

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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FOURTEENTH DAY

Bismarck, January 23, 1987

The Senate convened at 12:30 p.m., with President Pro Tem Redlin presiding.

The prayer was offered by Sister Marie Hunkler, St. Vincent's Home, Bismarck.

Let us bow our heads and pray. Loving God, we praise You and thank You for Your continued presence with us as we fully live during this day.

We ask You to please give us the energy we need to give ourselves fully to the tasks at hand on this last day of this busy week. Help us to be open to letting all that we do here this afternoon be for the betterment of the future of our state of North Dakota and its quality of life for all its people. May Your gift of wisdom and insight guide us and may each of our hearts be open to the work of Your spirit within us. Thank You for the gift of each person here and for the time and talents that each one is willing to give to accomplish the work at hand. We pray all this in Your name. Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators Freborg, Maixner, and Tallackson.

A quorum was declared by the President Pro Tem.

CORRECTION AND REVISION OF THE JOURNAL

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

SEN. J. MEYER, Chairman

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

MESSAGE FROM HOUSE  
HOUSE CHAMBER

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

HB 1084, HB 1099, HB 1145, HB 1155, HB 1208, HB 1220,  
HB 1221, HB 1236, HB 1271, HB 1275. HB 1276, HCR 3017  
ROY GILBREATH, Chief Clerk

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 2051, SB 2116, SB 2132, SB 2160, SB 2162, SB 2196,  
SB 2197, SB 2199, SB 2219, SB 2224, SB 2238, SB 2240,  
SB 2241, SB 2243, SB 2248, SB 2249, SB 2251, SB 2262,  
SB 2276, SB 2282, SB 2285, SCR 4003

PERRY GROTEBERG, Secretary

MOTION

SEN. HEIGAARD MOVED that the Communication from the Governor be printed in the Journal, which motion prevailed.

It was so ordered by the President Pro Tem.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota  
EXECUTIVE OFFICE  
Bismarck

January 15, 1987

The Honorable Ruth Meiers  
Lieutenant Governor  
State Capitol  
Bismarck, North Dakota 58505

Dear Lieutenant Governor Meiers:

This is to advise that I have appointed Darlene Leinen to the Board of Higher Education for a seven year term effective July 1, 1986 extending to June 30, 1993.

This appointment is submitted for consideration of Senate confirmation.

Sincerely,

GEORGE A. SINNER  
Governor

REPORT OF PROCEDURAL COMMITTEE

PRESIDENT PRO TEM REDLIN: Your procedural Committee on Committees respectfully submit the following names for your Select Committee to consider the Governor's nomination for the Board of Higher Education:

Sen. Jerry Waldera, Chairman  
Sen. Bonnie Heinrich  
Sen. Jim Yockim  
Sen. Byron Langley  
Sen. Chester Reiten  
Sen. Wayne Stenehjem  
Sen. Jens Tennefos

SEN. HEIGAARD, Chairman

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

#### APPOINTMENT REFERRAL

THE PRESIDENT PRO TEM REFERRED the appointment of Darlene Leinen to the Select Committee for the Board of Higher Education.

#### REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2088 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "sections" and insert in lieu thereof the word "section"

On page 1, line 1, after the numerals "40-22-06" insert the words and numerals ", subsection 3 of section 61-16.1-09,"

On page 1, line 2, before the numerals "61-16.1-19" insert the word "section"

On page 1, line 10, after the word "county" insert the words ", water resource district"

On page 1, line 14, after the word "commissioners" insert the words ", or water resource board"

On page 1, line 15, after the word "~~both~~," insert the words "or a joint water resource board which jurisdiction includes the municipality,"

On page 1, line 20, after the word "~~jointly~~," insert the words "water resource board, joint water resource board,"

On page 2, line 22, after the word "county" insert the words ", water resource board, joint water resource board"

On page 3, after line 4, insert the following new section:

"SECTION 2. AMENDMENT. Subsection 3 of section 61-16.1-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Accept funds and property or other assistance, financial or otherwise, from federal, state, and other public or private sources for the purposes of aiding the construction or maintenance of water conservation, distribution, and flood control projects; and cooperate and contract with the state or federal government, or any department or agency thereof, or any municipality within the district, in furnishing assurances and meeting local cooperation requirements of any project involving control, conservation, distribution, and use of water."

On page 4, line 10, after the period insert the words "As used in this section, "board" means water resource board."

And renumber the lines, sections, and pages accordingly

SEN. DOTZENROD, Chairman

SB 2088 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2203 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 4, after the semicolon insert the word "and"

On page 1, line 6, delete the words "; and to provide an appropriation"

On page 3, delete lines 3 through 8

And renumber the lines accordingly

SEN. HILKEN, Chairman

SB 2203 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2204 has had the same under consideration and recommends by a vote of 4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 7, delete the words "and any building"

On page 1, delete line 8

On page 1, line 9, delete the words "any source other than tax refunds"

On page 1, line 20, after the period insert the words "This Act does not apply to any coal purchased under a contract executed before May 1, 1987."

And renumber the lines and pages accordingly

SEN. KRAUTER, Chairman

SB 2204 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred SB 2296 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the words "to provide for a"

On page 1, delete line 4

On page 1, line 6, delete the words "amend and reenact" and insert in lieu thereof the words "provide for a contingent appropriation to the department of human services"

On page 1, delete lines 7 through 9

On page 1, line 10, delete the words "per pupil"

On page 1, line 27, delete the numerals "500,000" and insert in lieu thereof the numerals "375,000"

On page 1, line 28, delete the numerals "500,000" and insert in lieu thereof the numerals "375,000"

On page 2, delete lines 1 and 2

On page 2, line 6, delete the numerals "2,500,000" and insert in lieu thereof the numerals "1,250,000"

On page 2, delete lines 7 through 22

On page 2, line 28, delete the numerals "15,000" and insert in lieu thereof the numerals "50,000"

On page 2, line 32, delete the numerals "60,000" and insert in lieu thereof the numerals "25,000"

On page 2, delete lines 33 through 35

On page 3, delete lines 1 through 8

On page 3, line 10, delete the numerals "6,967,250" and insert in lieu thereof the numerals "4,637,250"

On page 3, line 17, delete the numerals "1,000,000" and insert in lieu thereof the numerals "250,000"

On page 3, delete lines 20 through 25

On page 3, line 27, delete the numerals "1,000,000" and insert in lieu thereof the numerals "250,000"

On page 4, delete lines 3 through 21, and insert in lieu thereof the following new sections:

"SECTION 6. APPROPRIATION REDUCTION - INSTITUTIONS UNDER THE CONTROL OF THE BOARD OF HIGHER EDUCATION. The state board of higher education shall reduce the appropriations of the board of higher education and institutions under the board's control, including the agricultural experiment stations and extension division, by \$750,000 for the period beginning January 1, 1987, and ending June 30, 1987.

SECTION 7. CONTINGENT APPROPRIATION - RECEIPT OF OTHER REVENUE - DEPARTMENT OF HUMAN SERVICES. There is hereby appropriated to the department of human services \$2,000,000, or so much as may become available from additional child support collected, for the period beginning January 1, 1987, and ending June 30, 1987."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The amendment decreases the reduction in general fund appropriation authority for the period January 1, 1987, through June 30, 1987, for the following agencies and services by the following accounts:

Personal property tax replacement	\$ 125,000
State revenue sharing	125,000
Department of Public Instruction	1,250,000
Predatory animal control	<u>35,000</u>
Total decreases	<u>\$1,535,000</u>

The amendment deletes the general fund reductions for the Secretary of State and the State Auditor of \$30,000 and \$50,000, respectively.

The amendment increases the reduction in the crime victims reparation appropriation authority by \$35,000.

The total general fund reduction is decreased from \$6,967,250 to \$4,637,250, or by \$2,330,000.

The total impact of the bill after the amendment on the general fund including transfers is \$5,137,250. The impact of the bill without amendment is \$8,217,250.

The amendment adds a new section which authorizes the Board of Higher Education to reduce the boards and institutions under the board's control appropriation authority by \$750,000.

The reduction in appropriation authority for tax distribution payments to fire districts is changed from a \$1,000,000 reduction to a \$250,000 reduction.

The transfer from the fire and tornado fund to the general fund is changed from \$1,000,000 to \$250,000.

Section 4 of the bill is deleted which reduced the funding from the coal development impact fund to the Energy Development Impact Office by \$250,000. However, the section transferring \$250,000 from the coal development impact fund to the general fund remains in the bill. Although the bill transfers \$250,000 from the coal development impact fund, at least \$1,000,000 of funding is anticipated for grants.

A new section is added appropriating up to \$2,000,000 to the Department of Human Services of collections from child support.

The section to amend the statute setting the amount of per-pupil payments is deleted to allow the Superintendent of Public Instruction flexibility in determining where the \$1,250,000 reduction is to be made.

SEN. TALLACKSON, Chairman

SB 2296 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2061 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

SB 2061 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 rereferred SB 2062 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. DOTZENROD, Chairman

SB 2062 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 rereferred SB 2065 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. DOTZENROD, Chairman

SB 2065 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 rereferred SB 2066 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. DOTZENROD, Chairman

SB 2066 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 rereferred SB 2067 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. DOTZENROD, Chairman

SB 2067 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 2098 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. DOTZENROD, Chairman

SB 2098 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 SB 2145 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

SB 2145 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 2161 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. W. MEYER, Chairman

SB 2161 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 SB 2187 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

SB 2187 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 2297 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. DOTZENROD, Chairman

SB 2297 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 SCR 4004 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

SCR 4004 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### CONSIDERATION OF AMENDMENTS

SEN. THANE MOVED that the amendments to SB 2014 as recommended by the Committee on Appropriations as printed on pages 328-329 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2014 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. WRIGHT MOVED that the amendments to SB 2085 as recommended by the Committee on Finance and Taxation as printed on page 329 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2085 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. HEIGAARD MOVED that SB 2103, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

SEN. DOTZENROD MOVED that the amendments to SB 2164 as recommended by the Committee on Finance and Taxation as printed on page 332 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2164 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. RICHARD MOVED that the amendments to SB 2213 as recommended by the Committee on Finance and Taxation as printed on pages 332-333 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2213 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. MOORE MOVED that the amendments to SB 2216 as recommended by the Committee on Finance and Taxation as printed on page 333 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2216 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTIONS

SEN. HEIGAARD MOVED that 100 copies each of SCR 4010, SCR 4018, and SCR 4019 be reprinted.

SEN. HEIGAARD MOVED that the Senate have a recorded roll call vote for the reprinting of SCR 4010, SCR 4018, and SCR 4019.

It was so ordered by the President Pro Tem.

#### ROLL CALL

The question being on the motion to reprint 100 copies each of SCR 4010, SCR 4018, SCR 4019, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Freborg; Tallackson

The motion to reprint SCR 4010, SCR 4018, and SCR 4019 prevailed.

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

HCR 3019

ROY GILBREATH, Chief Clerk

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Rep. Martinson and Sen. Satrom introduced:

HCR 3019: A concurrent resolution providing and designating House and Senate employees and fixing their compensation. Was read the first time.

MOTION

SEN. SATROM MOVED that the rules be suspended, that HCR 3019 not be printed, not be referred to a committee, be read in its entirety, be printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Rep. Martinson and Sen. Satrom introduced:

HOUSE CONCURRENT RESOLUTION NO. 3019

A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF  
NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That for the Fiftieth Legislative Assembly the following named persons are employed and appointed as employees of the House and Senate and are to be paid the daily wages opposite their respective names in accordance with their positions as shown below:

HOUSE

Roy Gilbreath, Chief Clerk	\$85.00
Barbara Middaugh, Desk Reporter	79.00
David Hillesland, Sergeant-at-Arms	64.00
Skip Sjothun, Assistant Chief Clerk	70.00
Jeane Marschke, Bill Clerk	64.00
Theola Stetson, Chief Stenographer and Payroll Clerk	64.00
Connie Johnsen, Chief Committee Clerk	64.00
Cindy Nelson, Appropriations Committee Clerk	66.00
Carol Nitschke, Assistant Appropriations Committee Clerk	62.00
Jan Mumma, Assistant Appropriations Committee Clerk	62.00
Sharon Lang, Assistant Appropriations Committee Clerk	62.00
Helen Soma, Committee Clerk	58.00
Darlyne Clausnitzer, Committee Clerk	58.00
Joan VonRueden, Committee Clerk	58.00
Judy Hoffman, Committee Clerk	58.00
Janice Stein, Committee Clerk	58.00
Lela Knudsen, Committee Clerk	58.00

Jonathan Thomson, Committee Clerk	58.00
Juanita Braun, Committee Clerk	58.00
Sandy Schafer, Committee Clerk	58.00
Kathy Ludwick, Committee Clerk	58.00
Claudia Tauer, Assistant Committee Clerk	55.00
Tove Mandigo, Chief Page and Bill Book Clerk	55.00
Cindy Kephart, Desk Page	48.00
Judy Koch, Desk Page	48.00
Barbara Larson, Desk Page	48.00
Barbara Hauser, Secretary to the Speaker	64.00
Mazie Patchen, Secretary to Majority Leader	70.00
Rick Collin, Assistant Secretary to Majority Leader	64.00
Judy Tinjum, Secretary to Minority Leader	70.00
Toni Lynn Heintz, Assistant Secretary to Minority Leader	64.00
Ron Carlisle, Deputy Sergeant-at-Arms	52.00
Dan O'Neil, Assistant Sergeant-at-Arms	48.00
Edgar Beyers, Assistant Sergeant-at-Arms	48.00
Ed Leno, Assistant Sergeant-at-Arms	48.00
Phyllis Connolly, Assistant Sergeant-at-Arms	48.00
Tom Belzer, Assistant Sergeant-at-Arms	48.00
Bill Harter, Assistant Sergeant-at-Arms	48.00
Mark Zimmerman, Assistant Sergeant-at-Arms	48.00
Jennifer Picken, Journal Page	48.00
Pam Crawford, Information Desk Attendant	48.00
Eugene Grenz, Chief Bill and Journal Room Clerk	58.00
Eli Nemer, Bill Room Clerk	48.00
Faye Caya, Bill Room Clerk	48.00
Harold Unterseher, Bill Room Clerk	48.00
George Leingang, Bill Room Clerk	48.00
MaryAnn Varriano, Bill Room Clerk	48.00
Pam Wheeler, Journal Room Clerk	48.00
Jeff Carlson, Journal Room Clerk	48.00
Vicky Friez, Telephone Attendant	48.00
Laura Johnson, Telephone Attendant	48.00
Linda Mueller, Telephone Attendant	48.00
Blenda Hoffart, Telephone Page	48.00
John Schmidt, Parking Lot Attendant	48.00
Barb Klein, Stenographer	52.00
Phyllis Johnson, Stenographer	52.00
Elizabeth Bergan, Stenographer	52.00
Marge Mosbrucker, Stenographer	52.00
Bertha Palen, Stenographer	52.00
Wilma Melstad, Typist	52.00
Sharon Jensen, Typist	52.00
David Hougen, Assistant Chief Page and Bill Book Clerk	52.00
Brian Overton, Page and Bill Book Clerk	48.00
Sheila Markel, Page and Bill Book Clerk	48.00
Sandy Steier, Page and Bill Book Clerk	48.00
Justin Gullekson, Page and Bill Book Clerk	48.00
Barb Brown, Page and Bill Book Clerk	48.00
Nick Chase, Page and Bill Book Clerk	48.00
Richard Stenberg, Page and Bill Book Clerk	48.00
Ginny Watson, Page and Bill Book Clerk	48.00
Tony Gross, Page and Bill Book Clerk	48.00

Robert Guler, Page and Bill Book Clerk	48.00
Lisa Neary, Page and Bill Book Clerk	48.00
Helen Schaible, Page and Bill Book Clerk	48.00
Curtis Paulson, Page and Bill Book Clerk	48.00
Neal Schlosser, Page and Bill Book Clerk	48.00
Kevin Urness, Page and Bill Book Clerk	48.00
Verne Westervall, Page and Bill Book Clerk	48.00
Helen Just, Janitor (partial pay only)	34.00
Francis Scharosch, Janitor (partial pay only)	36.00
Joe Emineth, Janitor (partial pay only)	43.00
Gene Reynolds, Janitor (partial pay only)	51.00

## SENATE

Perry Grotberg, Secretary of the Senate	\$85.00
Paula Riehl, Desk Reporter	79.00
Doug Nordby, Sergeant-at-Arms	64.00
Jim Kusler, Assistant Secretary of the Senate	70.00
Deanna Hill, Bill Clerk	64.00
Maureen Muhlhauser, Chief Stenographer and Payroll Clerk	64.00
Mary Schmitz, Chief Committee Clerk	64.00
Carin Noriega, Appropriations Committee Clerk	66.00
Victor Heier, Assistant Appropriations Committee Clerk	62.00
Caryl Hieb, Committee Clerk	58.00
Nancy Pfenning, Committee Clerk	58.00
Judi Markegard, Committee Clerk	58.00
Connie Skager, Committee Clerk	58.00
Kimberly Pollert, Committee Clerk	58.00
Michelle Kalenze, Committee Clerk	58.00
Nancy Dockter, Committee Clerk	58.00
Mary Haberman, Committee Clerk	58.00
Jeannette Shaw-Lynch, Committee Clerk	58.00
Michelle Larson, Committee Clerk	58.00
Brenda Miller, Assistant Committee Clerk	55.00
Lucy Miller, Chief Page and Bill Book Clerk	55.00
Stephanie Gullickson, Desk Page	48.00
Sandi Kershaw, Secretary to Majority Leader	70.00
Wanda Scheid, Assistant Secretary to Majority Leader	64.00
Jan Steinle, Secretary to Minority Leader	70.00
Marius Rogneby, Assistant Secretary to Minority Leader	64.00
Frank LaQua, Deputy Sergeant-at-Arms	52.00
Vern Thompson, Deputy Sergeant-at-Arms	52.00
Jim Walsh, Assistant Sergeant-at-Arms	48.00
Lance Hagen, Assistant Sergeant-at-Arms	48.00
Paul Janke, Assistant Sergeant-at-Arms	48.00
David Hetland, Jr., Journal Page	48.00
Janice Clancy, Information Desk Attendant	48.00
Delano Huston, Bill Room Clerk	48.00
Selma Carlson, Bill Room Clerk	48.00
Ledores Robey, Bill Room Clerk	48.00
Fred Schulz, Bill Room Clerk	48.00
Nettie Monroe, Journal Room Clerk	48.00
Joan Nelson, Journal Room Clerk	48.00
Renee Bullinger, Chief Telephone Attendant	52.00
Arlyne Hight, Telephone Attendant	48.00

Ruby Stadick, Telephone Attendant	48.00
Lunette Lipp, Telephone Attendant	48.00
Janet Britton, Telephone Page	48.00
Jeff Heider, Parking Lot Attendant	48.00
Sue Alexander, Stenographer	52.00
Mischelle Christensen, Stenographer	52.00
Sharon Neukircher, Stenographer	52.00
Alice Zako, Stenographer	52.00
LeLand Barth, Page	48.00
Scott Swanson, Page	48.00
Jacki Giovannoni, Page	48.00
Diane Larson, Page	48.00
Mae DelaBarre, Page	48.00
Brett Lloyd, Bill Book Clerk	48.00
Viola Wraalstad, Bill Book Clerk	48.00
Frank Christensen, Bill Book Clerk	48.00
William Landeis, Janitor (partial pay only)	32.00
Dick Lang, Janitor (partial pay only)	38.00
Luke Giesinger, Janitor (partial pay only)	51.00

BE IT FURTHER RESOLVED, that if any employee resigns, is discharged, or for other reasons terminates employment, the compensation provided for in this resolution ceases effective the last day of employment.

#### SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3019: A concurrent resolution providing and designating House and Senate employees and fixing their compensation.

Was read the second time.

#### ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Freborg; Meyer, D.; Tallackson

HCR 3019 was declared adopted on a roll call vote.

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## MOTION

SEN. SATROM MOVED that the rules be suspended, that HCR 3019 be messaged to the House immediately, which motion prevailed.

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

HCR 3019

PERRY GROTEBERG, Secretary

## SECOND READING OF SENATE BILLS

SB 2235: A BILL for an Act to amend and reenact subsection 3 of section 12.1-20-03 of the North Dakota Century Code, relating to the removal of the "voluntary companion" language as a consideration in the offense grading language of the crime of gross sexual imposition.

Which has been read and has committee recommendation of DO PASS.

## 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; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Freborg; Heigaard; Tallackson

SB 2235 passed and the title was agreed to.

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SB 2250: A BILL for an Act to create and enact a new section to chapter 54-44.1 of the North Dakota Century Code, relating to indirect cost recoveries from federal programs and special funds.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjøm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Freborg; Heigaard; Tallackson

SB 2250 passed and the title was agreed to.

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SB 2266: A BILL for an Act to amend and reenact sections 15-39.1-10.3, 39-03.1-14.1, and 54-52-17.2 of the North Dakota Century Code, relating to eligibility for accrual of benefits between retirement systems and purchase of prior service credit for members of certain public retirement systems.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjøm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Freborg; Heigaard; Kelsh; Tallackson

SB 2266 passed and the title was agreed to.



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## MOTION

SEN. STENEHJEM MOVED that SB 2242 be placed immediately after SB 2292 on the calendar, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2292: A BILL for an Act to create and enact a new section to chapter 23-06.1 of the North Dakota Century Code, relating to establishing procedures for the request of anatomical gifts.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Freborg; Heigaard; Kelsh; Tallackson

SB 2292 passed and the title was agreed to.

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## RECOGNITION

THE PRESIDENT PRO TEM ANNOUNCED that a former Representative was in the chamber and requested that the Senate recognize former Representative Donald E. Lloyd and Mrs. Laura Lloyd, and they were thereupon introduced to the Senate.

## SECOND READING OF SENATE BILLS

SB 2242: A BILL for an Act to create and enact a new section to chapter 23-06.1 of the North Dakota Century Code, relating to establishing procedures for identifying organ and tissue donors.

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, 49 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Adams; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjerm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Freborg; Heigaard; Tallackson; Vosper

SB 2242 lost.

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SB 2081: A BILL for an Act to amend and reenact section 57-15-06.3 of the North Dakota Century Code, relating to the county road program of farm-to-market and federal-aid roads; and to provide for partial retroactive application.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjerm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Mutch

ABSENT AND NOT VOTING: Freborg; Heigaard; Tallackson; Vosper

SB 2081 passed and the title was agreed to.

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SB 2201: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-13 of the North Dakota Century Code, relating to reduction of point totals on driving records.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Freborg; Heigaard; Meyer, J.; Tallackson

SB 2201 passed and the title was agreed to.

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#### MOTION

SEN. D. MEYER MOVED that SB 2253, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS

SB 2270: A BILL for an Act to create and enact a new section to chapter 39-06 of the North Dakota Century Code, relating to motor vehicle operator's license examination fees; to amend and reenact section 39-01-11, subsections 1, 3, 6, and 9 of section 39-06-03.1, subsections 1 and 7 of section 39-06-14, sections 39-06-18 and 39-06-19 of the North Dakota Century Code, relating to various fees paid to the highway commissioner.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson;

Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Yockim

NAYS: Bakewell; Wright

ABSENT AND NOT VOTING: Freborg; Heigaard; Tallackson

SB 2270 passed and the title was agreed to.

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SB 2281: A BILL for an Act to amend and reenact sections 16.1-11-08 and 16.1-11-26 of the North Dakota Century Code, relating to the election of the tax commissioner on a party ballot.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Shea; Stenehjelm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Maixner; Mushik; Schoenwald; Wogsland

ABSENT AND NOT VOTING: Freborg; Heigaard; Tallackson

SB 2281 passed and the title was agreed to.

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#### MOTIONS

SEN. WOGSLAND MOVED that the absent Senators be excused, which motion prevailed.

SEN. DOTZENROD MOVED that SB 2370, SB 2382, and SB 2384 be returned to the Senate floor from the Committee on Political Subdivisions, which motion prevailed.

SEN. DOTZENROD MOVED that SB 2370 and SB 2382 be rereferred to the Committee on Finance and Taxation and SB 2384 be rereferred to the Committee on Education, which motion prevailed.

**SEN. WOGSLAND MOVED** that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order of business, be on the Ninth order of business, and at the conclusion of the Ninth order of business, be on the Eleventh order of business, and at the conclusion of the Eleventh order of business, and after the reading of SB 2014, SB 2061, SB 2062, SB 2065, SB 2066, SB 2067, SB 2085, SB 2098, SB 2145, SB 2161, SB 2164, SB 2187, SB 2213, SB 2216, SB 2297, and SCR 4004 that the Senate stand adjourned until 1:00 p.m., Monday, January 26, 1987, which motion prevailed.

#### FIRST READING OF SENATE BILLS

Sens. Kelly, Tennesfos introduced:

**SB 2481:** A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 39-01-01 and section 39-10-03.2 of the North Dakota Century Code, relating to operation of certain emergency motor vehicles.

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

Sen. Nelson and Reps. Belter, Dalrymple introduced:

**SB 2482:** A BILL for an Act to amend and reenact section 20.1-03-12.1 of the North Dakota Century Code, relating to habitat restoration stamps.

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

Sen. Nelson introduced:

**SB 2483:** A BILL for an Act relating to multilevel distribution companies; and to repeal chapter 51-16 of the North Dakota Century Code, relating to multilevel distributorships and chain sales schemes; and to provide a penalty.

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

Sens. Wogsland, Krauter, Nething and Reps. Laughlin, Scherber, Gerntholz introduced:

**SB 2484:** A BILL for an Act to amend and reenact section 26.1-26-31.1 of the North Dakota Century Code, relating to continuing education requirements of insurance agents.

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

#### FIRST READING OF HOUSE BILLS

**HB 1058:** A BILL for an Act providing an appropriation to the legislative assembly for improvements to the state capitol; and declaring an emergency.

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

**HB 1061:** A BILL for an Act to amend and reenact subsection 1 of section 38-08-14 of the North Dakota Century Code, relating to appeals from industrial commission orders.

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

**HB 1063:** A BILL for an Act to create and enact a new subsection to section 57-38-57 of the North Dakota Century Code, relating to secrecy as to income tax returns; and to amend and reenact subsection 5 of section 57-38-34 and subdivision a of subsection 1 of section 57-38-45 of the North Dakota Century Code, relating to extension of time to file an income tax return and disclosure of tax information.

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

**HB 1086:** A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to interference with rights of hunters.

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

**HB 1092:** A BILL for an Act to create and enact three new sections to chapter 43-35 of the North Dakota Century Code, relating to certified monitoring well contractors; and to amend and reenact sections 43-35-12, 43-35-13, 43-35-14, 43-35-21, and 43-35-22 of the North Dakota Century Code, relating to certification of monitoring well contractors.

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

**HB 1119:** A BILL for an Act to amend and reenact section 37-14-18 of the North Dakota Century Code, relating to county veterans service officer appointment and duties.

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

**HB 1138:** A BILL for an Act to amend and reenact section 6-05-28, subsection 2 of section 6-08-08.1, and section 6-10-06 of the North Dakota Century Code, relating to examination fees and examinations of annuity, deposit, surety, and trust companies, notification on applications to the commissioner of banking and financial institutions, and examinations of agents for deposits.

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

**HB 1139:** A BILL for an Act to create and enact section 6-06-08.2 of the North Dakota Century Code, relating to emergency action concerning a failing institution.

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

**HB 1156:** A BILL for an Act to create and enact a new subsection to section 50-06-05.1 and two new sections to chapter 50-09 of the North Dakota Century Code, relating to special needs adoptions, foster care children, and rulemaking authority; to amend and reenact sections 50-09-01, 50-09-06, 50-09-09, 50-09-21, and subsection 1 of section 50-11-00.1 of the

North Dakota Century Code, relating to aid to dependent children and foster care for children; and to repeal sections 50-09-10, 50-09-10.1, 50-09-11, 50-09-12, and 50-09-19 of the North Dakota Century Code, relating to aid to dependent children.

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

HB 1174: A BILL for an Act to provide for transfer of funds from the nursing scholarship loan fund to the board of nursing; to amend and reenact sections 43-12-26.1 and 43-12-27 of the North Dakota Century Code, relating to definitions and duties of the board of nursing in granting scholarship loans to nursing students; and to repeal sections 43-12-28, 43-12-29, 43-12-30, 43-12-31, 43-12-32, and 43-12-35 relating to qualifications of candidates, use of scholarship loans, scholarship loan payments, note requirements, collections, note cancellations, and the creation of a permanent nurses' scholarship loan fund.

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

HB 1209: A BILL for an Act to amend and reenact subsections 3 and 11 of section 4-12.2-01, sections 4-12.2-04.1 and 4-12.2-07, subsection 2 of section 4-12.2-09, subsection 4 of section 4-12.2-10, and section 4-12.2-12 of the North Dakota Century Code, relating to beekeeping; and to repeal subsection 17 of section 4-12.2-01 and subsection 2 of section 4-12.2-06 of the North Dakota Century Code, relating to definitions and fees for beekeeping.

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

HB 1216: A BILL for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the construction of revenue-producing parking lots at the university of North Dakota; to provide an appropriation; and to declare an emergency.

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

HB 1217: A BILL for an Act to create and enact two new sections to chapter 61-16.1 of the North Dakota Century Code, relating to financing the maintenance of water projects.

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

HB 1311: A BILL for an Act to create and enact a new section to chapter 1-03 of the North Dakota Century Code, relating to designation of the third Monday in January as Martin Luther King Day.

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

## FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3006: A concurrent resolution directing the Legislative Council to study the insurance industry.

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

HCR 3008: A concurrent resolution directing the Legislative Council to study the system of community-based care provided by the Department of Human Services for the developmentally disabled, chronically mentally ill, aged and infirm, and other persons, including the process of reimbursement for providers of such services and the availability of community-based settings.

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

HCR 3010: A concurrent resolution directing the Legislative Council to study the need for consolidation and revision of state bidding and bid preference laws relating to public contracts.

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

## COMMUNICATION

## Doctor of the Day Schedule

January 26: William Buckingham, M.D., Bismarck  
Family Practice  
January 27: Michelle M. Von Rueden, M.D., Fargo  
Family Practice  
January 28: Michelle M. Von Rueden, M.D., Fargo  
Family Practice  
January 29: Bernard M. Altenburg, M.D., Fargo  
Anesthesiology  
January 30: Ronald L. Wagner, M.D., Carrington  
Family Practice

The Senate stood adjourned pursuant to Senator Wogsland's motion.

PERRY GROTEBERG, Secretary