdivisions. The tax levy limitations specified by law do not apply to the following mill levies, expressed in mills per dollar of taxable valuation of property in the political subdivision. For purposes of this section "political subdivision" has the same meaning as in section 32-12.1-02.

1. A political subdivision levying a tax for the control of pests in accordance with section 4-33-11 may levy a tax not exceeding one mill.
2. A political subdivision, except a school district, levying a tax for an insurance reserve fund according to section 32-12.1-08 may levy a tax not exceeding five mills.
3. A political subdivision, except a school district, levying a tax for the payment of a judgment in accordance with section 32-12.1-11 may levy a tax not exceeding five mills.
4. A political subdivision levying a tax for railroad purposes in accordance with section 49-17.2-21 may levy a tax not exceeding four mills.
5. A political subdivision, except a school district, levying a tax for old age and survivors' insurance according to section 52-09-08 may levy a tax not exceeding forty mills.

Additionally, tax levy limitations do not apply to taxes levied pursuant to any statute which expressly provides that the taxes authorized to be levied therein are not subject to mill levy limitations provided by law.

SECTION 17. A new section to chapter 57-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

Mill levies requiring board action - Proceeds to special fund account.

1. A school board of any school district may levy an amount sufficient to cover the costs of the following:

- a. Board and lodging for high school students as provided in section 15-34.2-06.
  - b. The teachers' retirement fund as provided in section 15-39.1-28.
  - c. Tuition for students in grades seven through twelve as provided in section 15-40.2-12.
  - d. Special education program as provided in section 15-59-08.
  - e. The establishment and maintenance of an insurance reserve fund for insurance purposes as provided in section 32-12.1-08.
  - f. A final judgment obtained against a school district.
  - g. The district's share of contribution to the old-age survivors' fund and matching contribution for the social security fund as provided by chapter 52-09 and to provide the district's share of contribution to the old-age survivors' fund and matching contribution for the social security fund for contracted employees of a multidistrict special education board.
  - h. The rental or leasing of buildings, property, or classroom space. Minimum state standards for health and safety applicable to school building construction shall apply to any rented or leased buildings, property, or classroom space.
  - i. Unemployment compensation benefits.
- 2. A school board may levy no more than a total of ninety mills for the purposes listed in subsection 1 except that this limitation does not apply to mill levies pursuant to subdivisions a, c, and f of subsection 1.
  - 3. All proceeds of any levy established pursuant to this section shall be placed in the school district's special fund account and may be expended to achieve the purposes

for which the taxes authorized by this section are levied.

SECTION 18. A new section to chapter 57-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

Mill levies requiring voter approval - Proceeds to general fund account.

1. Upon resolution of the school board and approval of those voting on the question by the respective margins of electorate approval as provided for in section 57-15-14, the school district may levy a tax in addition to mill levy limitations provided by law, upon all taxable property within the school district for general expenses, including expenditures for the following purposes:
  - a. Participating in cooperative vocational education programs approved by the state board.
  - b. Maintaining a vocational education program approved by the state board and established only for that school district.
  - c. Paying the cost of purchasing, contracting, operating, and maintaining schoolbuses.
  - d. Establishing and maintaining school library services.
  - e. Equipping schoolbuses with two-way communications and central station equipment and providing for the installation and maintenance of such equipment.
  - f. Establishing free public kindergartens in connection with the public schools of the district for the instruction of resident children below school age during the regular school term.
2. If a school district maintained a levy to finance either its participation in a cooperative vocational education program or its sponsorship of single-district vocational education programs prior to the

effective date of this Act, and the district discontinues its participation in or sponsorship of those vocational education programs, that district must reduce the proposed aggregated expenditure amount for which its general fund levy is used by the dollar amount raised by its prior levy for the funding of those programs.

3. In presenting a proposed mill levy to the school district electorate pursuant to this section and section 57-15-14, a school board may denote on the ballot those purposes listed in subdivisions a through f of subsection 1 for which the levy is made.
4. The governing body of a school district may, and upon receipt of a petition signed by at least ten qualified voters but not less than five percent of those citizens who voted at the last general election of the school district shall, submit to the electors at the next special election or the next general election if the petition is received or the governing body acts thirty days prior to said general election, the question of the levying of an annual tax for the conduct and maintenance of a public recreation system. Upon adoption of the public recreation system proposition at an election on the proposition as provided in this subsection and section 40-55-08, by the respective margins of electorate approval as provided for in section 57-15-14, the governing body of the school district may levy and collect an annual tax not subject to any limitations imposed by law for the maintenance and conduct of a public recreation system. The governing body of the school district shall continue to levy such tax until the district electorate voting at a regular or special election decides to discontinue the levy by the respective margins of electorate approval as provided for in section 57-15-14.
5. All proceeds of any levy established pursuant to this section shall be placed in the school district's general fund account and may be expended to achieve the purposes for which the taxes authorized by this section are levied.

SECTION 19. A new section to chapter 57-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

School district mill levies for bonded indebtedness excepted. The tax levy limitations provided for in section 57-15-14 and section 17 of this Act shall not apply to taxes levied for the purpose of paying interest on a bonded debt of the district, or levies made to pay and discharge the principal on a bonded debt at maturity.

SECTION 20. AMENDMENT. Section 57-19-04 of the North Dakota Century Code as contained in section 100 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, is hereby amended and reenacted to read as follows:

15-19-04. May levy tax beyond levy limitations. In each year each school district may levy a tax sufficient in amount to establish, maintain, or replenish such special reserve fund, but the levy shall not exceed the limitation in subsection 16 of section 57-15-15 the amount produced by a levy of three mills on the taxable valuation of property in the school district. The levy is in addition to tax levy limitations otherwise specified by law.

SECTION 21. The change to section 57-15-14 by this Act does not require a school district to reduce its mill levy below the amount authorized on June 30, 1983.

SECTION 22. REPEAL. The new section to chapter 57-15 of the North Dakota Century Code as created by section 75 of Senate Bill No. 2065, as approved by the forty-eighth legislative assembly, and sections 15-20.1-08, 57-15-15, 57-15-49, 57-15-52, and 57-16-05 of the North Dakota Century Code, and sections 57-15-18.1, 57-15-18.2, and 57-15-52.1 of the 1981 Supplement to the North Dakota Century Code are hereby repealed."

And renumber the lines and pages accordingly

#### HOUSE AMENDMENTS TO SB 2067

- On page 2 of the engrossed bill, line 31, after the word "occasion" insert the words "per licensing year"
- On page 2 of the engrossed bill, line 32, after the word "Class" insert the words "A and Class"
- On page 3 of the engrossed bill, line 7, delete the words "one hundred"



- On page 3 of the engrossed bill, line 12, delete the words "No eligible organization may"
- On page 3 of the engrossed bill, delete lines 13 through 15 and insert in lieu thereof the following: "The maximum monthly rent shall be the greater of four hundred dollars or one hundred dollars multiplied by the number of tables on which the game of twenty-one is played."
- On page 4 of the engrossed bill, delete line 2
- On page 4 of the engrossed bill, line 3, delete the word "pools" and insert in lieu thereof the following: "On premises licensed to sell alcoholic beverages, games of chance"
- On page 7 of the engrossed bill, line 7, after the word "may" insert the word "not"
- On page 7 of the engrossed bill, line 17, after the word "may" insert the words "include any property which may be legally owned and possessed, but may"
- On page 8 of the engrossed bill, line 10, remove the overstrikes over the words "for deposit in the general fund"
- On page 8 of the engrossed bill, line 21, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 8 of the engrossed bill, line 23, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 8 of the engrossed bill, line 24, delete the words "and not in excess of one hundred fifty"
- On page 8 of the engrossed bill, line 25, delete the words "thousand dollars per quarter"
- On page 8 of the engrossed bill, delete lines 26 through 34
- On page 9 of the engrossed bill, delete lines 1 and 2
- On page 9 of the engrossed bill, line 24, after the word "The" insert the words "state treasurer, at the direction of the" and after the word "authority" insert an underscored comma
- On page 9 of the engrossed bill, delete lines 34 and 35
- On page 10 of the engrossed bill, delete lines 1 through 8

On page 10 of the engrossed bill, line 9, delete the words  
"state general fund."

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2249

On page 1 of the engrossed bill, line 3, delete the numeral  
"14-03-07,"

On page 7 of the engrossed bill, delete lines 33 and 34

On page 8 of the engrossed bill, delete lines 1 through 6

On page 18 of the engrossed bill, line 8, after the word  
"years." insert the following new sentence: "In all  
instances the board shall be comprised of both male  
and female members."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SB 2265

On page 1, line 5, after the word "sales" insert the  
following words: "; and to declare an emergency"

On page 1, after line 24, insert the following new section:

"SECTION 2. EMERGENCY. This Act is hereby declared  
to be an emergency measure and is in effect  
from and after its passage and approval."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SB 2394

On page 1 of the reengrossed bill, line 1, after the word  
"to" insert the words "create and enact section  
15-47-27.1 of the North Dakota Century Code, relating  
to the renewal and nonrenewal of first-year teachers;  
and to"

On page 1 of the reengrossed bill, line 4, delete the word  
"teachers'" and after the word "contracts" and before  
the period insert the words "of teachers who have  
taught for more than one year"

On page 1 of the reengrossed bill, line 21, delete the  
words "two years" and insert in lieu thereof the word  
"year"

On page 1 of the reengrossed bill, line 28, overstrike the  
words "the fifteenth day of February" and insert  
immediately thereafter the words "March first"

- On page 2 of the reengrossed bill, line 1, overstrike the words "the fifteenth day of", and after the word "May" insert the word "first"
- On page 2 of the reengrossed bill, line 8, delete the word "May", overstrike the word "fifteenth" and insert immediately thereafter the words "May first", and overstrike the word "February"
- On page 2 of the reengrossed bill, line 9, overstrike the word "fifteenth" and insert immediately thereafter the words "March first"
- On page 2 of the reengrossed bill, line 16, delete the word "May", and overstrike the word "fifteenth" and insert immediately thereafter the words "May first"
- On page 2 of the reengrossed bill, line 21, delete the word "June", and overstrike the word "fifteenth" and insert immediately thereafter the words "June first"
- On page 2 of the reengrossed bill, line 28, delete the words "an annual" and insert in lieu thereof the word "two", and delete the words "evaluation is" and insert in lieu thereof the words "evaluations are"
- On page 2 of the reengrossed bill, line 29, after the word "district" and before the period insert the words "during each school year"
- On page 2 of the reengrossed bill, line 30, after the word "be" insert the words "completed and", and after the word "teacher" and before the period insert the words "no later than December fifteenth for the first review and February twenty-eighth for the second review each year"
- On page 2 of the reengrossed bill, after line 30, insert the following new section:

"SECTION 3. Section 15-47-27.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

15-47-27.1. Renewal, nonrenewal, and evaluation of first-year teachers. Each school district and the director of institutions in this state shall have an established system through which two written evaluations are prepared during each school year for every teacher who is in his or her first year of teaching. The evaluation must be in the form of written performance reviews, and the first review must be completed and made available to first-year teachers no later than December fifteenth

and the second review must be completed and made available no later than February twenty-eighth of each year.

If a school board or the director of institutions determines not to renew the contract of a first-year teacher, written notification of the decision of nonrenewal must be given to the teacher no earlier than April fifteenth nor later than May first. Failure by a school board or the director of institutions to provide written notification of nonrenewal to a first-year teacher by May first constitutes an offer to renew the contract of the teacher for the ensuing school year under the same terms and conditions as the contract for the current year. Such notification of nonrenewal given to a first-year teacher must contain a detailed description of the reason or reasons for the nonrenewal."

- On page 3 of the reengrossed bill, line 2, remove the overstrike over the word "~~April~~", delete the word "May", and overstrike the word "first" and insert immediately thereafter the word "fifteenth"
- On page 3 of the reengrossed bill, line 4, remove the overstrike over the word "~~April~~", delete the word "May", and overstrike the word "seventh" and insert immediatly thereafter the word "twenty-first"
- On page 3 of the reengrossed bill, line 11, delete the word "a", and delete the word "review" and insert in lieu thereof the word "reviews"
- On page 3 of the reengrossed bill, line 13, delete the second word "an" and insert in lieu thereof the word "two"
- On page 3 of the reengrossed bill, line 14, delete the word "annual", and delete the words "evaluation is" and insert in lieu thereof the words "evaluations are"
- On page 3 of the reengrossed bill, line 15, after the word "district" and before the period insert the words "during each school year"
- On page 3 of the reengrossed bill, line 16, after the word "be" insert the words "completed and", and after the word "teacher" and before the period insert the words "no later than December fifteenth for the first review and February twenty-eighth for the second review each year"

On page 4 of the reengrossed bill, line 14, delete the word "May"

On page 4 of the reengrossed bill, line 15, overstrike the word "fifteenth" and insert immediately thereafter the words "May first"

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SB 2402

On page 1 of the engrossed bill, line 1, delete the word "Racket" and insert in lieu thereof the word "Racketeer", after the word "Influenced" insert the word "and", delete the word "Organization" and insert in lieu thereof the word "Organizations"

On page 1 of the engrossed bill, line 3, after the semicolon insert the word "and"

On page 1 of the engrossed bill, line 4, delete the words "; and to provide an expiration date"

On page 1 of the engrossed bill, line 11, delete the word "they" and insert in lieu thereof the words "such persons"

On page 1 of the engrossed bill, line 13, delete the word "changes" and insert in lieu thereof the words "may change"

On page 2 of the engrossed bill, line 1, delete the word "individuals" and insert in lieu thereof the word "persons"

On page 2 of the engrossed bill, line 5, delete the words "operating pursuant to law" and insert in lieu thereof the words "under the jurisdiction of the state department of banking and financial institutions or its commissioner, or the state banking board, or the state credit union board"

On page 2 of the engrossed bill, line 6, after the word "act" insert the words "including any criminal attempt, facilitation, solicitation, or conspiracy"

On page 5 of the engrossed bill, line 3, delete the word "an" and insert in lieu thereof the word "that"

On page 5 of the engrossed bill, line 31, after the word "orders" insert the words ", receivership orders"

On page 5 of the engrossed bill, line 34, delete the word "damage" and insert in lieu thereof the word "damages"

On page 6 of the engrossed bill, line 13, after the word "damages" insert the words "and appropriate restitution"

On page 6 of the engrossed bill, line 16, delete the word "of" and insert in lieu thereof the words "and reasonable attorneys fees concerned with"

On page 6 of the engrossed bill, line 23, after the word "Forfeiture" insert the words ", pursuant to chapter 32-14,"

On page 9 of the engrossed bill, line 24, after the word "property" insert the words ", interests in property,"

On page 13 of the engrossed bill, line 14, after the period insert the words "The fact that records have been obtained may not be released in any way by the financial institution until ninety days after the release."

On page 14 of the engrossed bill, delete lines 12 and 13

And renumber the lines, sections, and pages accordingly  
Very respectfully,  
CHARLES FLEMING, Chief Clerk

#### HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the Speaker has appointed Representative Retzer to replace Representative Vander Vorst on the Conference Committee on SB 2350.

Very respectfully,  
CHARLES FLEMING, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HCR 3089

LEO LEIDHOLM, Secretary

#### REPORTS OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 2:00 p.m., March 25, 1983:

SCR 4005, SCR 4011, SCR 4022, SCR 4031, SCR 4046, SCR 4052  
SEN. FRITZELL, Chairman

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

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 2:03 p.m., March 25, 1983:

SB 2004, SB 2316, SB 2351

SEN. FRITZELL, Chairman

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

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 2:03 p.m., March 25, 1983:

SB 2043, SB 2064, SB 2157, SB 2176, SB 2270, SB 2339,  
SB 2343, SB 2364

SEN. FRITZELL, Chairman

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

#### CONSIDERATION OF MESSAGES FROM HOUSE

SEN. LIPS MOVED that the Senate do not concur in the House amendments to SB 2005 as printed on page 1800 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 2005:

Sens. Lips, Thane, Tallackson

SEN. LIPS MOVED that the Senate do not concur in the House amendments to SB 2019 as printed on page 1800 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 2019:

Sens. Lips, Thane, Heigaard

SEN. NOTHING MOVED that the Senate do not concur in the House amendments to SB 2049 as printed on page 1763 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 2049:

Sens. Moore, Lee, Barth

SEN. GOODMAN MOVED that the Senate do not concur in the House amendments to SB 2179 as printed on pages 1766 and 1767 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 2179:

Sens. Goodman, Adams, Barth

SEN. ERICKSON MOVED that the Senate do not concur in the House amendments to SB 2197 as printed on pages 1802-1807 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 2197:

Sens. Erickson, Mutch, Dotzenrod

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2373 as printed on pages 1809-1813 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 2373

Sens. Olson, Christensen, Maixner

SEN. LODOEN MOVED that the Senate do not concur in the House amendments to SB 2473 as printed on pages 1813 and 1814 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 2473:

Sens. David, Dykshoorn, Satrom

APPOINTMENT OF CONFERENCE COMMITTEES

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1008, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1008:

Sens. Tennefos, Tweten, Walsh



SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1010, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1010:

Sens. Naaden, Wenstrom, Grotberg

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1013, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1013:

Sens. Tennefos, Tweten, Stromme

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1016, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1016:

Sens. Fritzell, Streibel, Walsh

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1018, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1018:

Sens. Naaden, Tennefos, Tallackson

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1025, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1025:

Sens. Lips, Fritzell, Tallackson

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1028, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1028:

Sens. Streibel, Tweten, Heigaard

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1029, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1029:

Sens. Streibel, Tennefos, Heigaard

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1035, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1035:

Sens. Thane, Tweten, Heigaard

SEN. GOODMAN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1053, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1053:

Sens. Goodman, Matchie, Moore

SEN. MUTCH MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1165, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1165:

Sens. Erickson, Kilander, Satrom

SEN. HOLMBERG MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1370, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1370:

Sens. Lodoen, Holmberg, Matchie

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1387, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1387:

Sens. Holmberg, Stenehjem, J. Meyers

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1420, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1420:

Sens. Olson, Stenehjem, Maixner

SEN. LIPS MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1421, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1421:

Sens. Wenstrom, Streibel, Tallackson

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1440, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1440:

Sens. Stenehjem, Christensen, Lashkowitz

SEN. GOODMAN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1460, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1460:

Sens. Adams, Goodman, Dotzenrod

SEN. PETERSON MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1516, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1516:

Sens. Leibhan, Peterson, Miller Heinrich

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 1528, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1528:

Sens. Stenehjem, Todd, J. Meyer

SEN. GOODMAN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1605, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1605:

Sens. Goodman, Adams, Dotzenrod

SEN. CHRISTENSEN MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1688, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HB 1688:

Sens. Holmberg, Stenehjem, Maixner

SEN. HOLMBERG MOVED that the President appoint a committee of three to act with a like committee from the House as a Conference Committee on HCR 3038, which motion prevailed.

THE PRESIDENT APPOINTED as a Conference Committee on HCR 3038:

Sens. Lodoen, Reiten, Waldera

#### FIRST READING OF A HOUSE BILL

HB 1733: A BILL for an Act to provide an appropriation for medical insurance premiums for North Dakota state employees for the period beginning July 1, 1983, and ending June 30, 1985.

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

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2327 has had the same under consideration and recommends that the SENATE ACCEDE to the House amendments.

For the Senate: Sens. Adams, Moore, Matchie

For the House: Reps. Riehl, Koski, Goetz

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

SB 2327 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

#### MESSAGE TO THE HOUSE SENATE CHAMBER

MADAM SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2142 and subsequently passed the same.

Very respectfully,  
LEO LEIDHOLM, Secretary

#### MOTIONS

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

SEN. NOTHING MOVED that after the reading of SB 2497, HB 1539, and HB 1617, the Senate adjourn and convene at 10:00 a.m., Monday, March 28, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary