

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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TWENTY-THIRD DAY

Bismarck, February 5, 1987

The Senate convened at 1:00 p.m., with President Pro Tem Redlin presiding.

The prayer was offered by Reverend Barry Lee, Church of God of Prophecy, Bismarck.

Our Father Which art in heaven, hallowed be Thy Name. Bless Thy Holy Name forever and ever for all power is given unto You in heaven and earth. The powers that be are ordained of You. I pray that Thy kingdom be manifested in righteousness, peace, and joy among these North Dakota Senators this afternoon. Thy Kingdom come, Thy will be done in this Senate session today. Grant to each one of these decisionmakers wisdom and understanding to act on every issue they consider. Let this legislative body be ministers of God to this state for good. Give to each this day that which is necessary for the accomplishment of Thy will. Forgive us our abuses as we forgive the unjustly critical. Lead us not into that which is selfish and self-serving, but deliver this government body from that which is wicked, harmful, and undesirable in Thy sight. For Thine is the kingdom and the power and the glory forever. In the Name of Thy only Begotten, we pray, Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators Maxson and Tennesfos.

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 Twenty-second Day and finds the same to be correct.

SEN. J. MEYER, Chairman

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

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

JOURNAL OF THE SENATE

HB 1031, HB 1067, HB 1068, HB 1089, HB 1117, HB 1197,
HB 1289, HB 1317, HB 1394, HB 1405, HB 1416, HB 1419,
HB 1420

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SCR 4030, SCR 4039

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 2039, SB 2093, SB 2202, SB 2280, SB 2362, SB 2369,
SB 2398, SB 2462

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President Pro Tem signed the following:

SCR 4040

PERRY GROTEBERG, Secretary

MESSAGE TO THE HOUSE

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the President Pro Tem has signed and your signature is respectfully requested:

SCR 4040

PERRY GROTEBERG, Secretary

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Judiciary to which was rereferred SB 2307 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

In lieu of the amendments to Senate Bill No. 2307 as printed on pages 407 and 408 of the Senate Journal, Senate Bill No. 2307 is amended as follows:

On page 1, line 26, delete the word "Any" and insert in lieu thereof the words "In any polling place not accessible to an" and after the word "handicap" insert the words ", the elector"

On page 1, line 27, delete the words "both election judges" and insert in lieu thereof the words "two members of the election board who are of opposite political parties"

On page 2, line 3, delete the word "judges" and insert in lieu thereof the word "officials"

On page 2, line 4, delete the word "judges" and insert in lieu thereof the word "officials"

On page 2, line 7, delete the word "judges" and insert in lieu thereof the word "officials"

And renumber the lines, sections, and pages accordingly
SEN. LASHKOWITZ, Chairman

SB 2307 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2357 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 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 12, delete the words "behind-the-wheel"

On page 1, line 18, after the word "courses" insert the words "for public schools and approved private schools"

On page 1, delete lines 19 and 20

On page 1, line 21, delete the words "and teacher certification requirements."

On page 1, line 24, after the word "of" insert the word "such"

On page 1, line 28, delete the words "and licensed"

On page 2, line 1, delete the words "commercial driving schools" and after the word "approved" insert the words "classroom instruction and"

On page 2, line 2, after the period insert the words "School districts may enter into contracts with private driving schools and commercial driving schools to conduct all or part of the driver training program."

On page 2, line 5, delete the words "behind-the-wheel"

On page 2, line 8, delete the words "behind-the-wheel"

On page 2, line 14, delete the words "behind-the-wheel"

On page 2, line 20, delete the words "behind-the-wheel"

On page 2, line 24, delete the words "and licensed commercial driving schools"

And renumber the lines, sections, and pages accordingly
SEN. HEINRICH, Chairman

SB 2357 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 2420 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 15, after the word "county" insert the words "and except for persons holding or seeking nomination to the office of county judge"

And renumber the lines, sections, and pages accordingly
SEN. LASHKOWITZ, Chairman

SB 2420 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2456 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 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 11, delete the word "or" and insert in lieu thereof the word "in"

On page 1, line 12, delete the words "withdraw from"

On page 1, line 19, delete the words ", provided that the home school"

On page 1, delete lines 20 through 22

On page 1, line 23, delete the word "pupil"

And renumber the lines, sections, and pages accordingly
SEN. HEINRICH, Chairman

SB 2456 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2459 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 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, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsection 1 of section 43-43-01, and sections 43-43-03, 43-43-04, 43-43-05, 43-43-06, and 43-43-07 of the North Dakota Century Code, relating to the advisory board of environmental health practitioners and the duties of the state health officer."

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

SECTION 1. AMENDMENT. Subsection 1 of section 43-43-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. "Advisory board" means the following or their appointed agents: secretary of state health officer as chairperson, the director of the state laboratories department, the state health officer commissioner of the North Dakota department of agriculture, and the president of the North Dakota environmental health association. The secretary of state health officer shall appoint one agent of a district or local health unit environmental health practitioner and one consumer.

SECTION 2. AMENDMENT. Section 43-43-03 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-43-03. Advisory board duties and compensation. The advisory board shall meet at the request of the secretary of state health officer to assist in implementation of duties as defined in section 43-43-04. The advisory board shall be reimbursed for any necessary expenses, but shall serve without further compensation except as may be authorized and fixed by the secretary of state health officer by rule.

SECTION 3. AMENDMENT. Section 43-43-04 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-43-04. Powers and duties of secretary of state health officer. The secretary of state health officer shall adopt rules consistent with and necessary for the implementation and enforcement of this chapter, including rules concerning the:

1. Qualifications and requirements for licensure under this chapter.
2. Application for licensure and renewal of license.
3. Licensure.
4. Fees that may not exceed fifty dollars for licensure fees.
5. Scope of practice.
6. Ethical standards of conduct.
7. Continuing competency and education requirements.
8. Grievances and complaints.
9. Reimbursement of advisory board expenses.
10. Emergency exemptions as to requirements for licensure under this chapter.

SECTION 4. AMENDMENT. Section 43-43-05 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-43-05. Exception from requirements. The secretary of state health officer must license all persons actually engaged in the practice of environmental health in this state upon receipt of proof of a bona fide practice in this state; however, the applicant must file an application and present such proof prior to July 1, 1986, or become subject to licensure requirements of this chapter.

SECTION 5. AMENDMENT. Section 43-43-06 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-43-06. Environmental health practitioner licensure fee administration fund. There shall be maintained in the state treasury a special fund to be known as the environmental health practitioner licensure fee administrative fund. All money deposited or paid into this fund shall be continuously available to the secretary of state health officer for reimbursement to the advisory board, and shall not lapse at any time or be transferred to any other fund. The fund shall consist of any money collected by the secretary of state health officer in accordance with section 43-43-04.

SECTION 6. AMENDMENT. Section 43-43-07 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-43-07. Denial, suspension, revocation of license. The secretary of state health officer may refuse to issue or renew a license or may suspend or revoke a license when the licensee or applicant for license has engaged in unprofessional conduct. Unprofessional conduct includes:

1. Obtaining a license by means of fraud, misrepresentation, or concealment of material facts.
2. Engaging in unprofessional conduct, as defined by the rules adopted by the secretary of state health officer, or violating the code of ethics adopted by the secretary of state health officer.
3. Conviction of an offense, as defined by section 12.1-01-04, determined by the secretary of state health officer to have a direct bearing on the person's ability to serve the public in the capacity of a licensed environmental health practitioner; or the secretary of state health officer determines that such applicant or licensee, following conviction of any offense, is not sufficiently rehabilitated under section 12.1-33-02.1.
4. Violation of any order or rule adopted by the secretary of state health officer.
5. Violation of this chapter.

The person may apply to the secretary of state health officer for reinstatement after one year from the date of revocation of a license. The secretary of state health officer may accept or reject an application for reinstatement, or may require conditions and an examination for reinstatement."

And renumber the lines, sections, and pages accordingly

SEN. D. MEYER, Chairman

SB 2459 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2506 has had the same under consideration and recommends by a vote of 4 YEAS, 3 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 2, after the second comma insert the numeral "4,"

On page 2, line 4, delete the numerals "1.10" and insert in lieu thereof the numerals "1.12"

On page 2, line 7, after the second comma insert the numeral "4,"

On page 2, line 28, delete the numerals ".92" and insert in lieu thereof the numerals ".98"

On page 2, after line 34, insert the following subsection:

- "4. For elementary schools in school districts having an average daily membership of one thousand or more elementary pupils, there shall be paid that amount of money resulting from multiplying the factor ~~+95~~ .98 times the educational support per pupil as provided in section 15-40.1-06 for each of the first thirty pupils in grades one through six in average daily membership in each classroom or for each teacher, except that no payment shall be made for more than thirty pupils in average daily membership in each classroom or for each teacher."

And renumber the lines, sections, and pages accordingly
SEN. HEINRICH, Chairman

SB 2506 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2517 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 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 17, after the word "cities" insert the words
"that did not impose any general city sales taxes before
January 1, 1987,"

On page 1, line 24, after the word "cities" insert the words
"that did not impose any general city sales taxes before
January 1, 1987,"

On page 1, line 26, delete the words "Amounts withheld by the tax commissioner under this" and insert in lieu thereof the following subdivisions:

- "a. Notwithstanding any other provision of law, five percent of net revenues collected by the tax commissioner after the effective date of this Act and before April 1, 1994, or before retirement of bonds issued before January 1, 1987, for payment of which city sales tax revenues were dedicated, whichever is later, under all agreements under section 57-01-02.1 for collection of sales taxes imposed by cities that imposed general city sales taxes

before January 1, 1987, must be deposited in the basic education enhancement fund.

- b. Notwithstanding any other provision of law, thirty percent of net revenues collected by the tax commissioner after March 30, 1994, or after retirement of bonds issued before January 1, 1987, for payment of which city sales tax revenues were dedicated for repayment, whichever is later, under all agreements under section 57-01-02.1 for collection of sales taxes imposed by cities that imposed general city sales taxes before January 1, 1987, must be deposited in the basic education enhancement fund."

On page 1, delete lines 27 and 28

On page 2, delete lines 1 and 2

And renumber the lines, sections, and pages accordingly

SEN. HEINRICH, Chairman

SB 2517 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 SCR 4016 has had the same under consideration and recommends by a vote of 5 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, delete lines 6 through 8

On page 1, delete lines 15 through 17

On page 1, line 22, after the semicolon, delete the word "and"

On page 1, delete lines 23 through 25

And renumber the lines, sections, and pages accordingly

SEN. LASHKOWITZ, Chairman

SCR 4016 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 2134 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. LANGLEY, Chairman

SB 2134 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred SB 2289 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. TALLACKSON, Chairman

SB 2289 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 2333 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 2333 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 2407 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 NOT PASS.

SEN. DOTZENROD, Chairman

SB 2407 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 2435 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 2435 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 2538 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. KRAUTER, Chairman

SB 2538 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was rereferred SB 2269 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 and be rereferred to the Committee on Appropriations.

SEN. J. MEYER, Chairman

SB 2269 was rereferred to the Committee on Appropriations.

CONSIDERATION OF AMENDMENTS

SEN. D. MEYER MOVED that the amendments to SB 2049 as recommended by the **Committee on State and Federal Government** as printed on pages 552-553 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2049 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2272 as recommended by the **Committee on Industry, Business and Labor** as printed on pages 553-554 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2272 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2274 as recommended by the **Committee on Education** as printed on page 554 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2274 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LASHKOWITZ MOVED that the amendments to SB 2293 as recommended by the **Committee on Judiciary** as printed on pages 554-555 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2293 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2350 as recommended by the **Committee on Industry, Business and Labor** as printed on page 555 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2350 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2358 as recommended by the **Committee on Education** as printed on pages 555-556 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2358 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Reps. Wald, Goetz and Sens. Waldera, David introduced:

HCR 3038: A concurrent resolution congratulating the 1986 State University of North Dakota - Dickinson Blue Hawks football team for its nationally ranked performance.

Was read the first time.

MOTION

SEN. WALDERA MOVED that the rules be suspended, that HCR 3038 not be printed, not be referred to 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.

Reps. Wald, Goetz and Sens. Waldera, David introduced:

HOUSE CONCURRENT RESOLUTION NO. 3038

A concurrent resolution congratulating the 1986 State University of North Dakota - Dickinson Blue Hawks football team for its nationally ranked performance.

WHEREAS, the State University of North Dakota - Dickinson Blue Hawks football team, coached by Hank Biesiot, recently completed its eighth consecutive winning season, closing its 1986 season with a perfect nine wins and no losses regular season record; and

WHEREAS, the Blue Hawks were ranked as high as number two and finished their season ranked third in the National Association of Intercollegiate Athletics Division II ratings; and

WHEREAS, the Blue Hawks achieved a national ranking of second in team scoring defense, second in team rushing defense, fifth in team scoring offense, seventh in team rushing offense, and seventh in team total offense; and

WHEREAS, the Blue Hawks appeared in an NAIA quarter final playoff game; and Dickinson, for the first time, hosted an NAIA Division II playoff; and

WHEREAS, the State University of North Dakota - Dickinson Blue Hawk football team has brought national recognition to Dickinson and this state;

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

That the Fiftieth Legislative Assembly extends to all members of the Blue Hawk football team and to their coach, Hank Biesiot, its heartiest congratulations for their superlative athletic performances and national achievement; and

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to coach Hank Biesiot and the Blue Hawk football team members.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3038: A concurrent resolution congratulating the 1986 State University of North Dakota - Dickinson Blue Hawks football team for its nationally ranked performance.

Was read the second time.

The question being on the final adoption of the resolution.

HCR 3038 was declared adopted on a voice vote.

RECOGNITION

THE PRESIDENT PRO TEM ANNOUNCED that former Speaker of the House Palmer Lavin was in the chamber and requested that the Senate recognize former Representative Lavin, and former Representative Lavin was thereupon introduced to the Senate.

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

Reps. Strinden, Mertens and Sens. Heigaard, Olson introduced:

HCR 3039: A concurrent resolution designating October 1, 1989, as "Citizens Day" to recognize the role citizens played in creating and developing the state of North Dakota.

Was read the first time.

Reps. Strinden, Mertens and Sens. Heigaard, Olson introduced:

HCR 3040: A concurrent resolution designating the new highway bridge carrying Bismarck Expressway across the Missouri River between Bismarck and Mandan as the North Dakota Centennial Bridge.

Was read the first time.

Reps. Strinden, Mertens and Sens. Heigaard, Olson introduced:

HCR 3041: A concurrent resolution designating November 2 of each year as "Statehood Day" observing North Dakota's entry into the Union.

Was read the first time.

Reps. Strinden, Mertens and Sens. Heigaard, Olson introduced:

HCR 3042: A concurrent resolution designating July 10, 1888, as "Division Day" to observe and remember the day when citizens of Dakota Territory convened a "pro-division" convention to create two states.

Was read the first time.

Reps. Strinden, Mertens and Sens. Heigaard, Olson introduced:

HCR 3043: A concurrent resolution designating April 5, 1889, as "Native American Day" to honor the indigenous people of the land that became the state of North Dakota.

Was read the first time.

MOTION

SEN. HEIGAARD MOVED that the rules be suspended, that HCR 3039, HCR 3040, HCR 3041, HCR 3042, and HCR 3043 not be printed, not be referred to committee, be read in title only, be printed in the Journal, and placed on the consent calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

ON CONSENT CALENDAR

HCR 3039: A concurrent resolution designating October 1, 1989, as "Citizens Day" to recognize the role citizens played in creating and developing the state of North Dakota.

HCR 3040: A concurrent resolution designating the new highway bridge carrying Bismarck Expressway across the Missouri River between Bismarck and Mandan as the North Dakota Centennial Bridge.

HCR 3041: A concurrent resolution designating November 2 of each year as "Statehood Day" observing North Dakota's entry into the Union.

HCR 3042: A concurrent resolution designating July 10, 1988, as "Division Day" to observe and remember the day when citizens of Dakota Territory convened a "pro-division" convention to create two states.

HCR 3043: A concurrent resolution designating April 5, 1989, as "Native American Day" to honor the indigenous people of the land that became the state of North Dakota.

Were read the second time.

The question being on the final adoption of the resolutions.

HCR 3039, HCR 3040, HCR 3041, HCR 3042, and HCR 3043 were declared adopted on a voice vote.

MOTION

SEN. NALEWAJA MOVED that SB 2411 be returned to the Senate floor from the Committee on Judiciary, which motion prevailed.

REQUEST

SEN. NALEWAJA REQUESTED the unanimous consent of the Senate to withdraw SB 2411. There being no objection, it was so ordered by the President Pro Tem.

MOTION

SEN. HEIGAARD MOVED that the minimum number of copies of SCR 4015, SCR 4021, SCR 4025, and SCR 4026 be reprinted, which motion prevailed.

REQUEST

SEN. HEIGAARD REQUESTED a recorded roll call vote on the motion to reprint the minimum number of copies of SCR 4015, SCR 4021, SCR 4025, and SCR 4026, which request was granted.

ROLL CALL

The question being on the motion to reprint the minimum number of copies of SCR 4015, SCR 4021, SCR 4025, and SCR 4026, the roll was called and there were 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Krauter; Langley; Lashkowitz; Lips; Lodoen; 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; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Bakewell; David

ABSENT AND NOT VOTING: Kelsh; Maixner; Tennefos

The motion to reprint the minimum number of copies of SCR 4015, SCR 4021, SCR 4025, and SCR 4026 prevailed.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

SCR 4040

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

SB 2047: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to investigations on Indian reservations by the attorney general.

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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; 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; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Tennefos

SB 2047 passed and the title was agreed to.

SB 2207: A BILL for an Act to create and enact a new section to chapter 15-06 of the North Dakota Century Code, relating to renegotiation of land contracts; to amend and reenact sections 15-07-02, 15-07-04, and 15-07-10 of the North Dakota Century Code, relating to sale of nongrant lands, and the right of repurchase of a former mortgagor; to repeal sections 15-06-33, 15-06-34, 15-06-35, 15-06-36, 15-06-37, 15-07-05, 15-07-06, 15-07-08, 15-07-09, 15-07-11, 15-07-12, 15-07-13, 15-07-14, 15-07-15, 15-07-16, 15-07-17, and 15-07-18 of the North Dakota Century Code, relating to sale of stumpage near Garrison dam and to specific requirements for terms and conditions of sale of nongrant lands; and to declare an emergency.

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

NAYS: None

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2207 passed, the title was agreed to, and the emergency clause carried.

SB 2306: A BILL for an Act to amend and reenact sections 11-28.2-02 and 57-15-26.1 of the North Dakota Century Code, relating to compensation and expense reimbursement for members of a board of recreation service district commissioners and mill levy limitations that apply to recreation service districts.

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, 2 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Richard; Shea

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2306 passed and the title was agreed to.

SB 2415: A BILL for an Act to create and enact a new section to chapter 18-09 of the North Dakota Century Code, relating to the installation of liquefied petroleum gas furnaces in residential or commercial dwellings.

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; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson;

Nething; Olson; Peterson; Redlin; Reiten; Richard;
 Satrom; Schoenwald; Shea; Stenehjerm; Streibel; Stromme;
 Tallackson; Thane; Todd; Tweten; Vosper; Waldera;
 Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Meyer, W.; Tennefos

SB 2415 passed and the title was agreed to.

SB 2416: A BILL for an Act to amend and reenact section 28-32-02 of the North Dakota Century Code, relating to adoption of administrative rules.

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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg;
 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; Stenehjerm; Streibel;
 Stromme; Tallackson; Thane; Todd; Tweten; Vosper;
 Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Tennefos

SB 2416 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that SB 2429 be placed at the foot of the calendar, which motion prevailed.

RECOGNITION

THE PRESIDENT PRO TEM ANNOUNCED that former Senator I.E. "Eskey" Solberg was in the chamber and requested that the Senate recognize former Senator Solberg, and former Senator Solberg was thereupon introduced to the Senate.

MOTION

SEN. YOCKIM MOVED that SB 2457 be returned to the Senate floor from the Committee on Finance and Taxation, which motion prevailed.

REQUEST

SEN. YOCKIM REQUESTED the unanimous consent of the Senate to withdraw SB 2457. There being no objection, it was so ordered by the President Pro Tem.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4011: A concurrent resolution encouraging the location and development of new commercial and industrial enterprises in the state.

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

The question being on the final adoption of the resolution.

SCR 4011 was declared lost on a voice vote.

SECOND READING OF SENATE BILL

SB 2105: A BILL for an Act to amend and reenact sections 29-07-01.1, 31-01-18, 31-01-19, and 40-18-19 of the North Dakota Century Code, relating to the payment of indigent defense expenditures and witness fees and expenses in criminal cases.

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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; 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; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Tennefos

SB 2105 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that SB 2149 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2167: A BILL for an Act to amend and reenact section 43-15-02 of the North Dakota Century Code, relating to exemptions from application of the provisions in chapter 43-15 of the North Dakota Century Code regulating pharmacists.

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 15 YEAS, 36 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: David; Heigaard; Kelly; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Satrom; Thane; Wogsland; Wright; Yockim

NAYS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lodoen; Meyer, D.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: Tennefos; Waldera

SB 2167 lost.

SB 2168: A BILL for an Act to create and enact a new section to chapter 43-15 and two new subsections to section 43-15-10 of the North Dakota Century Code, relating to sale of nonprescription drugs and the powers of the board of pharmacy regarding nonprescription drugs; to amend and reenact section 43-15-02 of the North Dakota Century Code, relating to application to proprietary medicines; and to repeal section 43-15-33 of the North Dakota Century Code, relating to the license to sell emergency medicines.

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 8 YEAS, 44 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: David; Lashkowitz; Lips; Maxson; Satrom; Thane; Vosper; Waldera

NAYS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Todd; Tweten; Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Tennefos

SB 2168 lost.

SB 2215: A BILL for an Act to create and enact three new subsections to section 57-40.3-01 of the North Dakota Century Code, relating to definitions of vehicles for purposes of the motor vehicle excise tax; and to amend and reenact subsection 1 of section 57-40.3-01 of the North Dakota Century Code, relating to the definition of motor vehicle for purposes of motor vehicle excise tax.

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 28 YEAS, 24 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Keller; Kelsh; Krauter; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Ingstad; Kelly; Langley; Lodoen; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Streibel; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Tennefos

SB 2215 passed and the title was agreed to.

SB 2234: A BILL for an Act to amend and reenact section 32-23-11 of the North Dakota Century Code, relating to the failure to serve the attorney general with process in a proceeding seeking to declare a statute, ordinance, or franchise unconstitutional.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 3 YEAS, 49 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Lips; Mathern; Mushik

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

ABSENT AND NOT VOTING: Tennefos

SB 2234 lost.

SB 2263: A BILL for an Act to amend and reenact section 57-39.2-04.1, subsection 2 of section 57-39.2-11, subsection 2 of section 57-39.2-12.1, section 57-40.2-04.1, and subsection 2 of section 57-40.2-07.1 of the North Dakota Century Code, relating to the tax commissioner's authority to change filing requirements, nonavailability of compensation for administrative expenses, deduction for administrative expenses for filing sales and use tax returns, and sales and use tax exemption for food and food products purchased with food coupons issued by the United States department of agriculture.

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 42 YEAS, 10 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Nalewaja; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Adams; Bakewell; David; Kelly; Mutch; Naaden; Nelson; Nething; Streibel; Thane

ABSENT AND NOT VOTING: Tennefos

SB 2263 passed and the title was agreed to.

SB 2267: A BILL for an Act relating to changing the name of the workmen's compensation bureau of North Dakota to the workers compensation bureau.

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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; 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; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Tennefos

SB 2267 passed and the title was agreed to.

SB 2322: A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to an adult basic education fund and uses of that fund; and to amend and reenact sections 53-06.1-12 and 53-06.1-12.1 of the North Dakota Century Code, relating to the games of chance tax rate and use of the tax proceeds.

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 6 YEAS, 46 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Maxson; Meyer, J.; Mushik; Nalewaja; Thane; Tweten

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

ABSENT AND NOT VOTING: Tennefos

SB 2322 lost.

SB 2370: A BILL for an Act to provide that payment of property taxes that fall due on a day on which the county treasurer's office is not open may be made on the first following day on which the office is open.

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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; 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; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maixner; Tennefos

SB 2370 passed and the title was agreed to.

SB 2381: A BILL for an Act to amend and reenact section 51-13-05 of the North Dakota Century Code, relating to prepayment of retail installment contracts.

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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; 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; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maixner; Tennesfos

SB 2381 passed and the title was agreed to.

MOTIONS

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

SEN. HEIGAARD 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 Thirteenth order of business, and at the conclusion of the Thirteenth order of business, and after the reading of SB 2049, SB 2134, SB 2272, SB 2274, SB 2289, SB 2293, SB 2333, SB 2350, SB 2358, SB 2407, SB 2435, and SB 2538, the Senate adjourn and convene at 12:30 p.m., Friday, February 6, 1987, which motion prevailed.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Keller introduced:

SCR 4041: A concurrent resolution directing the Legislative Council to study game and fish laws and the liability of owners of land used for recreation.

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

FIRST READING OF HOUSE BILLS

HB 1114: A BILL for an Act to create and enact a new section to chapter 54-10 of the North Dakota Century Code, relating to confidentiality of the state auditor's working papers.

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

HB 1333: A BILL for an Act to amend and reenact section 40-49-14 of the North Dakota Century Code, relating to bids on contracts let by a board of park commissioners.

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

HB 1365: A BILL for an Act to amend and reenact section 61-24.3-04 of the North Dakota Century Code, relating to the extent and type of water treatment and the location for water treatment plants for the southwest pipeline project.

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

HB 1378: A BILL for an Act to amend and reenact section 53-06.1-06 of the North Dakota Century Code, relating to expenses and prizes of games of chance.

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

HB 1387: A BILL for an Act to amend and reenact section 16.1-15-09 of the North Dakota Century Code, relating to canvassing of votes on electronic counting machines.
Was read the first time and referred to the Committee on Judiciary.

HB 1398: A BILL for an Act to amend and reenact sections 16.1-16-01, 16.1-16-04, 16.1-16-06, 16.1-16-09, 16.1-16-10, and 54-03-07 of the North Dakota Century Code, relating to legislative contests; and to repeal sections 16.1-16-11, 16.1-16-12, 16.1-16-13, 16.1-16-14, 16.1-16-15, 16.1-16-16, and 16.1-16-17 of the North Dakota Century Code, relating to legislative election contests.
Was read the first time and referred to the Committee on Judiciary.

HB 1402: A BILL for an Act to amend and reenact section 27-08.1-08 of the North Dakota Century Code, relating to residency requirements for small claims court referees.
Was read the first time and referred to the Committee on Judiciary.

HB 1407: A BILL for an Act to create and enact a new section to chapter 26.1-39 of the North Dakota Century Code, relating to the use of property and casualty insurance binders; and to provide a penalty.
Was read the first time and referred to the Committee on Industry, Business and Labor.

HB 1408: A BILL for an Act to amend and reenact section 30.1-23-01 of the North Dakota Century Code, relating to collection of personal property of decedent by affidavit.
Was read the first time and referred to the Committee on Judiciary.

HB 1411: A BILL for an Act to create and enact a new subsection to section 26.1-26-42 of the North Dakota Century Code, relating to the causes for suspension or revocation of insurance agents' licenses.
Was read the first time and referred to the Committee on Industry, Business and Labor.

HB 1428: A BILL for an Act to amend and reenact sections 26.1-22-01, 26.1-22-02, 26.1-22-05, 26.1-22-06, 26.1-22-09, 26.1-22-10, 26.1-22-11, 26.1-22-14, 26.1-22-15, 26.1-22-18, and 26.1-22-22 of the North Dakota Century Code, relating to a winter show obtaining insurance through the state fire and tornado fund.
Was read the first time and referred to the Committee on Industry, Business and Labor.

HB 1446: A BILL for an Act to create and enact two new sections to chapter 26.1-21 of the North Dakota Century Code, relating to expenses paid from the state bonding fund for the defense of state employees and assessments against

state agencies for the expenses of defending state employees; and to amend and reenact section 32-12.1-15 of the North Dakota Century Code, relating to authorization for state agencies to purchase insurance upon approval by the commissioner of insurance.

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

HB 1456: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to an English language proficiency requirement for faculty of state institutions of higher education.

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

HB 1471: A BILL for an Act to amend and reenact section 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

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

HB 1519: A BILL for an Act to repeal section 44-01-06 of the North Dakota Century Code, relating to the requirement for all elected and appointed state officials to be bonded.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3012: A concurrent resolution directing the Legislative Council to study procedures and standards in appeals for court review of decisions of county commissioners and other local governing bodies.

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

HCR 3015: A concurrent resolution directing the Legislative Council to study the administrative structure of school districts providing elementary and secondary education in this state and other states.

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

HCR 3016: A concurrent resolution urging the creation of a state centennial band.

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

DELIVERY OF ENROLLED RESOLUTION

THE PRESIDENT PRO TEM ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 3:00 p.m., February 5, 1987:

SCR 4040

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

PERRY GROTEBERG, Secretary