

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

* * * * *

TWENTY-THIRD DAY

Bismarck, February 7, 1985

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

The prayer was offered by Senator Maixner.

A WESTERNER'S PRAYER

By Clell Gannon

Dear Lord, I pray, make me as free as is the summer breeze,
That wanders through the prairie grass and hunts the
scattered trees.

Make me as common as the dirt that suns beneath my feet,
And democratic as the air, and banish all conceit
And vanity and snobbishness; yea, march them in retreat.

Make me as honest as the birds that sing the prairie lays,
As reverent unto my God, as quick to sing His praise.
As clean as are the wind-washed buttes, as happy as the sun.
As prompt to do my given task that He may say "Well done."

Make me as stubborn as a bronco for the thing that's right,
As fixed in truth as are the stars that stab the western
night.

Give me the cacti thorns to ward away the tempter's art,
And give some fellow-man my chance - I'll take the smaller
part.

Lord, teach me humble lessons from the magi of the plains,
And make my soul as beautiful as are the sunset stains.
Let all men know me as a friend and stop awhile to chat,
For all the kingly titles they are not as good as that.
Lord, let me know I'm just a part of this big world of
thine,

I'm not the entire story, I am just a little line.
But make me every inch a man along the trail, and when
The sun drops down behind the buttes that rims the world,
why then
I won't need to apologize to God or man! 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 Twenty-second 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 2039, SB 2065, SB 2206, SB 2257, SB 2281 SB 2345,
SB 2360, SB 2364

SEN. BAKEWELL, Chairman

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

MESSAGE 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 1054, HB 1076, HB 1373, HB 1381, HB 1384, HB 1432,
HB 1449, HB 1451, HB 1469, HCR 3027, HCR 3028, HCR 3029

ROY GILBREATH, Chief Clerk

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Employment recommends the following employees:

Darla Becker.....Telephone Attendant
Lucille Schaible.....Telephone Attendant
Marlane Loeb.....Telephone Attendant
Linda Kennedy-Newman.....Telephone Page

SEN. NAADEN, Chairman

SEN. NAADEN MOVED that the report be adopted.

ROLL CALL

The question being on the motion to adopt the report of the procedural Committee on Employment, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod;
Freborg; Helgaard; 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; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Wenstrom

The report was adopted and President Meiers administered the Oath of Office to the employees.

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2026 as recommended by the **Committee on Appropriations** as printed on pages 536-537 of the Senate Journal be adopted, and when so adopted, recommends that SB 2026 DO PASS, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2030 as recommended by the **Committee on Appropriations** as printed on pages 537-538 of the Senate Journal be adopted, and when so adopted, recommends that SB 2030 DO PASS, which motion prevailed.

SEN. PETERSON MOVED that the amendments to SB 2063 as recommended by the **Committee on Education** as printed on pages 538-541 of the Senate Journal be adopted, and when so adopted, recommends that SB 2063 DO PASS and be rereferred to the **Committee on Appropriations**, which motion prevailed.

SB 2063 was rereferred to the **Committee on Appropriations**.

SEN. CHRISTENSEN MOVED that the amendments to SB 2110 as recommended by the **Committee on Judiciary** as printed on page 541 of the Senate Journal be adopted, and when so adopted, recommends that SB 2110 DO PASS, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2130 as recommended by the **Committee on Appropriations** as printed on pages 541-542 of the Senate Journal be adopted, and when so adopted, recommends that SB 2130 DO PASS, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2135 as recommended by the **Committee on Appropriations** as printed on page 542 of the Senate Journal be adopted, and when so adopted, recommends that SB 2135 DO PASS, which motion prevailed.

SEN. LODOEN MOVED that the amendments to SB 2329 as recommended by the **Committee on State and Federal Government** as printed on page 543 of the Senate Journal be adopted, and when so adopted, recommends that SB 2329 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2368 as recommended by the **Committee on Judiciary** as printed on pages 543-544 of the Senate Journal be adopted, and when so adopted, recommends that SB 2368 DO PASS, which motion prevailed.

SEN. PETERSON MOVED that the amendments to SB 2375 as recommended by the Committee on Education as printed on page 544 of the Senate Journal be adopted, and when so adopted, recommends that SB 2375 DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

SB 2375 was rereferred to the Committee on Appropriations.

SEN. CHRISTENSEN MOVED that the amendments to SB 2417 as recommended by the Committee on Judiciary as printed on page 545 of the Senate Journal be adopted, and when so adopted, recommends that SB 2417 DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

SEN. STENEHJEM MOVED that SB 2417 be further amended as follows:

On page 9, line 11, delete the word "or" and insert in lieu thereof the word "of"

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

SB 2417 was rereferred to the Committee on Appropriations.

SEN. PETERSON MOVED that the amendments to SB 2440 as recommended by the Committee on Education as printed on page 545 of the Senate Journal be adopted, and when so adopted, recommends that SB 2440 DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

SB 2440 was rereferred to the Committee on Appropriations.

SEN. LODOEN MOVED that the amendments to SB 2456 as recommended by the Committee on State and Federal Government as printed on page 546 of the Senate Journal be adopted, and when so adopted, recommends that SB 2456 DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

SB 2456 was rereferred to the Committee on Appropriations.

SECOND READING OF SENATE BILLS

SB 2039: A BILL for an Act to amend and reenact section 65-05-01 of the North Dakota Century Code, relating to time period for filing workmen's compensation claims.

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, 1 NAY, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; 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: David

ABSENT AND NOT VOTING: None

SB 2039 passed and the title was agreed to.

SB 2049: A BILL for an Act to amend and reenact sections 21-10-01 and 21-10-04 of the North Dakota Century Code, relating to the membership and meetings of the state investment board.

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 2049 passed and the title was agreed to.

SB 2053: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to reimbursement by the department of human services to long-term care facilities for care provided to persons under the medical assistance program.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; 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: Kelsh

SB 2053 passed and the title was agreed to.

SB 2064: A BILL for an Act to create a special education area coordinator pilot program to facilitate and supplement special education services for school age children with low incidence severe and profound handicaps, and to create and enact a new subdivision to subsection 1 of section 57-15-14.2 of the North Dakota Century Code, relating to school board mill levies; to amend and reenact subsection 2 of section 57-15-14.2 of the North Dakota Century Code, relating to school board mill levies; to provide an appropriation; and to declare an emergency.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 20 YEAS, 33 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Heinrich; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, J.; Meyer, W.; Mushik; Parker; Peterson; Redlin; Satrom; Tallackson; Todd; Wogsland

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Hilken; Holmberg; Langley; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Reiten; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2064 was declared lost.

SB 2065: A BILL for an Act to create and enact chapters 15-27.1, 15-27.2, 15-27.3, and 15-27.4 of the North Dakota Century Code, relating to general provisions and school district annexation, reorganization, and dissolution; to amend and reenact sections 15-28-01, 15-34.2-06.1, 15-47-21, and 57-16-04 of the North Dakota Century Code, relating to school board members, schoolbus service fees, tax levies for equalization between school districts, and excess school district levies; to repeal chapter 15-53.1 of the North Dakota Century Code, relating to school district reorganization, annexation, and dissolution; 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 2065 passed, the title was agreed to, and the emergency clause carried.

SB 2187: A BILL for an Act to amend and reenact subdivision b of subsection 3 of section 39-06.1-10 and sections 39-06.1-11 and 39-20-04.1 of the North Dakota Century Code, relating to a motor vehicle operator's license suspension for a first offense for driving or being in physical control of a vehicle while under the influence of intoxicating liquor or controlled substances or while having a certain blood alcohol concentration and issuance of temporary restricted operator's licenses.

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 19 YEAS, 34 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Bakewell; David; Dotzenrod; Hilken; Kelsh; Kilander; Krauter; Kusler; Langley; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Mutch; Stromme; Thane; Vosper

NAYS: Adams; Berube; Christensen; Freborg; Heigaard; Heinrich; Holmberg; Ingstad; Kelly; Lashkowitz; Lips; Matchie; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Tallackson; Tennefos; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: None

SB 2187 was declared lost.

SB 2206: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; and to amend and reenact subsection 2 of section 15-39.1-10 of the North Dakota Century Code, relating to benefits paid to members of the teachers' fund for retirement.

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; 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: Bakewell

SB 2206 passed and the title was agreed to.

MOTION

SEN. WRIGHT MOVED that SB 2257, which is on the Eleventh order be laid over two legislative days, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2281: A BILL for an Act to provide for the creation of venture capital corporations and to provide for income tax credits; and to create and enact a new subsection to section 10-04-05 and a new subsection to section 10-04-06 of the North Dakota Century Code, relating to exempt securities and transactions.

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 2281 passed and the title was agreed to.

SB 2345: A BILL for an Act to create and enact two new sections to chapter 57-15 of the North Dakota Century Code, relating to protection of property taxpayers and taxing districts and school district levy limits; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; 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; 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: Bakewell; Naaden

SB 2345 passed and the title was agreed to.

SB 2360: A BILL for an Act to amend and reenact section 11-33-04 of the North Dakota Century Code or in the alternative section 5 of House Bill No. 1082 as approved by the forty-ninth legislative assembly, relating to membership on county zoning commissions.

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 2360 passed and the title was agreed to.

SB 2364: A BILL for an Act to amend and reenact section 11-10-10 of the North Dakota Century Code, relating to the salary of state's attorneys.

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 36 YEAS, 17 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; David; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Matchie; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Stenehjem; Stromme; Tallackson; Todd; Vosper; Waldera; Wenstrom; Wright

NAYS: Bakewell; Dotzenrod; Kelly; Langley; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Parker; Shea; Streibel; Tennefos; Thane; Tweten; Walsh; Wogsland

ABSENT AND NOT VOTING: None

SB 2364 passed and the title was agreed to.

SB 2367: A BILL for an Act to amend and reenact section 20.1-01-18 of the North Dakota Century Code, relating to hunting and trapping on fenced agricultural land.

Which has been read.

MOTIONS

SEN. MAIXNER MOVED that SB 2367 be amended as follows:

On line 15, after the word "posted" insert the words "for big game"

On line 15, after the word "hunting" insert the words "for big game"

SEN. MAIXNER MOVED that the proposed amendments be adopted, which motion prevailed on a division vote.

SEN. MAIXNER 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.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 13 YEAS, 40 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Freborg; Krauter; Kusler; Langley; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Shea; Walsh

NAYS: Berube; Christensen; David; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Lashkowitz; Lips; Lodoen; Matchie; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: None

SB 2367 was declared lost.

SB 2401: A BILL for an Act to amend and reenact sections 16.1-01-07, 16.1-04-03, 16.1-06-16, 16.1-11-01, 16.1-11-05, 16.1-11-06, 16.1-11-11, 16.1-11-17, 16.1-11-18, 16.1-11-19, 16.1-11-20, 16.1-12-04, 16.1-12-05, 16.1-12-07, 16.1-12-09, 16.1-13-03, 16.1-15-17, 16.1-15-22, 16.1-15-25, and 16.1-15-35 of the North Dakota Century Code, relating to the date of the primary election and election filing deadlines; and to repeal sections 16.1-11-02, 16.1-11-03, 16.1-11-04, 16.1-11-07, 16.1-11-23, and 16.1-11-34 of the North Dakota Century Code, relating to the presidential preference primary.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 23 YEAS, 30 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Stromme; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2401 was declared lost.

SB 2427: A BILL for an Act to create and enact a new subsection to section 40-58-20 of the North Dakota Century Code, relating to tax increments in urban renewal areas.

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 2427 passed and the title was agreed to.

SB 2429: A BILL for an Act to create and enact a new section to chapter 14-05 of the North Dakota Century Code, relating to distribution of property when a divorce is granted.

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

ROLL CALL

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

YEAS: None

NAYS: 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

ABSENT AND NOT VOTING: None

SB 2429 was declared lost.

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.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; David; Dotzenrod; Freborg; Hilken; Kelly; Kilander; Kusler; Lashkowitz; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Streibel; Stromme; Tennefos; Todd; Tweten; Vosper; Waldera; Wogsland; Wright

NAYS: Berube; Christensen; Heigaard; Heinrich; Ingstad; Kelsh; Krauter; Langley; Lips; Matchie; Mushik; Redlin; Reiten; Satrom; Shea; Stenehjem; Tallackson; Thane; Walsh; Wenstrom

ABSENT AND NOT VOTING: Holmberg

SB 2462 passed and the title was agreed to.

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.

Which has been read.

MOTION

SEN. SATROM MOVED that SB 2466 be amended as follows:

On page 1, line 17, after the word "benefits", insert the words "excluding any federal rent subsidy,"

On page 2, line 1, after the word "rent", insert the words "excluding any federal rent subsidy,"

On page 2, lines 21 through 23, delete the underscored language
And renumber the lines and pages accordingly

MOTION

SEN. SATROM MOVED that the proposed amendments be adopted.

REQUEST

SEN. MAIXNER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2466, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2466, the roll was called and there were 23 YEAS, 30 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Waldera; Walsh; Wogsland; Wright

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom

ABSENT AND NOT VOTING: None

The proposed amendments to SB 2466 lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 32 YEAS, 21 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Wenstrom; Wright

NAYS: Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Maixner; Matchie; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Tallackson; Tweten; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

SB 2466 passed and the title was agreed to.

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.

Which has been read.

ROLL CALL

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

YEAS: 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: Adams

SB 2471 passed, the title was agreed to, and the emergency clause carried.

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.

Which has been read.

ROLL CALL

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

YEAS: Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; 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: Kusler

ABSENT AND NOT VOTING: Adams

SB 2491 passed and the title was agreed to.

MOTION

SEN. MAIXNER MOVED that SB 2428 be returned to the Senate floor from the Committee on Natural Resources, which motion prevailed.

REQUEST

SEN. MAIXNER REQUESTED the unanimous consent of the Senate to withdraw SB 2428. There being no objection, it was so ordered by the President.

MOTION

SEN. SATROM MOVED that SB 2469 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

SEN. SATROM REQUESTED the unanimous consent of the Senate to withdraw SB 2469. There being no objection, it was so ordered by the President.

MOTION

SEN. FREBORG MOVED that SB 2327 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

SEN. FREBORG REQUESTED the unanimous consent of the Senate to withdraw SB 2327. There being no objection, it was so ordered by the President.

MOTION

SEN. THANE MOVED that SB 2309 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

SEN. THANE REQUESTED the unanimous consent of the Senate to withdraw SB 2309. There being no objection, it was so ordered by the President.

MESSAGE 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 2018, SB 2019, SB 2027, SB 2277, SB 2287, SB 2319,
SB 2324, SB 2332, SB 2352, SB 2357, SB 2361

LEO LEIDHOLM, Secretary

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1105 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Education to which was rereferred SB 2062 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 3, delete the words "department of human services" and insert in lieu thereof the words "superintendent of public instruction"

On page 1, line 4, after the word "costs" insert the words "; and to repeal section 15-59-07.1 of the North Dakota Century Code, relating to the cost of out-of-state boarding care for handicapped students"

On page 1, line 10, overstrike the word "department"

On page 1, line 11, overstrike the words "of human services" and insert immediately thereafter the words "superintendent of public instruction"

On page 1, line 12, delete the word "The", and overstrike the words "department of human"

On page 1, line 13, overstrike the word "services" and insert immediately thereafter the words "The superintendent of public instruction"

On page 1, line 23, overstrike the words "department of human services" and insert immediately thereafter the words "superintendent of public instruction"

On page 1, after line 27, insert the following new section:

"SECTION 2. REPEAL. Section 15-59-07.1 of the North Dakota Century Code is hereby repealed."

And renumber the lines and pages accordingly

SEN. PETERSON, Chairman

SB 2062 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2175 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SB 2175 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 2176 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

SB 2176 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 2179 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 13, line 11, after the word "county" insert the words "or state"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2179 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 2201 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2201 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 2245 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

SB 2245 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 2269 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

SB 2269 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2283 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 11, after the word "agent" insert the words ",
except livestock purchased on a deferred payment contract,"

And renumber the lines and pages accordingly

SEN. VOSPER, Chairman

SB 2283 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2289 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 4, line 1, overstrike the word "one" and insert immediately thereafter the word "two", and overstrike the word "ninety"

And renumber the lines accordingly

SEN. WRIGHT, Chairman

SB 2289 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 2315 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SB 2315 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2349 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 3, delete the word "and" and after the word "appropriation" insert the words "; and to declare an emergency"

On page 1, line 14, after the word "hire" insert the words "other necessary personnel and"

On page 1, line 18, delete the numerals "400,000" and insert in lieu thereof the numerals "460,000"

On page 1, line 20, delete the words "for the biennium"

On page 1, line 21, delete the words "July 1, 1985," and insert in lieu thereof the words "from the effective date of this Act"

On page 1, after line 21, insert the following new section:

"SECTION 3. 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 and pages accordingly

SEN. VOSPER, Chairman

SB 2349 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2376 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SB 2376 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 2392 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 11, after the comma insert the words "routinely stores," and delete the words "toxic or"

On page 1, line 12, delete the words "each local" and insert in lieu thereof the word "the"

On page 1, line 13, delete the word "county" and insert in lieu thereof the words "fire district"

On page 1, line 14, delete the words "or toxic"

On page 1, line 16, delete the words "toxic or"

On page 1, line 18, delete the words "either toxic or highly toxic, an"

On page 1, delete lines 19 through 26

On page 1, line 27, delete the words "chemical or substance" and insert in lieu thereof the words "defined as a hazardous substance under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 [Pub. L. 96-510], as amended, and meets or exceeds the listed reportable quantity for that substance"

On page 1, line 28, delete the words "toxic or"

On page 2, line 2, delete the words "toxic or"

On page 2, line 3, after the first comma insert the word "or" and delete the words ", or transported"

On page 2, line 5, delete the words "department of health" and insert in lieu thereof the words "fire marshal"

On page 2, line 6, delete the word "toxic"

On page 2, line 7, delete the first word "or", after the word "hazards" insert the word "presented", and delete the words "toxic or"

On page 2, line 9, delete the words "toxic or"

On page 2, line 10, delete the words "department of health" and insert in lieu thereof the words "fire marshal"

On page 2, line 12, delete the words "toxic or"

On page 2, line 13, after the period insert the following sentence: "Persons who have copies of emergency response plans meeting the requirements of the federal Resource Conservation and Recovery Act of 1976 on file with the state fire marshal and the local fire district shall be deemed to be in compliance with the requirements of this section."

And renumber the lines and pages accordingly

SEN. LODOEN, Chairman

SB 2392 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2403 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 16, delete the words "a reasonable" and insert in lieu thereof the words "substantial justification"

On page 1, line 17, delete the words "basis in fact or in law"

On page 2, after line 3, insert the following subsection:

"4. Nothing in this section shall be construed to alter the rights of a party to collect any fees under other applicable law."

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2403 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2407 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, delete lines 21 through 24

On page 2, line 2, after the period insert the following: "A city or county may contract for juvenile detention services with a privately operated juvenile detention center. Contracts with private agencies providing juvenile detention services may be entered into for up to seven years."

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2407 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 2422 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. HOLMBERG, Chairman

SB 2422 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 2424 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 3, delete the numerals "58-03-07" and insert in lieu thereof the numerals "58-06-01"

On page 1, line 11, after the word "any" insert the words "dangerous, vicious, or destructive"

On page 1, line 12, delete the words ", which bites or"

On page 1, delete line 13

On page 1, line 14, delete the words "harasses, chases, bites, or attempts to bite any animal"

On page 1, line 18, delete the word "bites" and insert in lieu thereof the words "damages any property or injures"

On page 1, line 22, delete the words "by the person bitten" and insert in lieu thereof a comma

On page 1, line 26, delete the third word "the" and insert in lieu thereof a colon

On page 1, delete lines 27 and 28

On page 2, delete lines 1 through 3 and insert in lieu thereof the following:

- "a. The person is on the property in the performance of any duty imposed by the laws of this state or by the laws or postal regulations of the United States.
- b. The person is on the property as an invitee or licensee of the person lawfully in possession of the property.
- c. The person is a minor less than twelve years of age."

On page 2, line 4, delete the numerals "58-03-07" and insert in lieu thereof the numerals "58-06-01"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2424 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2432 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SB 2432 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 2451 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SB 2451 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 2453 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. HOLMBERG, Chairman

SB 2453 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2454 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MUTCH, Chairman

SB 2454 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2501 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MUTCH, Chairman

SB 2501 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1091 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1091 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1139 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1139 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HCR 3002 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3002 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HCR 3016 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HCR 3016 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

HB 1079: A BILL for an Act to amend and reenact sections 20.1-02-18, 20.1-02-18.1, and 20.1-02-18.2 of the North Dakota Century Code, relating to the acquisition of migratory bird refuges and waterfowl production areas by the federal government; and to repeal section 20.1-02-17.2, relating to the requirement that lands acquired by the game and fish department qualify as Garrison Diversion Project mitigated acres.

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

HB 1111: A BILL for an Act to amend and reenact section 48-02-03 of the North Dakota Century Code, relating to the requirements for securing bids for public buildings.

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

HB 1157: A BILL for an Act to amend and reenact subsection 1 of section 47-16-07.1 and sections 47-16-15 and 47-16-30.1 of the North Dakota Century Code, relating to security deposits, notice to terminate tenancy, and disposition of abandoned property by landlord.

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

HB 1159: A BILL for an Act to prohibit certain tort actions based on claims of wrongful life.

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

HB 1163: A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to the marketing bureau participating with export trading companies as part of its marketing function.

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

HB 1165: A BILL for an Act to amend and reenact section 15-59-07.2 of the North Dakota Century Code, relating to reimbursement to local school districts for special education boarding care costs; and to repeal section 15-59-07.1 of the North Dakota Century Code, relating to the cost of out-of-state boarding care for handicapped students.

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

HB 1183: A BILL for an Act to amend and reenact section 43-23-08.2 of the North Dakota Century Code, relating to continuing education requirements for North Dakota real estate brokers and salesmen.

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

HB 1205: A BILL for an Act to amend and reenact section 32-17-22 of the North Dakota Century Code, relating to the liability of an oil and gas lessee for waste.

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

HB 1206: A BILL for an Act to amend and reenact section 40-47-11 of the North Dakota Century Code, or in the alternative to amend and reenact section 35 of House Bill No. 1082, as approved by the forty-ninth legislative assembly, relating to review of zoning board of adjustment decisions.

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

HB 1207: A BILL for an Act to amend and reenact section 16.1-12-02 of the North Dakota Century Code, relating to signatures necessary for the placement of the name of a presidential candidate on the ballot.

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

HB 1251: A BILL for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, to provide that the Friday following Thanksgiving is a holiday.

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

HB 1278: A BILL for an Act to amend and reenact sections 43-01-15.1 and 43-01-18 of the North Dakota Century Code, relating to fees chargeable by abstracters.

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

HB 1284: A BILL for an Act to amend and reenact section 43-17-18 of the North Dakota Century Code, relating to qualifications of an applicant for a license to practice medicine.

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

HB 1285: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, relating to levy on personal property.

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

HB 1304: A BILL for an Act to amend and reenact subsection 13 of section 20.1-01-02 of the North Dakota Century Code, relating to the definition of guides or outfitters under the game and fish laws.

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

HB 1306: A BILL for an Act to amend and reenact section 15-12-12 of the North Dakota Century Code, relating to the publication by the county auditor of publications available through North Dakota state university.

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

HB 1311: A BILL for an Act to amend and reenact sections 43-01-04, 43-01-07, 43-01-10, 43-01-11, and 43-01-14 of the North Dakota Century Code, relating to the abstracters' board of examiners.

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

HB 1335: A BILL for an Act to amend and reenact sections 25-01.1-06, 25-01.1-13, 25-03.1-43, and 50-06-15 of the

North Dakota Century Code, relating to the transfer of client and patient records between regional human service centers, and between a regional human service center and the state hospital.

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

HB 1343: A BILL for an Act to amend and reenact section 57-38-62 of the North Dakota Century Code, relating to declaration of estimated tax; to provide an effective date; and to declare an emergency.

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

HB 1346: A BILL for an Act to amend and reenact sections 43-13-17 and 43-13-20 of the North Dakota Century Code, relating to education and continuing education requirements for optometrists.

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

HB 1352: A BILL for an Act to amend and reenact sections 58-04-05 and 58-06-05 of the North Dakota Century Code, relating to the hours for township annual or special meetings and meetings of township boards of supervisors.

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

HB 1411: A BILL for an Act to create and enact a new subsection to section 21-10-06 of the North Dakota Century Code, relating to funds under the management of the state investment board; to amend and reenact section 1 of chapter 43 of the 1981 Session Laws of North Dakota, relating to the national guard tuition trust fund; and to declare an emergency.

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

HB 1428: A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to dispensing or permitting the consumption of alcoholic beverages on licensed premises on certain days.

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

HB 1441: A BILL for an Act to amend and reenact section 26-03.1-04.1 of the North Dakota Century Code or in the alternative to amend and reenact section 26.1-36-06 of the North Dakota Century Code as amended by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly relating to certain options required in group policies.

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

HB 1448: A BILL for an Act to amend and reenact subsection 4 of section 53-02-01 of the North Dakota Century Code, relating to the definition of public dance.

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

HB 1470: A BILL for an Act to create and enact a new section to chapter 57-61 of the North Dakota Century Code, relating to an exemption from the state coal severance tax and sales and use taxes for coal used by agricultural processing or sugar beet refining plants.

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

HB 1488: A BILL for an Act to amend and reenact section 16.1-11-26 of the North Dakota Century Code, relating to the placement of the offices of governor and lieutenant governor on the primary election ballot.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3010: A concurrent resolution directing the Legislative Council to study the actuarial soundness of the Alternate Firemen's Relief Association retirement programs under North Dakota Century Code Chapter 18-11.

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

HCR 3019: A concurrent resolution condemning the persecution of members of the Baha'i faith by the government of Iran.

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

HCR 3023: A concurrent resolution urging the President of the United States and the Congress of the United States to take all steps necessary to secure the return of all Americans still held as prisoners of war in Southeast Asia.

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

MOTION

SEN. NETHING MOVED that at the conclusion of the Fifth order of business, the Thirteenth order of business, and after the reading of SB 2026, SB 2030, SB 2110, SB 2130, SB 2135, SB 2175, SB 2176, SB 2201, SB 2245, SB 2269, SB 2315, SB 2329, SB 2368, SB 2376, SB 2422, SB 2432, SB 2451, SB 2453, SB 2454, SB 2501, HB 1091, HB 1139, HCR 3002, and HCR 3016, the Senate adjourn and convene at 12:30 p.m., Friday, February 8, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary