

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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FIFTEENTH DAY

Bismarck, January 28, 1985

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

The prayer was offered by Father Thomas Kramer, Cathedral of the Holy Spirit, Bismarck.

Let us pray. Lord God, we pause before beginning another legislative day, to ask Your assistance and guidance for the members of this Senate.

Grant them a deep appreciation of Your many gifts, respect and high regard for the principles upon which our state and nation are founded, a deep concern for all the people of our state and of our world.

Make them wise and prudent in their deliberations, compassionate, just and responsible in their decisions and tolerant, charitable, and understanding in their differences.

We ask You to be patient with all of us as we strive to act responsibly in using Your gifts for the good of all people.

Bless these men and women this day with Your power and love and make them instruments of Your peace, now and always. Amen.

ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

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

SEN. DAVID, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

SB 2085, SB 2183, SB 2244, SB 2250, SB 2253

SEN. BAKEWELL, Chairman

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

CONSIDERATION OF AMENDMENTS

SEN. REITEN MOVED that the amendments to SB 2041 as recommended by the Committee on Industry, Business and Labor as printed on page 356 of the Senate Journal be adopted, and when so adopted, recommends that SB 2041 DO PASS, which motion prevailed.

SEN. STENEHJEM MOVED that the amendments to SB 2055 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 357 of the Senate Journal be adopted, and when so adopted, recommends that SB 2055 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2107 as recommended by the Committee on Industry, Business and Labor as printed on pages 357-358 of the Senate Journal be adopted, and when so adopted, recommends that SB 2107 DO PASS, which motion prevailed.

SEN. MOORE MOVED that the amendments to SB 2252 as recommended by the Committee on Natural Resources as printed on page 358 of the Senate Journal be adopted, and when so adopted, recommends that SB 2252 DO PASS, which motion prevailed.

SEN. PETERSON MOVED that the amendments to SB 2263 as recommended by the Committee on Education as printed on page 359 of the Senate Journal be adopted, and when so adopted, recommends that SB 2263 DO PASS, which motion prevailed.

MOTIONS

SEN. CHRISTENSEN MOVED that SB 2263 be further amended as follows:

On page 3, after line 34, insert the following new subdivision:

"g. Provides instruction under the supervision of a teacher certified in accordance with rules adopted under section 15-36-01."

And renumber the lines and pages accordingly

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

CONSIDERATION OF AMENDMENT

SEN. MOORE MOVED that the amendments to SB 2266 as recommended by the Committee on Natural Resources as printed on pages 359-360 of the Senate Journal be adopted, and when so adopted, recommends that SB 2266 DO PASS, which motion prevailed.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

HB 1046

ROY GILBREATH, Chief Clerk

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

HB 1193

ROY GILBREATH, Chief Clerk

MOTION

SEN. STENEHJEM MOVED that SB 2054 be rereferred to the Committee on Social Services and Veterans Affairs, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2084: A BILL for an Act to amend and reenact sections 35-01-29 and 35-06-11 of the North Dakota Century Code, relating to foreclosure of statutory liens on personal property and the enforcement of a pledge by sale.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2084 passed and the title was agreed to.

SB 2085: A BILL for an Act to create two new sections to chapter 32-20 of the North Dakota Century Code, relating to the trial of a special answer when foreclosing on personal

property; to amend and reenact sections 32-20-02 and 32-20-05 of the North Dakota Century Code, relating to the procedure used to seize the property when foreclosing on personal property and to the contents of the judgment; and to repeal section 32-20-03 of the North Dakota Century Code, relating to the form of the warrant to seize the property when foreclosing on personal property.

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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2085 passed and the title was agreed to.

SB 2183: A BILL for an Act to adopt the Uniform Limited Partnership Act (1976), relating to limited partnerships; to amend and reenact sections 45-12-01 and 45-12-04 of the North Dakota Century Code, relating to existing limited partnerships and citation of partnership acts; and to repeal chapter 45-10 of the North Dakota Century Code, relating to the Uniform Limited Partnership Act.

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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore;

Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2183 passed and the title was agreed to.

MOTION

SEN. NETHING MOVED that SB 2244 be laid over until the committee recommendation is returned on SCR 4014, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2250: A BILL for an Act to amend and reenact subsection 1 of section 11-10.1-05, subsection 1 of section 57-02-08.1, sections 57-02-32, 57-02.1-01, 57-06-05, subsection 3 of section 57-12-06, subdivision c of subsection 3 of section 57-13-04, sections 57-20-01, 57-20-20, 57-23-04, 57-23-08, subsection 3 of section 57-26-03, sections 57-28-18, 57-32-01, 57-32-04, 57-32-05, 57-33-03, subsection 1 of section 57-33-04, sections 57-55-04.1, 57-60-02, subsection 3 of section 57-62-02 of the North Dakota Century Code, relating to taxation and removal of references to the personal property tax, to the year in which totally disabled persons are eligible for property tax credits, to eliminate an inconsistent definition of value for payments made by the game and fish department in lieu of property taxes, to the removal of references to sleeping car and carline companies, to the correction of an inaccurate statutory cross-reference, to the clarification of the percentage changes in assessments made by the state board of equalization, to a clarification of the date of delinquency for real property taxes, to remove references to the tax appeals board, to proceedings for the abatement of taxes, to interest due on a subsequent tax sale certificate, to references to the assessment date for property taxes, to the definition of gross receipts for the taxation of rural electric cooperatives, to the payment date of the privilege tax on coal conversion facilities, and to the method of allocation of moneys in the coal development fund; and to repeal section 57-02-23, subsection 5 of section 57-06-02, subsection 4 of section 57-06-14, subsection 13 of section 57-15-10, sections 57-23-03, 57-23.1-01, 57-23.1-02, 57-31-01, 57-31-02, and 57-31-03 of the North Dakota Century Code, relating to taxation and the removal of references to the personal property tax, to the removal of statutory references to sleeping car and carline companies, to remove references to

the tax appeals board, to the proceedings for the abatement of property taxes, to tax levy limitations with respect to taxes levied for a city employees' pension plan, and to the taxation of transient stocks of merchandise.

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, 2 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Mutch; Vosper

ABSENT AND NOT VOTING: None

SB 2250 passed and the title was agreed to.

SB 2253: A BILL for an Act to amend and reenact subsection 31 of section 52-01-01, sections 52-01-03, 52-04-05, and subsections 12 and 13 of section 52-06-02 of the North Dakota Century Code, relating to definitions, disclosures, contributions, and disqualification for purposes of unemployment compensation; to provide an effective date; 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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd;

Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland;
Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2253 passed, the title was agreed to, and the emergency clause carried.

SB 2292: A BILL for an Act to amend and reenact sections 11-18-14 and 35-21-01 of the North Dakota Century Code, relating to the destruction of documents by the register of deeds and the release of an unpaid earned insurance premium lien by an undertaking.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2292 passed and the title was agreed to.

SB 2293: A BILL for an Act to amend and reenact section 10-57.3-04 of the North Dakota Century Code, relating to the payment, collection, and distribution of city lodging tax revenues.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2293 passed and the title was agreed to.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution urging long-term care facilities in this state to develop a long-term care facility code of ethics that includes guidelines to promote uniformity in the basis for charging for ancillary services and miscellaneous supplies.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4003 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1074: A BILL for an Act to amend and reenact section 44-06-01 of the North Dakota Century Code, relating to the qualifications of notaries public.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland

NAYS: David; Maixner; Mutch; Vosper; Wright

ABSENT AND NOT VOTING: Freborg

HB 1074 passed and the title was agreed to.

HB 1106: A BILL for an Act to amend and reenact 38-14.1-07 of the North Dakota Century Code, relating to mining prohibited in certain areas.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Meyer, D.; Nelson

ABSENT AND NOT VOTING: None

HB 1106 passed and the title was agreed to.

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1193

LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

SB 2068, SB 2099, SB 2104, SB 2116, SB 2147, SB 2208, SB 2216, SB 2221, SB 2246, SCR 4001, SCR 4006, SCR 4013

LEO LEIDHOLM, Secretary

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

HCN 3033

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SCR 4029: Reps. Martinson, Melby, Opedahl

ROY GILBREATH, Chief Clerk

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2042 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Chairman

SB 2042 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2049 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. LODOEN, Chairman

SB 2049 was rereferred to the Committee on Appropriations.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2050 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SB 2050 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2078 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2078 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2079 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2079 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2089 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 6, line 15, remove the overstrike over the words "~~however, nothing in this section prohibits the~~"

On page 6, remove the overstrike over lines 16 through 19

On page 6, line 20, remove the overstrike over the words "~~refuses to do so~~"

And renumber the lines accordingly

SEN. STENEHJEM, Chairman

SB 2089 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2091 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 15, after the word "operator" insert the words "must be making the maximum mill levy allowed under section 2-06-15 or 57-15-36. The operator"

On page 2, line 24, after the period insert the following: "The board of county commissioners of the county in which the air carrier airport is located shall set the levy adopted in the operator's resolution. The county auditor of each county in the region shall certify the final county property valuations for that auditor's county and send the information to the county auditor of the county in which the air carrier airport is located. That county auditor shall accumulate the information received from the other county auditors, determine the total property valuation for the entire region, and send that determination, including the necessary mill levy, to the county auditor and board of county commissioners of each county in the region. The mill levy must be the same throughout the region."

On page 2, line 25, delete the words "levy and", and delete the words "county auditors" and insert in lieu thereof the words "board of county commissioners"

On page 2, line 27, delete the words "tax levy" and insert in lieu thereof the word "budget"

- On page 2, line 29, delete the words "resolution adopting the levy and one certified copy of the"
- On page 2, line 30, delete the words "county auditor" and insert in lieu thereof the words "board of county commissioners"
- On page 2, line 31, delete the words "The tax levy must be the same throughout the"
- On page 2, delete line 32
- On page 3, line 3, after the word "and" insert the words "county auditor to"
- On page 3, line 6, after the word "and" insert the words "the county auditor"
- On page 3, line 11, delete the word "a"
- On page 3, line 12, delete the words "taxable year" and insert in lieu thereof the word "February"
- On page 3, line 13, delete the second word "the"
- On page 3, line 14, delete the words "taxable year" and insert in lieu thereof the word "February"
- And renumber the lines and pages accordingly

SEN. HOLMBERG, Chairman

SB 2091 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2152 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SB 2152 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2172 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SB 2172 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2188 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

SB 2188 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2195 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2195 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2237 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

SB 2237 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2239 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2239 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2258 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 20, after the period insert the following sentence: "The county is not lending its funds or extending its credit to any individual, association, or organization under this subsection and no general liability on the part of the county is incurred."

On page 2, line 5, after the period insert the following sentence: "A city is not lending its funds or extending its credit to any individual, association, or organization under this subsection and no general liability on the part of the city is incurred."

And renumber the lines accordingly

SEN. HOLMBERG, Chairman

SB 2258 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2323 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2323 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2326 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2326 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2347 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

SB 2347 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1105 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 12, overstrike the second word "of" and insert immediately thereafter the word "in"

On page 2, line 31, delete the second word "of" and insert in lieu thereof the word "in"

And renumber the lines accordingly

SEN. MOORE, Chairman

HB 1105 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

Sen. Holmberg introduced:

SB 2451: A BILL for an Act to amend and reenact subsection 5 of section 6-09.4-03 of the North Dakota Century Code, relating to the definition of a municipal security; and to declare an emergency.

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

Sen. Maixner introduced:

SB 2452: A BILL for an Act to amend and reenact section 27-14-02 of the North Dakota Century Code, relating to causes for suspension or revocation of a certificate of admission to the bar.

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

Sen. Dotzenrod introduced:

SB 2453: A BILL for an Act to amend and reenact subsection 2 of section 32-12.1-03 of the North Dakota Century Code, relating to limitation of liability of political subdivisions.

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

Sen. Redlin introduced:

SB 2454: A BILL for an Act to create and enact a new subsection to section 26-02-42, section 26-02-42.1, and two new sections to chapter 26-41, or in the alternative to create and enact a new subsection to section 26.1-40-14, section 26.1-40-14.1, and two new sections to chapter 26.1-41 of the North Dakota Century Code as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, and a new section to chapter 39-08 of the North Dakota Century Code, relating to notice of nonrenewal, cancellation, or suspension of uninjured motorist, no-fault, and liability insurance coverage; and to amend and reenact section 39-02-03.1, subsection 7 of section 39-04-05, and subsection 4 of section 39-04-06, relating to notification prior to rescision or suspension of motor vehicle registration as a result of failure to carry required insurance, ground for refusing, rescinding, or suspending motor vehicle registration, and the penalty for violation of motor vehicle registration laws.

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

Sen. D. Meyer and Rep. Murphy introduced:

SB 2455: A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to commingling of production from two or more oil or gas wells in a storage facility.

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

Sen. D. Meyer and Rep. Murphy introduced:

SB 2456: A BILL for an Act to create and enact a new section to chapter 55-03 of the North Dakota Century Code, relating to the payment of costs of archaeological surveys for projects engaged in by political subdivisions.

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

Sen. Heigaard introduced:

SB 2457: A BILL for an Act to amend and reenact section 26.1-13-15 of the North Dakota Century Code, relating to territorial limits of county mutual insurance companies.

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

Sens. Heinrich, Christensen introduced:

SB 2458: A BILL for an Act to create and enact a new section to chapter 43-41 of the North Dakota Century Code, relating to privileged communications between a social worker and client.

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

Sens. Krauter, Maixner and Rep. Meyer introduced:

SB 2459: A BILL for an Act to create and enact a new section to chapter 38-09 of the North Dakota Century Code, relating to public offering of state mineral leases.

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

Sen. Streibel introduced:

SB 2460: A BILL for an Act to provide an appropriation to the state board of higher education to provide funds for research at the institutions under its control.

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

Sens. Tallackson, Thane and Reps. Goetz, Skjerven introduced:

SB 2461: A BILL for an Act to amend and reenact section 57-43.1-02 of the North Dakota Century Code, relating to the rate of motor vehicle fuels tax on sales of gasoline which contains lead.

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

Sens. Streibel, Tennesfos, David, Nelson, Naaden introduced:

SB 2462: A BILL for an Act to amend and reenact sections 15-10-12 and 54-16-03 of the North Dakota Century Code, relating to authority of the institutions of higher education and the emergency commission to expend funds.

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

Sens. Krauter, Wogsland, Parker, David introduced:

SB 2463: A BILL for an Act to create and enact a new section to chapter 19-01 and a new section to chapter 23-09 of the North Dakota Century Code, relating to farm bed and breakfast accommodation regulation, and to hotels, lodginghouses, restaurants, and boardinghouses; and to amend and reenact section 19-02-24 of the North Dakota Century Code, relating to rooms in which food is stored not to be used for living quarters.

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

Sen. Dotzenrod introduced:

SB 2464: A BILL for an Act to amend and reenact section 44-11-02 of the North Dakota Century Code, relating to the number of persons who must sign a complaint seeking the gubernatorial removal of a public official.

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

Sens. Mushik, Satrom introduced:

SB 2465: A BILL for an Act to provide for conditions of participation for eligibility of long-term care facilities to receive medical assistance payments, reports to the department of human services, rejection of reports, and the authority of the public service commission to regulate the rates charged by long-term care facilities.

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

Sen. Mutch introduced:

SB 2466: A BILL for an Act to amend and reenact subsection 2 of section 57-02-08.1 of the North Dakota Century Code, to provide for the elimination of the homestead credit for rent paid by persons living in government subsidized low or middle income housing; and to provide an effective date.

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

Sen. Mutch introduced:

SB 2467: A BILL for an Act to create and enact a new section to chapter 6-03 of the North Dakota Century Code, relating to a banking association's power and the authority to invest in assets and obligations.

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

Sens. Lips, Streibel introduced:

SB 2468: A BILL for an Act to amend and reenact section 26.1-08-12 of the North Dakota Century Code, relating to eligibility qualifications and eligibility requirements for applicants for insurance coverage from the comprehensive health association of North Dakota.

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

Sen. Satrom introduced:

SB 2469: A BILL for an Act to amend and reenact sections 40-25-01, 40-25-09, and 57-27-02 of the North Dakota Century Code, relating to the period of redemption of property sold because of delinquent special assessments.

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

Sen. Matchie introduced:

SB 2470: A BILL for an Act to amend and reenact subsection 2 of section 50-25.1-02 of the North Dakota Century Code, relating to the definition of abused child for purposes of child abuse reports and protection.

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

Sen. D. Meyer introduced:

SB 2471: A BILL for an Act to amend and reenact section 38-08-16 of the North Dakota Century Code, relating to penalties imposed upon violators of rules, regulations, or orders of the industrial commission; and to declare an emergency.

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

Sen. Peterson introduced:

SB 2472: A BILL for an Act to create and enact a new subsection to section 15-39.1-24, a new section to chapter 18-11, a new section to chapter 39-03.1, a new section to chapter 40-45, a new section to chapter 40-46, and a new section to chapter 54-52 of the North Dakota Century Code, relating to the purchase of retirement service credit by persons who have served in the legislative assembly under the teachers' fund for retirement, the alternate firemen's relief association retirement plan, the highway patrolmen's retirement system, city police pension plans, city employee pension plans, and the public employees retirement system.

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

Sens. Redlin, Waldera, Wenstrom, Reiten introduced:

SB 2473: A BILL for an Act to create and enact a new section to chapter 57-51 and a new section to chapter 57-51.1 of the North Dakota Century Code, relating to an exemption from gross production and extraction taxes for the gross value of oil produced from a wildcat well and an exemption for extracting oil from wildcat and extension wells; to amend and reenact subsection 4 of section 38-08-04 of the North Dakota Century Code, relating to the duties of the industrial commission; and to declare an emergency.

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

Sens. J. Meyer, Stenehjem introduced:

SB 2474: A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to the enforcement of visitation rights.

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

Sens. Heigaard, Nething and Reprs. Mertens, Strinden introduced:

SB 2475: A BILL for an Act to amend and reenact sections 4-01-21, 15-21-02, 26.1-01-09, 34-05-01.2, 49-01-05, 54-08-03, 54-09-05, 54-10-10, 54-11-13, 54-12-11, and 57-01-04 of the North Dakota Century Code, relating to the salaries of the commissioner of agriculture, superintendent of public instruction, commissioner of insurance, commissioner of labor, public service commissioners, lieutenant governor, secretary of state, state auditor, state treasurer, attorney general, and tax commissioner; and to provide an effective date.

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

Sen. Olson introduced:

SB 2476: A BILL for an Act to create and enact a new section to chapter 15-28 of the North Dakota Century Code, relating to public school district elections.

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

Sens. Olson, Lips introduced:

SB 2477: A BILL for an Act to amend and reenact sections 40-23-10 and 40-23.1-08 of the North Dakota Century Code, relating to notice of special improvement assessment list if the cost of construction exceeds the amount of bid.

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

Sen. Stromme introduced:

SB 2478: A BILL for an Act to create and enact two new sections to chapter 8-10 of the North Dakota Century Code, relating to interruption of telephone communications during a kidnap or hostage emergency, and to exemption from liability for making such an interruption; and to provide a penalty.

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

Sen. W. Meyer and Rep. R. Berg introduced:

SB 2479: A BILL for an Act to amend and reenact sections 43-30-04, 43-30-15, and 43-30-16 of the North Dakota Century Code, relating to rules adopted by the attorney general concerning the regulation of private investigative and security services, appeals to the private investigative and security board, and license fees for detective agencies.

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

Sen. Christensen introduced:

SB 2480: A BILL for an Act to amend and reenact section 12.1-27.1-01 of the North Dakota Century Code, relating to obscenity, definitions, and classification of offenses.

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

Sen. Naaden introduced:

SB 2481: A BILL for an Act to amend and reenact section 11-10.1-04 of the North Dakota Century Code, relating to salaries of county directors of tax equalization.

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

Sen. Naaden introduced:

SB 2482: A BILL for an Act to create and enact a new section to chapter 10-15 of the North Dakota Century Code, relating to redemption of stock upon demand of stockholders in cooperative associations.

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

Sens. Kelsh, Krauter introduced:

SB 2483: A BILL for an Act to amend and reenact sections 4-10.2-03 and 4-10.2-04 of the North Dakota Century Code, relating to membership and districts of the North Dakota state sunflower council.

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

Sens. J. Meyer, Redlin introduced:

SB 2484: A BILL for an Act to amend and reenact section 34-01-14 of the North Dakota Century Code, relating to discrimination in employment on the basis of union membership; and to provide a penalty.

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

Sens. Heinrich, Parker and Reps. Oban, Retzer introduced:

SB 2485: A BILL for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, or in the alternative section 26.1-36-11 of the North Dakota Century Code as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to provisions in any accident or sickness insurance policy denying the insured the right to consult or employ the doctor or chiropractor, or to enter the hospital or sanatorium of his or her choice.

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

Sens. Stenehjem, Christensen and Reps. Gates, Conmy introduced:

SB 2486: A BILL for an Act to create and enact a new section to chapter 50-11 of the North Dakota Century Code, relating to the licensing of foster care homes and facilities for children and adults; and to amend and reenact section 50-11-08 of the North Dakota Century Code, relating to the denial or revocation of a foster care license.

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

Sen. Reiten introduced:

SB 2487: A BILL for an Act to amend and reenact section 43-03-09 of the North Dakota Century Code, relating to the practice of architecture without a license.

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

Sens. Stenehjem, Christensen and Reps. Gates, Conmy introduced:

SB 2488: A BILL for an Act to amend and reenact section 50-11-06.6 of the North Dakota Century Code, relating to information which must be furnished by the department of human services to foster care providers.

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

Sen. Maixner and Rep. Whalen introduced:

SB 2489: A BILL for an Act to create and enact a new subsection to section 53-06.1-11 of the North Dakota Century Code, relating to reporting requirements of certain charitable organizations conducting games of chance; and to amend and reenact subdivision b of subsection 3 of section 53-06.1-03 and subsection 1 of section 53-06.1-11 of the North Dakota Century Code, relating to licensure and reporting requirements of certain charitable organizations conducting games of chance.

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

Sens. Vosper, Tallackson, Tweten and Reps. Kingsbury, A. Olson, Myrdal introduced:

SB 2490: A BILL for an Act to create and enact a new section to chapter 40-05.1 of the North Dakota Century Code, relating to the exemption of nonresidents of a city from a city sales tax enacted by a home rule city.

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

Sens. Tennefos, Kilander, Christensen and Reps. A. Hausauer, Moore, Wold introduced:

SB 2491: A BILL for an Act to amend and reenact subsection 9 of section 57-02-08 of the North Dakota Century Code, relating to the exemption from taxation of property of religious corporations or organizations; and to provide an effective date.

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

Sens. Naaden, Christensen, Tennefos and Reps. D. Olsen, Wald introduced:

SB 2492: A BILL for an Act to guarantee access to certain instructional materials by parents or guardians and to protect the privacy of students from certain examinations.

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

Sen. Matchie introduced:

SB 2493: A BILL for an Act to amend and reenact section 19-01-07 of the North Dakota Century Code, relating to fees paid the state laboratories department for contract services; to provide an effective date; and to declare an emergency.

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

Sens. David, Krauter and Rep. Shide introduced:

SB 2494: A BILL for an Act to amend and reenact subsection 9 of section 10-04-06 of the North Dakota Century Code, relating to securities transactions exempt from registration requirements.

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

Sens. Kusler, Wright and Reps. Vander Vorst, Riehl introduced:

SB 2495: A BILL for an Act to amend and reenact subsection 1 of section 4-36-03 of the North Dakota Century Code, relating to qualifications for loans under the Agricultural Development Act.

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

Sens. David, Stromme introduced:

SB 2496: A BILL for an Act to create and enact section 54-17-07.8 of the North Dakota Century Code, relating to the confidentiality of state housing finance agency records.

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

Sens. Kelsh, David, J. Meyer introduced:

SB 2497: A BILL for an Act relating to property used for farming purposes and providing for relief in certain cases from foreclosure of mortgages, termination of contracts for the conveyance of real estate, execution sales of real property; to provide relief in certain cases from claim and delivery, seizure, or foreclosure of personal property; to extend the period of redemption of real property during an emergency; to provide an expiration date; and to declare an emergency.

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

Sen. Matchie introduced:

SB 2498: A BILL for an Act to amend and reenact sections 19-03.1-05, 19-03.1-07, 19-03.1-09, 19-03.1-11, and subsection 6 of section 19-03.1-16 of the North Dakota Century Code, relating to the Uniform Controlled Substances Act schedules.

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

Sens. Kilander, Tallackson and Rep. Kloubec introduced:

SB 2499: A BILL for an Act to provide for investigation of benefits of increasing the capacity of the lower Red River. Was read the first time and referred to the Committee on Natural Resources.

Sens. Kelsh, David, J. Meyer introduced:

SB 2500: A BILL for an Act to establish a farm foreclosure negotiation board and a home-quarter purchase fund; to provide an appropriation; and to declare an emergency.

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

Sen. Mutch introduced:

SB 2501: A BILL for an Act to create and enact a new section to chapter 24-12 of the North Dakota Century Code, relating to requirement of reflectorized paint on highway pavement markings.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Lips introduced:

SCR 4034: A concurrent resolution directing the Legislative Council to study the life insurance needs of persons born with incurable diseases.

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

Sens. Kusler, Todd and Reps. Gunsch, Keller introduced:

SCR 4035: A concurrent resolution urging the Secretary of the Interior, the director of the National Park Service, and the regional director of the National Park Service to take all steps necessary to secure funding for the development of the Knife River Indian Villages National Historic Site.

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

Sen. Kusler and Rep. Martinson introduced:

SCR 4036: A concurrent resolution directing the Legislative Council to study problems associated with, and to compile information regarding, the protection and rejuvenation of shelterbelts.

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

Sen. Mushik and Rep. D. Olsen introduced:

SCR 4037: A concurrent resolution directing the Legislative Council to study the feasibility of providing onsite child care facilities for children of public employees.

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

Sens. Todd, Kusler and Reps. Hill, Knudson introduced:

SCR 4038: A concurrent resolution recognizing the importance of fine arts as part of basic school curricula and encouraging the inclusion of fine arts education in the schools' curricula.

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

Sens. Nelson, Naaden, Lips introduced:

SCR 4039: A concurrent resolution directing the Legislative Council to monitor United States Congress and federal agency actions having a fiscal impact on the state of North Dakota.

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

FIRST READING OF HOUSE BILLS

HB 1070: A BILL for an Act to create and enact three new sections to chapter 20.1-01 and a new subsection to section 20.1-02-05 of the North Dakota Century Code, relating to

noncriminal game and fish violations; to amend and reenact sections 20.1-01-05, 20.1-01-07, 20.1-01-09, 20.1-01-10, 20.1-01-25, 20.1-03-01.2, 20.1-03-16, 20.1-03-23, 20.1-03-27, 20.1-04-09, 20.1-04-10, 20.1-04-12, 20.1-04-14, 20.1-05-06, 20.1-06-07, 20.1-07-05, 20.1-08-01, 20.1-10-01, 20.1-13-02, subsection 13 of section 20.1-13-03, sections 20.1-13-03.1, 20.1-13-03.2, 20.1-13-04, subsection 7 of section 20.1-13-05, section 20.1-13-07, subsection 6 of section 20.1-13-10, sections 20.1-13-17 and 27-07.1-17 of the North Dakota Century Code, relating to noncriminal game and fish violations; and to provide penalties.

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

HB 1114: A BILL for an Act to amend and reenact subsection 1 of section 54-14-03.2 of the North Dakota Century Code, relating to claims against the state for acts of residents of the state institutions.

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

HB 1132: A BILL for an Act to amend and reenact subsection 6 of section 54-52-04 of the North Dakota Century Code, relating to the exclusion of certain professional fees from the public employees retirement system's appropriation; and to declare an emergency.

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

HB 1150: A BILL for an Act to adopt the Uniform Conflict of Laws-Limitations Act, relating to statute of limitation periods with regard to claims based on another state's law.

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

HB 1166: A BILL for an Act to amend and reenact sections 14-13-03, 23-16-08, 50-06-01.4, subsection 1 of section 50-19-01, sections 50-20-01, 50-20-02, and 50-20-04, and subsection 3 of section 50-25.1-02 of the North Dakota Century Code, relating to the divisions of the office of human services and the office of economic assistance and county administration of the department of human services.

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

HB 1238: A BILL for an Act to create and enact a new section to chapter 29-03 of the North Dakota Century Code, relating to venue of multiple theft offenses involving credit cards.

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

HB 1242: A BILL for an Act to amend and reenact section 54-52.1-03 of the North Dakota Century Code, relating to membership in the state employees' uniform group insurance program by former members of the legislative assembly.

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

HB 1248: A BILL for an Act to amend and reenact subsection 9 of section 57-43.2-01 and subsection 1 of section 57-43.2-02 of the North Dakota Century Code, relating to imposition of special fuels taxes upon sales of compressed natural gas.

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

MOTION

SEN. NELSON MOVED that at the conclusion of the Ninth order of business at 5:00 p.m., the Thirteenth order of business and after the reading of SB 2041, SB 2042, SB 2050, SB 2055, SB 2078, SB 2079, SB 2107, SB 2152, SB 2172, SB 2188, SB 2195, SB 2237, SB 2239, SB 2252, SB 2263, SB 2266, SB 2323, SB 2326, and SB 2347, the Senate adjourn and convene at 1:00 p.m., Tuesday, January 29, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary