

## JOURNAL OF THE SENATE

## Fiftieth Legislative Assembly

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## FORTY-SECOND DAY

Bismarck, March 6, 1987

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

The prayer was offered by Reverend Bruce Vold, Lutheran Parish, Fortuna.

Gracious God, we come before You this day, thanking You for Your guidance and protection in the past, and asking for Your continued blessing upon the leaders and people of North Dakota, today and in the future. In these difficult times of decisionmaking, O God, restore to Your people a sense of trust in You and Your care, and a sense of trust in our leaders in government. I pray, too, for a restoration of understanding and trust in the political system and in one another, that we may all work together for a better world to live in. Guide us, protect us, and support us all with Your love. Especially do I ask now for your blessings upon Governor Sinner, Lieutenant Governor Meiers, and these legislators and their families also around the state. Thank You, Lord, that all this You will give to us and more. Amen.

## ROLL CALL

The roll was called and all Senators were present, except Senators David, Krauter, W. Meyer, Satrom, and Wogsland.

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 Forty-first 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 Speaker has signed and your signature is respectfully requested:

## JOURNAL OF THE SENATE

HB 1061, HB 1067, HB 1092, HB 1101, HB 1108, HB 1194,  
HB 1206, HB 1217, HB 1237, HB 1263, HB 1298, HB 1461

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2358

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2306 which the House has amended, and subsequently passed:

## HOUSE AMENDMENTS TO SB 2306

On page 2 of the engrossed bill, line 29, after the second comma insert the words "present and"

And renumber the lines, sections, and pages accordingly

ROY GILBREATH, Chief Clerk

## 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:

HCR 3069

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

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

SB 2144, SB 2151, SB 2163, SB 2177, SB 2180, SB 2182,  
SB 2207, SB 2284, SB 2342, SB 2384, SB 2420, SB 2446,  
SB 2459, SB 2493, SB 2505, SB 2534, SCR 4006, SCR 4015,  
SCR 4018, SCR 4020, SCR 4036, SCR 4045

ROY GILBREATH, Chief Clerk

## SIGNING OF BILLS AND RESOLUTIONS

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

SB 2060, SB 2061, SB 2071, SB 2073, SB 2075, SB 2081,  
SB 2107, SB 2114, SB 2116, SB 2138, SB 2139, SB 2142,  
SB 2148, SB 2152, SB 2153, SB 2155, SB 2162, SB 2194,  
SB 2200, SB 2201, SB 2206, SB 2209, SB 2211, SB 2238,  
SB 2240, SB 2243, SB 2245, SB 2249, SB 2251, SB 2254,  
SB 2256, SB 2264, SB 2265, SB 2275, SB 2276, SB 2285,  
SB 2313, SB 2373, SB 2374, SB 2399, SB 2416, SB 2417,  
SB 2426, SB 2492, SB 2518

PERRY GROTEBERG, Secretary

FRIDAY, MARCH 6, 1987

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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:

SB 2209, SB 2211, SB 2238, SB 2240, SB 2243, SB 2245,  
SB 2249, SB 2251, SB 2254, SB 2256, SB 2264, SB 2265,  
SB 2275, SB 2276, SB 2285, SB 2313, SB 2373, SB 2374,  
SB 2399, SB 2416, SB 2417, SB 2426, SB 2492, SB 2518

PERRY GROTBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

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

HB 1066, HB 1071, HB 1089, HB 1116, HB 1145, HB 1152,  
HB 1162, HB 1198, HB 1212, HB 1253, HB 1269, HB 1270,  
HB 1286, HB 1322, HB 1347, HB 1396, HB 1404, HB 1409,  
HB 1422, HB 1423, HB 1437, HB 1521, HB 1536, HCR 3015

PERRY GROTBERG, Secretary

MESSAGES TO THE HOUSE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the President Pro Tem has signed:

HB 1066, HB 1071, HB 1089, HB 1116, HB 1145, HB 1152,  
HB 1162, HB 1198, HB 1212, HB 1253, HB 1269, HB 1270,  
HB 1286, HB 1322, HB 1347, HB 1396, HB 1404, HB 1409,  
HB 1422, HB 1423, HB 1437, HB 1521, HB 1536, HCR 3015

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

HB 1094, HB 1097, HB 1137, HB 1138, HB 1139, HB 1200,  
HB 1301, HB 1311, HB 1380, HB 1540

PERRY GROTBERG, Secretary

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:

SB 2060, SB 2061, SB 2071, SB 2073, SB 2075, SB 2081,  
SB 2107, SB 2114, SB 2116, SB 2138, SB 2139, SB 2142,  
SB 2148, SB 2152, SB 2153, SB 2155, SB 2162, SB 2194,  
SB 2200, SB 2201, SB 2206

PERRY GROTBERG, Secretary

## SENATE CHAMBER

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

HB 1068, HB 1099, HB 1308, HB 1365, HB 1397, HB 1594

PERRY GROTBORG, Secretary

## SENATE CHAMBER

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

HB 1035, HB 1070, HB 1136

PERRY GROTBORG, Secretary

## REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1052 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 and be rereferred to the Committee on Appropriations:

On page 2 of the engrossed bill, delete line 11

On page 6 of the engrossed bill, line 26, delete the words "peace officer" and insert in lieu thereof the words "Peace Officer Standards and Training Board"

And renumber the lines, sections, and pages accordingly

SEN. DOTZENROD, Chairman

HB 1052 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 HB 1121 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 of the engrossed bill, line 12, after the numerals "39-21" insert an underscored comma

On page 1 of the engrossed bill, line 15, after the underscored period insert the words "However, this power extends only to freight bills and bills of lading less than thirty days old and to logs and other documents less than twelve months old."

And renumber the lines, sections, and pages accordingly

SEN. HILKEN, Chairman

HB 1121 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 HB 1176 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 of the engrossed bill, line 6, delete the word "and" and after the numerals "57-36-02" insert the words ", and subsection 1 of section 62.1-01-01"

On page 1 of the engrossed bill, line 9, after the word "organizations" insert the words ", definition of dangerous weapon"

On page 4 of the engrossed bill, after line 29, insert the following new section:

"SECTION 6. AMENDMENT. Subsection 1 of section 62.1-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. "Dangerous weapon" includes any switchblade or gravity knife, machete, scimitar, stiletto, sword, ~~or~~ dagger, or knife with a blade of five inches [12.7 centimeters] or more; any throwing star, nunchaku, or other martial arts weapon; any billy, blackjack, sap, bludgeon, cudgel, metal knuckles, or sand club; any slungshot; any bow and arrow, crossbow, or spear; any stun gun; any weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas including any such weapon, loaded or unloaded, commonly referred to as a BB gun, air rifle, or CO<sub>2</sub> gun; and any projector of a bomb or any object containing or capable of producing and emitting any noxious liquid, gas, or substance."

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

HB 1176 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1207 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 2 of the engrossed bill, line 11, delete the word "inspect" and insert in lieu thereof the words "cooperate with the commissioner in the inspection of"

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

HB 1207 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 HB 1231 has had the same under consideration and recommends by a vote of 8 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 2, line 1, after the third comma insert the word "chiropractic,"

On page 3, line 3, delete the word "a" and insert in lieu thereof the words "all of the following provisions:

- a. A provision that if a covered person receives emergency care and cannot reasonably reach a preferred provider that care will be reimbursed as though the covered person had been treated by a preferred provider.
- b. A provision that if covered services are not available through a preferred provider, reimbursement for those services will be made as though the covered person had been treated by a preferred provider.
- c. A"

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

HB 1231 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 HB 1257 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:

On page 1, line 1, after the word "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 20.1-07-03.1 of the North Dakota Century Code, relating to the use of snares for taking coyotes; and to provide a penalty.

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

**SECTION 1. AMENDMENT.** Section 20.1-07-03.1 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

**20.1-07-03.1. Use of snares for taking coyotes - Restrictions - Identification - Snare standards.**

1. The governor shall establish by proclamation an upland snaring season for the taking of coyotes.
2. No person may set or lay any snare for the purpose of taking coyotes on land belonging to another private person without receiving written permission from that person.
3. A person using a snare for the purpose of taking coyotes shall permanently affix with a metal or plastic tag that person's name, address, and telephone number to each snare being used.
4. The commissioner shall establish and publish in pamphlet form safety standards for snares used for the taking of coyotes, which will prevent the accidental holding of deer and other appropriate animals. These standards must be followed by any person using a snare pursuant to this section.
5. Any person who violates this section is guilty of a class A misdemeanor."

And renumber the lines, sections, and pages accordingly

SEN. KRAUTER, Chairman

HB 1257 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Political Subdivisions to which was referred HB 1293 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:

On page 1 of the engrossed bill, line 3, delete the words "auditor of" and insert in lieu thereof the words "commission and county extension agent of services and"

On page 1 of the engrossed bill, line 9, after the word "university" insert the words "services and"

On page 1 of the engrossed bill, line 10, delete the word "list" and insert in lieu thereof the word "information"

On page 1 of the engrossed bill, line 23, after the word "service" insert the words "of North Dakota state university"

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

HB 1293 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 HB 1328 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 9, delete the word "five" and insert in lieu thereof the word "four"

On page 1, line 16, after the period insert the words "No individual may hunt with more than one party."

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

HB 1328 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred HB 1330 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:

On page 1 of the engrossed bill, line 1, delete the words "create and enact two new sections to chapter" and insert in lieu thereof the words "provide for the establishment of"

On page 1 of the engrossed bill, line 2, delete the words and numerals "50-06.1 of the North Dakota Century Code, relating to"

On page 1 of the engrossed bill, line 7, delete the words "A new section to chapter 50-06.1 of the North"

On page 1 of the engrossed, delete lines 8 and 9

On page 1 of the engrossed bill, line 19, delete the words and numerals "A new section to chapter 50-06.1 of the North"

On page 1 of the engrossed bill, delete lines 20 and 21



On page 2 of the engrossed bill, line 9, after the word "physician" insert the words "and the injured person or immediate family"

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

HB 1330 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 HB 1388 has had the same under consideration and recommends by a vote of 5 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 3, after the word "licenses" insert the words "; and to provide an effective date"

On page 1, line 26, after the word "license" insert the words "and twenty-five cents for each stamp purchased. The maximum allowable service fees must be printed on the written portion of the license"

On page 2, after line 9, insert the following new section:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on January 1, 1988."

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

HB 1388 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 HB 1393 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 2, line 6, delete the words "The new"

On page 2, delete lines 7 and 8

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

HB 1393 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 HB 1497 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 of the engrossed bill, line 10, delete the word "may" and insert in lieu thereof the word "shall"

On page 1 of the engrossed bill, line 14, delete the word "lottery" and insert in lieu thereof the words "the commissioner in the order the applications for the licenses are received by the commissioner,"

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

HB 1497 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 HB 1609 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 11, delete the comma and insert in lieu thereof the word "and"

On page 1, line 12, delete the words ", and numbers"

On page 1, line 13, after the period insert the words "The number of complimentary licenses shall not exceed fifty licenses per year. The visiting dignitaries shall be determined by the commissioner to be of national or international stature before being eligible for complimentary licenses."

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

HB 1609 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 SCR 4065 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 4065 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1197 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. HILKEN, Chairman

HB 1197 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1245 has had the same under consideration and recommends by a vote of 4 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

HB 1245 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1267 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. HILKEN, Chairman

HB 1267 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1426 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

HB 1426 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1467 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. HILKEN, Chairman

HB 1467 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1486 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. HILKEN, Chairman

HB 1486 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred HB 1509 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. J. MEYER, Chairman

HB 1509 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1554 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

HB 1554 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1653 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. DOTZENROD, Chairman

HB 1653 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1672 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. DOTZENROD, Chairman

HB 1672 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HCR 3048 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

HCR 3048 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HCR 3053 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. W. MEYER, Chairman

HCR 3053 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### CONSIDERATION OF AMENDMENTS

SEN. D. MEYER MOVED that the amendments to HB 1081 as recommended by the Committee on State and Federal Government as printed on page 1326 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1081 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LASHKOWITZ MOVED that the amendments to HB 1167 as recommended by the Committee on Judiciary as printed on pages 1326-1327 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1167 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1234 as recommended by the Committee on Industry, Business and Labor as printed on pages 1327-1328 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1234 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. J. MEYER MOVED that the amendments to HB 1254 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 1328 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1254 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to HB 1273 as recommended by the Committee on Education as printed on page 1329 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1273 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to HB 1299 as recommended by the Committee on Education as printed on page 1329 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1299 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. D. MEYER MOVED that HB 1300, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

SEN. D. MEYER MOVED that the amendments to HB 1446 as recommended by the Committee on State and Federal Government as printed on page 1331 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1446 was rereferred to the Committee on Appropriations.

SEN. SATROM MOVED that the amendments to HB 1561 as recommended by the Committee on Finance and Taxation as printed on pages 1331-1332 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1561 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. D. MEYER MOVED that the amendments to HCR 3016 as recommended by the Committee on State and Federal Government as printed on page 1332 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

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

#### REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill relating to the calling of a special election by the governor; and to declare an emergency.

Your Committee on Delayed Bills cast a unanimous ballot to accept this bill.

SEN. MAIXNER, Chairman

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

#### FIRST READING OF SENATE BILL

Sen. Stenehjem introduced:

(Approved by the Committee on Delayed Bills)

SB 2551: A BILL for an Act to amend and reenact the new section to chapter 16.1-01 of the North Dakota Century Code as created by section 1 of Senate Bill No. 2479, as approved by the fiftieth legislative assembly, relating to the calling of a special election by the governor; and to declare an emergency.

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

#### SECOND READING OF HOUSE BILLS

HB 1144: A BILL for an Act to create and enact four new sections to chapter 10-24 of the North Dakota Century Code, relating to reports by domestic and foreign nonprofit corporations to the secretary of state.

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

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 6 YEAS, 45 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Heigaard; Hilken; Lodoen; Mathern; Maxson; Meyer, J.

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

ABSENT AND NOT VOTING: David; Krauter

HB 1144 lost.

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HB 1223: A BILL for an Act to create and enact sections 51-05.1-01.1 and 51-05.1-01.2 of the North Dakota Century Code, relating to auctioneer's and clerk's licenses; to amend and reenact sections 15-20.4-02, 51-05.1-01, 51-05.1-02, and 51-05.1-06 of the North Dakota Century Code, relating to exemptions from standards for postsecondary educational institutions, and auctioneer's and clerk's licenses; 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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter

HB 1223 passed, the title was agreed to, and the emergency clause carried.

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HB 1596: A BILL for an Act to provide for the creation of the budget stabilization fund as a special fund in the state treasury, to provide for the deposit of revenues in the budget stabilization fund, and to provide for transfers from the budget stabilization fund to the state general fund.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter

HB 1596 passed and the title was agreed to.

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## SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3025: A concurrent resolution expressing the importance of the knowledge of foreign languages and the potential benefits to be derived from the use of electronic media to assist in teaching foreign languages in North Dakota schools, and directing the Legislative Council to study the feasibility, cost, and benefits of utilizing current technology to enhance the educational opportunities of North Dakota students.

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

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

HCR 3025 was declared adopted and the title was agreed to on a voice vote.



## POINT OF PERSONAL PRIVILEGE

SEN. ADAMS: Mr. President: I rise to a point of personal privilege and request that my remarks be printed in the Journal.

Mr. President, last week the senator from District 27 rose to a point of personal privilege and addressed this body as to the votes cast by certain senators on major revenue measures. The senator from District 27 explained to this body his difficulty in voting "yes" on those major revenue measures. I certainly can empathize with that feeling.

He then stated that there are certain senators who voted "no" on all major revenue measures who have institutions in their legislative districts that require state money. Further, the senator from District 27 placed us on notice that when these institutions' budgets come over from the House, he will be voting "no" on those institutions represented by any senator who continues to vote "no" on every major revenue measure offered to the Senate. The senator explained his reasons for doing so and then identified this as a logical method of identifying what institutions the Senate can do without in absence of sufficient revenue to support them all.

If the statements of the senator from District 27 were not direct, at least the implication was there. If senators, such as myself, who have institutions in their district vote in favor of major revenue measures, he would, in turn, support those institutions' budgets. This is my fourth session as an elected senator from my district. As do all of you, I take very seriously the trust placed in me by my constituents. That trust requires me to represent the views and wishes of the people of my district. Further, that trust requires me to adhere to the law as an elected senator.

I want the members of this Assembly and my constituents to know that I will not give my vote or influence for or against any measure pending before this body in consideration that another member of this body will give his vote or influence for or against any other measure. Article IV, Section 9, of the North Dakota Constitution prohibits me, as well as all legislators, from doing so. It is my intention to adhere to the spirit and the letter of the law.

In summary, members of the Senate, we have difficult decisions ahead in regard to the budget and revenue measures. During these deliberations, I will strive to do what is in the best interest of the state, including my district. I will also strive to conduct those deliberations within the confines of our State Constitution.

## SECOND READING OF HOUSE BILLS

HB 1093: A BILL for an Act to amend and reenact sections 43-23-11.1 and 43-23-13 of the North Dakota Century Code, relating to investigations, licenses, hearings, appeals, and fees of the North Dakota real estate commission; and to provide a penalty.

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

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Stromme

HB 1093 passed and the title was agreed to.

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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.

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: Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Adams; David; Krauter; Stromme

HB 1119 passed and the title was agreed to.

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HB 1164: A BILL for an Act to amend and reenact section 15-12-21 of the North Dakota Century Code, relating to the authority of the state toxicologist to appoint deputy state toxicologists.

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

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Stromme

HB 1164 passed and the title was agreed to.

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HB 1175: A BILL for an Act to provide persons making reports of fraudulent insurance acts immunity from all liability.

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, 1 NAY, 3 ABSENT AND NOT VOTING.

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

NAYS: Maxson

ABSENT AND NOT VOTING: David; Krauter; Stromme

HB 1175 passed and the title was agreed to.

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#### POINT OF PERSONAL PRIVILEGE

SEN. HEINRICH: Mr. President: I rise to a point of personal privilege and request that my remarks be printed in the Journal.

David Meade died this week. His funeral is at 2:00 today.

He was the Executive Director of the North Dakota Council of School Administrators. Many of us, particularly on the Education Committee, often benefited from his knowledge, his help, and his honesty as a lobbyist.

He was a good man and a good friend who will be missed - and I'd like to express our sympathy to his family.

#### SECOND READING OF HOUSE BILLS

HB 1205: A BILL for an Act to authorize the commissioner of insurance to adopt rules for the demutualization of domestic mutual insurance companies.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Reiten; Stromme; Vosper

HB 1205 passed and the title was agreed to.

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HB 1210: A BILL for an Act to amend and reenact subsection 3 of section 65-13-06 of the North Dakota Century Code, relating to awards and limitations of crime victims reparations when the offender lives in the same household as the victim.

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

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 24 YEAS, 25 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Keller; Kelsh; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; Freborg; Holmberg; Ingstad; Kelly; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Wright

ABSENT AND NOT VOTING: David; Krauter; Stromme; Vosper

HB 1210 lost.

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HB 1219: A BILL for an Act to amend and reenact sections 24-09-01.1, 24-09-02, 24-09-04, 24-09-05, 24-09-08.1, and 24-09-09 of the North Dakota Century Code, relating to warning devices at railroad crossings.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Stromme; Vosper

HB 1219 passed and the title was agreed to.

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HB 1244: A BILL for an Act to amend and reenact sections 15-08-07, 15-08-12, 15-08-13, 15-08-18.1, 15-08-18.3, and 15-08-19 of the North Dakota Century Code, relating to redemption from land sale contract cancellation, cancellation of taxes upon expiration of period of redemption from land sale contract cancellation, and taxation and sale for taxes of land sold on contract; and to repeal section 15-08-14 of the North Dakota Century Code, relating to redemption of lands not listed for taxation.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Stromme; Vosper

HB 1244 passed and the title was agreed to.

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HB 1317: A BILL for an Act to amend and reenact section 11-11-37 of the North Dakota Century Code, relating to the publication of the report of the proceedings of the board of county commissioners; and to repeal section 11-13-09 of the North Dakota Century Code, relating to the publication of the auditor's report of the proceedings of the board of county commissioners.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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;  
Tallackson; Tennefos; Thane; Todd; Tweten; Waldera;  
Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Stromme; Vosper

HB 1317 passed and the title was agreed to.

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HB 1318: A BILL for an Act to create and enact chapter 4-12.3 of the North Dakota Century Code, relating to the keeping of alfalfa leafcutter bees; to provide a penalty; and to provide an appropriation.

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 41 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg;  
Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh;  
Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson;  
Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nething;  
Olson; Peterson; Redlin; Reiten; Richard; Satrom; Shea;  
Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd;  
Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Heigaard; Heinrich; Lodoen; Meyer, D.; Meyer, J.;  
Mushik; Nelson; Schoenwald

ABSENT AND NOT VOTING: David; Krauter; Stromme; Vosper

HB 1318 passed and the title was agreed to.

\*\*\*\*\*

HB 1370: A BILL for an Act to create and enact a new subsection to section 41-09-50 of the North Dakota Century Code, relating to disposition of motor vehicles under secured transactions and liability of debtor for any deficiency; and to amend and reenact subsection 2 of section 41-09-50 of the North Dakota Century Code, relating to disposition of collateral by secured parties.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Stenehjem

ABSENT AND NOT VOTING: David; Krauter; Stromme; Vosper

HB 1370 passed and the title was agreed to.

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HB 1389: A BILL for an Act to amend and reenact subsections 1 and 4 of section 39-10-46, subsection 2 of section 39-21-18, and sections 39-21-27 and 39-21-27.1 of the North Dakota Century Code, relating to safety requirements for schoolbuses; and to provide for 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 47 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; 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; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Kelsh; Meyer, D.

ABSENT AND NOT VOTING: David; Krauter; Stromme; Vosper

HB 1389 passed and the title was agreed to.

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MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

HB 1669

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1400: A BILL for an Act to create and enact a new section to chapter 39-10 of the North Dakota Century Code, relating to ownership of motor vehicles used in violation of duty to stop for certain schoolbuses.

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 47 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelly; Kelsh; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Holmberg

ABSENT AND NOT VOTING: David; Krauter; Mutch; Stromme; Vosper

HB 1400 passed and the title was agreed to.

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HB 1415: A BILL for an Act to create and enact three new subsections to 57-15-06.7 of the North Dakota Century Code, relating to county tax levies for county fair associations which are in addition to the general fund levy; to amend and reenact sections 4-02-26, 4-02-27, 4-02-27.1, 4-02-37, 11-11-24, 18-07-01, and 57-15-06.8 of the North Dakota Century Code, relating to county fair association tax levies and county tax levies and limitations not in addition to the general fund levy; and to provide an effective date.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

HB 1415 passed and the title was agreed to.

\*\*\*\*\*

HB 1419: A BILL for an Act to amend and reenact subsection 1 of section 39-08-03.1 of the North Dakota Century Code, relating to the amount of statutory fees for exhibition driving and drag racing; and to provide a penalty.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

HB 1419 passed and the title was agreed to.

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HB 1425: A BILL for an Act to amend and reenact sections 4-34-01, 4-34-02, 4-34-08, 4-34-09, 4-34-10, and 4-34-11 of

the North Dakota Century Code, relating to beef promotion; to provide a penalty; and to provide an effective date.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

HB 1425 passed and the title was agreed to.

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HB 1432: A BILL for an Act to amend and reenact section 44-05-01 of the North Dakota Century Code, relating to officers authorized to administer oaths.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

HB 1432 passed and the title was agreed to.

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HB 1501: A BILL for an Act to create and enact a new section to chapter 20.1-12 of the North Dakota Century Code, relating to the harvesting of game birds on private shooting preserves; and to amend and reenact sections 20.1-12-02, 20.1-12-03, 20.1-12-05, and 20.1-12-07 of the North Dakota Century Code, relating to private shooting preserves.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

HB 1501 passed and the title was agreed to.

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HB 1522: A BILL for an Act to amend and reenact section 23-06-27 of the North Dakota Century Code, relating to opening any grave or place of burial.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

HB 1522 passed and the title was agreed to.

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HB 1531: A BILL for an Act to create and enact two new subsections to section 4-09-01 and a new section to chapter 4-09 of the North Dakota Century Code, relating to export certification authority of the state seed commissioner; and to amend and reenact section 4-09-19 of the North Dakota Century Code, relating to authority of the state seed commissioner to enter into agreements.

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; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

HB 1531 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

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.

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

The question being on the final adoption of the resolution.

HCR 3008 was declared adopted and the title was agreed to on a voice vote.

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HCR 3022: A concurrent resolution requesting the United States Congress and the United States Army Corps of Engineers to assume the responsibility for Missouri River bank erosion in North Dakota and to complete a program of bank stabilization and maintenance along the Missouri River between the Garrison Dam and the Oahe Reservoir.

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

The question being on the final adoption of the resolution.

HCR 3022 was declared adopted and the title was agreed to on a voice vote.

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HCR 3045: A concurrent resolution urging the Governor to consider delaying the start of the upland game season on grouse and Hungarian partridge.

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

The question being on the final adoption of the resolution.

HCR 3045 was declared lost on a voice vote.

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SECOND READING OF HOUSE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR

HCR 3002: A concurrent resolution directing the Legislative Council to study methods for providing and maintaining model municipal ordinances for the protection of small North Dakota cities.

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.

Which have been read.

The question being on the final adoption of the resolutions.

The resolutions were adopted and the titles were agreed to on a voice vote.

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**MOTION**

SEN. D. MEYER MOVED that SB 2452 be moved to the head of the Twelfth order on the calendar, which motion prevailed.

**CONSIDERATION OF MESSAGE FROM THE HOUSE**

SEN. D. MEYER MOVED that the Senate do concur in the House amendments to SB 2452 as printed on page 1316 of the Senate Journal be adopted, which motion prevailed on a voice vote.

**SECOND READING OF SENATE BILL**

SB 2452: A BILL for an Act to create and enact a new section to chapter 11-11 of the North Dakota Century Code, relating to the establishment of county bond guarantee programs; and to declare an emergency.

Which has been read.

**ROLL CALL**

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

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; 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; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Krauter; Mutch; Vosper

SB 2452 passed, the title was agreed to, and the emergency clause carried.

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**MOTIONS**

SEN. MAIXNER MOVED that SB 2039 and SB 2494 be reprinted, which motion prevailed.

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

SEN. MAIXNER MOVED that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order of business, be on the Sixteenth order of business, and at the conclusion of the Sixteenth order of business, and after the reading of SCR 4065, HB 1081, HB 1167, HB 1197, HB 1234, HB 1245, HB 1254, HB 1267, HB 1273, HB 1299, HB 1426, HB 1467, HB 1486, HB 1509,

HB 1554, HB 1561, HB 1653, HB 1672, HCR 3016, HCR 3048, and HCR 3053, the Senate adjourn and convene at 1:00 p.m., Monday, March 9, 1987, which motion prevailed.

#### COMMUNICATION

##### Doctor of the Day Schedule

March 9: Erick Kanten, M.D., Grand Forks  
Family Practice  
March 10: Erick Kanten, M.D., Grand Forks  
Family Practice  
March 11: Erick Kanten, M.D., Grand Forks  
Family Practice  
March 12: William Goodall, M.D., Grand Forks  
Family Practice  
March 13: Marlin Johnson, M.D., Bismarck  
Internal Medicine

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

PERRY GROTEBERG, Secretary