

## JOURNAL OF THE SENATE

## Fiftieth Legislative Assembly

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## FORTY-SIXTH DAY

Bismarck, March 12, 1987

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

The prayer was written by Girl Scout Troop 340, Roosevelt School, Bismarck, and recited by Anne Fiechtner, Christina Zabrocki, Becky Sue Townsend, and Shannon Conrad.

Dear Lord, thank You for this special day on which Girl Scouts are celebrating their 75th birthday. Thank You for Juliette Low, the founder of girl scouting. Thank You for all the volunteers who have followed her - volunteers who have provided girls all over the world with experiences that are both educational and enjoyable.

Thank You for letting us get to know Ruth Meiers two years ago, because from her we learned how important it is to be involved in our community. We ask You to grant her peace and comfort.

Thank You for the legislators of this state who are willing to take time to include us in their busy schedules. And, thank You for letting us get out of school to come here today! Amen.

## ROLL CALL

The roll was called and all Senators were present, except Senators Keller and Nething.

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-fifth Day and finds the same to be correct.

SEN. J. MEYER, Chairman

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

## 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-fourth Day and finds the same to be correct.

SEN. J. MEYER, Chairman

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

#### RECOGNITION

THE PRESIDENT PRO TEM ANNOUNCED that this is Girl Scout Week and the following girls from the Sakakawea Girl Scout Council, Bismarck, took part in the flag ceremony in the chamber today: Janice Talkington, Jody Talkington, Joy Talkington, Kelly Just, Jenny Rowe, and their leader, Mrs. Sandi Talkington.

#### MESSAGES FROM THE HOUSE HOUSE CHAMBER

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

SB 2047, SB 2094, SB 2096, SB 2105, SB 2154, SB 2169,  
SB 2246, SB 2250, SB 2267, SB 2272, SB 2283, SB 2292,  
SB 2330, SB 2398, SB 2423, SB 2432, SB 2511, SCR 4035,  
SCR 4052, SCR 4053, SCR 4056, SCR 4058

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

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

HB 1275, HB 1276

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1308 and HB 1594 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

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

SB 2065, SB 2108, SB 2129, SB 2133, SB 2135, SB 2171,  
SB 2216, SB 2221, SB 2227, SB 2241, SB 2271, SB 2334,  
SCR 4007

ROY GILBREATH, Chief Clerk

#### HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2215, SB 2262, and SB 2404 which the House has amended, and subsequently passed:

#### HOUSE AMENDMENTS TO SB 2215

On page 1, line 12, delete the words "a motor vehicle using more" and insert in lieu thereof the words "any motorized off-highway vehicle fifty inches [1270 millimeters] or less in width, having a dry weight of six hundred pounds [272.15

kilograms] or less, traveling on three or more low-pressure tires, designed for operator use only with no passengers, having a seat or saddle designed to be straddled by the operator, and handlebars for steering control."

On page 1, delete lines 13 and 14

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2262

On page 3 of the engrossed bill, line 34, delete the word "facilities" and insert in lieu thereof the word "safety programs"

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2404

On page 2 of the engrossed bill, line 4, after the word "child" insert the words ", or admits to a traffic-related offense in an informal adjustment hearing,"

On page 2 of the engrossed bill, line 19, delete the words "driving while license or driving"

On page 2 of the engrossed bill, delete line 20

On page 2 of the engrossed bill, line 21, delete the words "39-06-42, or an equivalent ordinance;"

On page 2 of the engrossed bill, line 23, delete the word "i reckless" and insert in lieu thereof an underscored period

On page 2 of the engrossed bill, delete lines 24 through 27

And renumber the lines, sections, and pages accordingly

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

HB 1121, HB 1561, HCR 3016

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

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

SB 2049, SB 2067, SB 2104, SB 2117, SB 2140, SB 2157,  
SB 2187, SB 2203, SB 2236, SB 2237, SB 2258, SB 2260,  
SB 2261, SB 2300, SB 2325, SB 2359, SB 2362, SB 2440,  
SB 2443, SB 2462, SB 2481, SCR 4003, SCR 4048, SCR 4064

PERRY GROTERBERG, 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:

SB 2049, SB 2067, SB 2104, SB 2117, SB 2140, SB 2157,  
SB 2187, SB 2203, SB 2236, SB 2237, SB 2258, SB 2260,  
SB 2261, SB 2300, SB 2325, SB 2359, SB 2362, SB 2440,  
SB 2443, SB 2462, SB 2481, SCR 4003, SCR 4048, SCR 4064

PERRY GROTERBERG, Secretary

#### REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1079 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 26, delete the word "one" and insert in lieu thereof the word "two" and delete the words "two hundred"

And renumber the lines, sections, and pages accordingly

SEN. D. MEYER, Chairman

HB 1079 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 1086 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 and BE PLACED ON THE CONSENT CALENDAR.

SEN. KRAUTER, Chairman

HB 1086 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1284 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 and BE PLACED ON THE CONSENT CALENDAR.

SEN. KRAUTER, Chairman

HB 1284 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1044 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. W. MEYER, Chairman

HB 1044 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1077 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

SEN. D. MEYER, Chairman

HB 1077 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1118 has had the same under consideration and recommends by a vote of 4 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

SEN. D. MEYER, Chairman

HB 1118 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1193 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. SATROM, Chairman

HB 1193 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 1214 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 1214 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 1280 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 1280 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 1281 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 1281 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 1282 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 1282 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 1283 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

**SEN. DOTZENROD, Chairman**

HB 1283 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on State and Federal Government to which was referred HB 1360 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. D. MEYER, Chairman**

HB 1360 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 1378 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 1378 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Finance and Taxation to which was referred HB 1381 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. SATROM, Chairman**

HB 1381 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 1421 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. J. MEYER, Chairman

HB 1421 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 1439 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. HILKEN, Chairman

HB 1439 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 1459 has had the same under consideration and recommends by a vote of 4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. DOTZENROD, Chairman

HB 1459 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 1552 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

HB 1552 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 1673 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 1673 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 1032 as recommended by the Committee on State and Federal Government as printed on page 1444 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1032 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## MOTION

SEN. HEIGAARD MOVED that HB 1350, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. LANGLEY MOVED that the amendments to HB 1355 as recommended by the Committee on Industry, Business and Labor as printed on pages 1446-1447 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1355 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1405 as recommended by the Committee on Industry, Business and Labor as printed on page 1447 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1405 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to HB 1456 as recommended by the Committee on Education as printed on page 1447 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1456 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LASHKOWITZ MOVED that the amendments to HB 1535 as recommended by the Committee on Judiciary as printed on page 1448 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1535 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to HB 1643 as recommended by the Committee on Education as printed on page 1448 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1643 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

## ANNOUNCEMENT

The President Pro Tem excused himself and stated that Sen. Waldera would be the Acting President of the Senate pending the President Pro Tem's return.

## CONSIDERATION OF AMENDMENTS

SEN. HEINRICH MOVED that the amendments to HCR 3060 as recommended by the Committee on Education as printed on pages



1448-1449 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HCR 3060 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HCR 3063 as recommended by the Committee on Industry, Business and Labor as printed on page 1449 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed on a verification vote.

HCR 3063 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. MEYER MOVED that the Senate do not concur in the House amendments to SB 2113 as printed on page 1282 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

#### APPOINTMENT OF A CONFERENCE COMMITTEE

THE ACTING PRESIDENT APPOINTED as a Conference Committee on SB 2113:

Sens. W. Meyer, Axtman, Lodoen

#### MESSAGE TO THE HOUSE SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2113 and the Acting President has appointed as a conference committee to act with a like committee from the House on:

SB 2113: Sens. W. Meyer, Axtman, Lodoen

PERRY GROTEBERG, Secretary

#### CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. D. MEYER MOVED that the Senate do concur in the House amendments to SB 2253 as printed on page 1282 of the Senate Journal be adopted, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2253: A BILL for an Act to create and enact a new section to chapter 46-02 of the North Dakota Century Code, relating to in-plant printing.

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

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

**NAYS:** None

**ABSENT AND NOT VOTING:** Keller; Nething; Redlin

SB 2253 passed and the title was agreed to.

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#### APPOINTMENT OF CONFERENCE COMMITTEE

**SEN. HILKEN** MOVED that the Acting President appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1068, which motion prevailed.

**THE ACTING PRESIDENT** APPOINTED as a Conference Committee on HB 1068:

Sens. Schoenwald, Hilken, Freborg

#### MESSAGE TO THE HOUSE SENATE CHAMBER

**MR. SPEAKER:** I have the honor to inform you that the Acting President has appointed as a conference committee to act with a like committee from the House on:

**HB 1068:** Sens. Schoenwald, Hilken, Freborg

**PERRY GROTEBERG, Secretary**

#### MESSAGE FROM THE HOUSE HOUSE CHAMBER

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

SB 2049, SB 2067, SB 2104, SB 2117, SB 2140, SB 2157,  
SB 2187, SB 2203, SB 2236, SB 2237, SB 2258, SB 2260,  
SB 2261, SB 2300, SB 2325, SB 2359, SB 2362, SB 2440,  
SB 2443, SB 2462, SB 2481, SCR 4003, SCR 4048, SCR 4064

**ROY GILBREATH, Chief Clerk**

#### MESSAGE TO THE HOUSE SENATE CHAMBER

**MR. SPEAKER:** I have the honor to inform you that the Senate has concurred in the House amendments to SB 2253 and subsequently passed the same.

**PERRY GROTEBERG, Secretary**

## SECOND READING OF HOUSE BILL

HB 1073: A BILL for an Act to amend and reenact subsection 1 of section 39-04-02 of the North Dakota Century Code, relating to motor vehicle liability insurance.

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

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Nething; Redlin

HB 1073 passed and the title was agreed to.

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## MOTION

SEN. LODOEN MOVED that HB 1031, HB 1494, and HB 1575 be placed immediately following HB 1297 on the calendar, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1297: A BILL for an Act to amend and reenact section 40-22-27 of the North Dakota Century Code, relating to rejection of bids on city projects for improvements by special assessment.

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

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson; Reiten; Richard; Satrom;

Schoenwald; Shea; Stenehjem; Streibel; Stromme;  
Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;  
Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Nething; Redlin

HB 1297 passed and the title was agreed to.

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HB 1031: A BILL for an Act to amend and reenact sections 15-03-04, 15-03-15, 15-39.1-26, 21-10-01, 21-10-02, 21-10-04, 21-10-05, 21-10-06, 21-10-07, 21-10-08, 37-07.3-02, 37-14-14, and 54-30-15 of the North Dakota Century Code, relating to powers and duties of the state investment board, meetings of the state investment board, powers and duties of the state investment board director, and legal investments for the state investment board; and to repeal section 21-10-03 of the North Dakota Century Code, relating to activities of the state investment board in cooperation with the Bank of North Dakota.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Nething; Redlin

HB 1031 passed and the title was agreed to.

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HB 1494: A BILL for an Act to amend and reenact subsection 6 of section 15-39.1-04 and sections 15-39.1-18 and 15-39.1-24 of the North Dakota Century Code, relating to a definition of interest, disability retirement, and purchase of service credit under the teachers' fund for retirement.

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; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Nething

HB 1494 passed and the title was agreed to.

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#### ANNOUNCEMENT

Acting President Waldera relinquished the chair to the President Pro Tem.

#### SECOND READING OF HOUSE BILL

HB 1575: A BILL for an Act to amend and reenact section 54-03-20 of the North Dakota Century Code, relating to reimbursement for expenses for members of the legislative assembly; 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, 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; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Nething

HB 1575 passed, the title was agreed to, and the emergency clause carried.

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#### MOTION

SEN. HEIGAARD MOVED that HB 1197, HB 1304, HB 1310, HB 1359, HB 1433, and HB 1582, which are on the Fourteenth order, be laid over two legislative days, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1420: A BILL for an Act to create and enact a new section to chapter 11-27, a new section to chapter 40-11, and a new section to chapter 57-28 of the North Dakota Century Code, relating to sale of property by counties or cities; and to amend and reenact sections 11-27-01 and 40-11-04 of the North Dakota Century Code, relating to transfers of property by counties or cities.

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; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Nothing

HB 1420 passed and the title was agreed to.

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#### MOTION

SEN. HEIGAARD MOVED that HB 1305 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1305: A BILL for an Act to amend and reenact section 65-05.2-02 of the North Dakota Century Code, relating to supplementary workmen's compensation benefits; and to provide for application of this Act.

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; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Nothing

HB 1305 passed and the title was agreed to.

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HB 1533: A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to minors in possession of certain alcoholic beverages.

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 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Freborg; Hilken

ABSENT AND NOT VOTING: Keller; Lodoen; Nothing

HB 1533 passed and the title was agreed to.

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HB 1568: A BILL for an Act to amend and reenact subsection 2 of section 57-55-11 of the North Dakota Century Code, relating to mobile home moving permits; 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, as amended, the roll was called and there were 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Heinrich; Waldera

ABSENT AND NOT VOTING: Keller; Lodoen; Nething

HB 1568 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3007: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of restoring Devils Lake, to study North Dakota's wetlands and related issues, and to study related issues regarding Devils Lake, the Garrison Diversion project, and distribution of water for uses throughout North Dakota.

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

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

HCR 3007 was declared adopted and the title was agreed to on a voice vote.

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#### SECOND READING OF HOUSE BILLS

HB 1271: A BILL for an Act to create and enact a new section to chapter 16.1-08.1 of the North Dakota Century Code, relating to reporting requirements for contributions for initiative and referral campaigns; and to amend and reenact sections 16.1-08.1-01 and 16.1-08.1-04 of the North Dakota Century Code, relating to campaign contribution statements.

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



## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Lodoen; Nothing

HB 1271 passed and the title was agreed to.

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HB 1274: A BILL for an Act to amend and reenact sections 57-60-01 and 57-60-03 of the North Dakota Century Code, relating to definitions for purposes of the privilege tax on coal facilities, to exempt byproducts of the coal gasification process from the gross receipts tax on coal conversion facilities, and relating to annual reporting by the operator of a coal gasification plant of the quantity of byproducts produced; to provide an effective date; and to provide an expiration date.

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

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Lodoen; Nothing

HB 1274 passed and the title was agreed to.

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HB 1078: A BILL for an Act to authorize the board of university and school lands to sell and convey certain land owned by the state of North Dakota.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Nething

HB 1078 passed and the title was agreed to.

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HB 1082: A BILL for an Act to create and enact a new section to chapter 28-01.1 of the North Dakota Century Code, relating to the liability of a nonmanufacturer; and to amend and reenact section 28-01.1-06 of the North Dakota Century Code, relating to the definition of a manufacturer.

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 43 YEAS, 7 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lips; Maixner; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Heinrich; Lashkowitz; Mathern; Maxson; Meyer, J.;  
Mushik; Schoenwald

ABSENT AND NOT VOTING: Keller; Lodoen; Nething

HB 1082 passed and the title was agreed to.

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HB 1084: A BILL for an Act to amend and reenact subsection 2 of section 28-26-01 of the North Dakota Century Code, relating to the mandatory awarding of costs in frivolous civil actions.

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

#### ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Nething; Richard

HB 1084 passed and the title was agreed to.

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HB 1087: A BILL for an Act to amend and reenact section 16.1-01-12 of the North Dakota Century Code, relating to payment for circulation of an initiative, referendum, or recall petition; 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; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Lodoen; Nething

HB 1087 passed and the title was agreed to.

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HB 1109: A BILL for an Act allowing the director of institutions to conduct space studies and allocate office space to the executive branch staff located on the capitol grounds.

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

#### ROLL CALL

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

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

HB 1109 passed and the title was agreed to.

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HB 1168: A BILL for an Act to create and enact a new section to chapter 14-05 of the North Dakota Century Code, relating to the preparation of a transcript of divorce action proceedings.

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 1 YEA, 49 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Tallackson

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

ABSENT AND NOT VOTING: Keller; Lodoen; Nothing

HB 1168 lost.

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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 36 YEAS, 13 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Adams; Bakewell; David; Freborg; Kelly; Moore; Mutch; Naaden; Nelson; Reiten; Streibel; Tennefos; Wright

ABSENT AND NOT VOTING: Holmberg; Keller; Lodoen; Nothing

HB 1210 passed and the title was agreed to.

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HB 1220: A BILL for an Act to amend and reenact section 31-01-09 of the North Dakota Century Code, relating to the privilege against self-incrimination and grant of immunity.

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 38 YEAS, 12 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Dotzenrod; Freborg;  
Heigaard; Heinrich; Kelly; Krauter; Langley;  
Lashkowitz; Lips; Maixner; Mathern; Meyer, D.;  
Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja;  
Nelson; Olson; Peterson; Redlin; Reiten; Shea;  
Streibel; Stromme; Tallackson; Tennefos; Thane; Todd;  
Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Axtman; Hilken; Holmberg; Ingstad; Kelsh; Maxson;  
Meyer, J.; Richard; Satrom; Schoenwald; Stenehjelm;  
Wogsland

ABSENT AND NOT VOTING: Keller; Lodoen; Nothing

HB 1220 passed and the title was agreed to.

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MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2113: Reps. Gorman, Tokach, Skjerven

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1300 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1081 and HB 1167 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1081: Reps. Christman, Trautman, Marks

HB 1167: Reps. Lindgren, Shaft, Flaagan

ROY GILBREATH, Chief Clerk

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 3:15 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

SECOND READING OF HOUSE BILL

HB 1235: A BILL for an Act to amend and reenact section 65-12-05 of the North Dakota Century Code, relating to special boiler inspector commissions.

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

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Mushik; Nething; Olson; Tweten

HB 1235 passed and the title was agreed to.

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#### MESSAGE FROM THE HOUSE HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1056, and wishes to inform you that it does now concur in the Senate amendments to HB 1056, and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1056.

ROY GILBREATH, Chief Clerk

#### SECOND READING OF HOUSE BILLS

HB 1243: A BILL for an Act to require certain insurance companies to submit information to the commissioner of insurance relating to group life and health insurance trust filing and solicitation requirements; and to amend and reenact section 26.1-36-23 of the North Dakota Century Code, relating to the continuation of group hospital insurance benefits.

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 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nalewaja; Nelson; Peterson; Redlin; Reiten; Richard;

Satrom; Schoenwald; Shea; Stenehjerm; Streibel; Stromme;  
Tallackson; Tennefos; Thane; Todd; Vosper; Waldera;  
Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Keller; Lodoen;  
Meyer, W.; Mushik; Nething; Olson; Tweten

HB 1243 passed and the title was agreed to.

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HB 1245: A BILL for an Act to create and enact sections 23-20.3-04.1 and 23-20.3-04.2 of the North Dakota Century Code, relating to establishing an underground storage tank program; and to amend and reenact sections 23-20.3-01, 23-20.3-02, 23-20.3-03, 23-20.3-04, subsection 2 of section 23-20.3-05, sections 23-20.3-06, 23-20.3-07, 23-20.3-08, and 23-20.3-10 of the North Dakota Century Code, relating to hazardous waste management.

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 44 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Keller; Lodoen;  
Meyer, W.; Mushik; Nething; Redlin; Tallackson; Tweten

HB 1245 passed and the title was agreed to.

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HB 1259: A BILL for an Act to amend and reenact subsection 3 of section 57-38-62 of the North Dakota Century Code, relating to payment of estimated corporate income tax; 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 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Heigaard; Keller; Lodoen; Meyer, W.; Nothing; Tweten

HB 1259 passed and the title was agreed to.

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HB 1267: A BILL for an Act to amend and reenact subdivision d of subsection 3 of section 39-12-04 of the North Dakota Century Code, relating to allowable lengths of certain motor vehicles.

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

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Heigaard; Keller; Lodoen; Meyer, W.; Nothing; Tweten

HB 1267 passed and the title was agreed to.

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## MOTIONS

SEN. DOTZENROD MOVED that HB 1426, which is on the Fourteenth order, be rereferred to the Committee on Political Subdivisions, which motion prevailed.

SEN. D. MEYER MOVED that SB 2546 and HB 1394 be returned to the Senate floor from the Committee on Political Subdivisions, which motion prevailed.

SEN. D. MEYER MOVED that SB 2546 and HB 1394 be rereferred to the Committee on State and Federal Government, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1321: A BILL for an Act to amend and reenact section 31-01-16 of the North Dakota Century Code, relating to compensation and expenses for witnesses in criminal actions.

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, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nothing; Tweten; Waldera

HB 1321 passed and the title was agreed to.

\*\*\*\*\*

HB 1366: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to group accident and health insurance conversion and continuation rights for spouses and children.

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; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly;

Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner;  
Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik;  
Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson;  
Redlin; Reiten; Richard; Satrom; Schoenwald; Shea;  
Stenehjem; Streibel; Stromme; Tallackson; Tennefos;  
Thane; Todd; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nething; Tweten

HB 1366 passed and the title was agreed to.

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HB 1379: A BILL for an Act to amend and reenact subsection 4 of section 26.1-08-12 of the North Dakota Century Code, relating to enrollment in the plan offered by the comprehensive health association.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nething; Tweten

HB 1379 passed and the title was agreed to.

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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.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nothing; Tweten

HB 1387 passed and the title was agreed to.

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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.

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

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 0 YEAS, 48 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nothing; Tweten

HB 1398 lost.

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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.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.; Nething; Tweten

HB 1402 passed and the title was agreed to.

\*\*\*\*\*

HB 1417: A BILL for an Act to provide for judicial review of proceedings by political subdivisions relating to the issuance of evidence of indebtedness.

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

#### ROLL CALL

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

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

HB 1417 passed and the title was agreed to.

\*\*\*\*\*

HB 1467: A BILL for an Act to amend and reenact subsection 5 of section 39-04-19 of the North Dakota Century Code, relating to registration of certain farm motor vehicles.

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 9 YEAS, 40 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Mathern; Meyer, D.; Meyer, J.; Nelson; Richard; Stromme; Tallackson; Tweten; Vosper

NAYS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Maxson; Moore; Mushik; Mutch; Naaden; Nalewaja; Olson; Peterson; Redlin; Reiten; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Tennefos; Thane; Todd; Waldera; Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.; Nething

HB 1467 lost.

\*\*\*\*\*

HB 1486: A BILL for an Act to create and enact three new sections to chapter 2-05 of the North Dakota Century Code, relating to aircraft registration; and to amend and reenact section 2-05-11 of the North Dakota Century Code, relating to aircraft registration fees.

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

#### ROLL CALL

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

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

HB 1486 passed and the title was agreed to.

\*\*\*\*\*

HB 1488: A BILL for an Act to amend and reenact subsections 6 and 9 of section 26.1-08-01 of the North Dakota Century Code, relating to the insurance companies that must participate in the comprehensive health association.

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

#### ROLL CALL

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

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

HB 1488 passed and the title was agreed to.

\*\*\*\*\*

HB 1505: A BILL for an Act to amend and reenact section 45-11-02 of the North Dakota Century Code, relating to fictitious partnership name certificates.

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

#### ROLL CALL

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

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

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
 Nothing

HB 1505 passed and the title was agreed to.

\*\*\*\*\*

HB 1509: A BILL for an Act to create and enact a new section to chapter 12.1-20 of the North Dakota Century Code, relating to sexual exploitation by a therapist; to provide a penalty; 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, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
 Nothing

HB 1509 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

HB 1510: A BILL for an Act to amend and reenact section 35-27-25 of the North Dakota Century Code, relating to information required to enforce a mechanic's lien.

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



## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Lodoen; Meyer, W.;  
Nothing

HB 1510 passed and the title was agreed to.

\*\*\*\*\*

HB 1554: A BILL for an Act to amend and reenact sections 61-16.1-48 and 61-21-43 of the North Dakota Century Code, relating to the maintenance of drains.

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

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Lodoen; Meyer, W.;  
Nothing

HB 1554 passed and the title was agreed to.

\*\*\*\*\*

HB 1559: A BILL for an Act to create and enact a new section to chapter 39-03.1 of the North Dakota Century Code, relating

to termination refunds of highway patrolmen and repurchase of prior service credit under the highway patrolmen's retirement system; to amend and reenact sections 39-03.1-01, 39-03.1-05, 39-03.1-07, subsection 1 of section 39-03.1-09, 39-03.1-11, and 39-03.1-18 of the North Dakota Century Code, relating to certain definitions, deposit of moneys, contributions, calculation of benefits, and compulsory retirement under the highway patrolmen's retirement system; to repeal sections 39-03.1-08, 39-03.1-12, 39-03.1-13, 39-03.1-14, 39-03.1-17, and 39-03.1-21 of the North Dakota Century Code, relating to service allowances, retirement allowances, optional retirement allowances, severance allowances, and death benefits under the highway patrolmen's retirement system; and to provide a continuing 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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nothing

HB 1559 passed and the title was agreed to.

\*\*\*\*\*

HB 1565: A BILL for an Act to create and enact a new section to chapter 65-14 of the North Dakota Century Code, relating to jurisdiction of the employee information program; and to repeal subsection 6 of section 65-14-02 of the North Dakota Century Code, relating to jurisdiction of the employee information program.

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

#### ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Lodoen; Meyer, W.;  
Nothing

HB 1565 passed and the title was agreed to.

\*\*\*\*\*

HB 1607: A BILL for an Act to amend and reenact subsection 1 of section 12.1-32-08 of the North Dakota Century Code, relating to hearing prior to a restitution or reparation order.

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 29 YEAS, 18 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Freborg; Heinrich; Holmberg; Ingstad; Lashkowitz; Lips; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Nalewaja; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Stenehjem; Stromme; Tallackson; Vosper; Waldera; Wright; Yockim

NAYS: David; Dotzenrod; Hilken; Kelly; Kelsh; Krauter; Langley; Maixner; Mathern; Mutch; Naaden; Nelson; Streibel; Tennefos; Thane; Todd; Tweten; Wogsland

ABSENT AND NOT VOTING: Heigaard; Keller; Lodoen; Meyer, W.; Nothing; Shea

HB 1607 passed and the title was agreed to.

\*\*\*\*\*

HB 1622: A BILL for an Act to amend and reenact section 26.1-39-05 of the North Dakota Century Code, relating to payment of proceeds of property and casualty insurance policies.

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

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Keller; Lodoen;  
Meyer, W.; Mushik; Nething; Shea

HB 1622 passed and the title was agreed to.

\*\*\*\*\*

HB 1626: A BILL for an Act to amend and reenact sections 30.1-14-01.1 and 30.1-14-05 and subsection 1 of section 30.1-14-07 of the North Dakota Century Code, relating to informal probate proceedings.

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

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Keller; Lodoen;  
Meyer, W.; Nething; Shea; Waldera

HB 1626 passed and the title was agreed to.

\*\*\*\*\*

HB 1637: A BILL for an Act to amend and reenact sections 40-57.1-02 and 40-57.1-04.1 of the North Dakota Century Code, relating to tax exemptions for new industries.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nething; Shea

HB 1637 passed and the title was agreed to.

\*\*\*\*\*

HB 1653: A BILL for an Act to repeal section 11-13-17 of the North Dakota Century Code, relating to the destruction of county records.

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

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nething; Shea

HB 1653 passed and the title was agreed to.

\*\*\*\*\*

HB 1672: A BILL for an Act to amend and reenact section 11-11-55.1 of the North Dakota Century Code, relating to

county authority to provide special assessment improvements for service connections; 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, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nething; Satrom

HB 1672 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

#### SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3001: A concurrent resolution directing the Legislative Council to study the Administrative Agencies Practice Act.

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

The question being on the final adoption of the resolution.

HCR 3001 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

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

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

The question being on the final adoption of the resolution.

HCR 3006 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

MOTION

SEN. HEIGAARD MOVED that HCR 3010 and HCR 3050, which are on the Fourteenth order, be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3018: A concurrent resolution directing the Legislative Council to study and determine alternatives to improve the committee structure for the appropriation process.

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

The question being on the final adoption of the resolution.

HCR 3018 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3023: A concurrent resolution directing the Legislative Council to study the procedures and requirements for review of rate filings by health insurers.

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

The question being on the final adoption of the resolution.

HCR 3023 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3024: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing educational programs relating to career guidance and development for children and adults in the state.

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

The question being on the final adoption of the resolution.

HCR 3024 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3031: A concurrent resolution directing the Legislative Council to study the nonagricultural real estate foreclosure laws of the state of North Dakota in relation to the foreclosure laws adopted by other states.

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

The question being on the final adoption of the resolution.

HCR 3031 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3048: A concurrent resolution directing the Legislative Council to study the use of near infrared reflectance analyzers to test grain protein content.

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

The question being on the final adoption of the resolution.

HCR 3048 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3049: A concurrent resolution directing the Legislative Council to study methods of reducing losses incurred by the Comprehensive Health Association.

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

The question being on the final adoption of the resolution.

HCR 3049 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3053: A concurrent resolution directing the Legislative Council to study the problems caused by and associated with waterfowl.

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

The question being on the final adoption of the resolution.

HCR 3053 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3059: A concurrent resolution directing the Legislative Council to study methods of stabilizing receipts from taxes imposed on oil production.

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

The question being on the final adoption of the resolution.



HCR 3059 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

HCR 3077: A concurrent resolution directing the Legislative Council to study the differences in employee benefits between part-time and full-time employment in the private sector.

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

The question being on the final adoption of the resolution.

HCR 3077 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILLS

HB 1364: A BILL for an Act to require certain corporations receiving subsidies from the state to file annual audit reports and to submit to audit upon request.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.; Mushik; Nothing

HB 1364 passed and the title was agreed to.

\*\*\*\*\*

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.

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

#### ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nothing

HB 1428 passed and the title was agreed to.

\*\*\*\*\*

HB 1513: A BILL for an Act to amend and reenact section 26.1-33-37 of the North Dakota Century Code, relating to the determination of suicide as a defense to payment of a life insurance policy.

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 43 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Meyer, D.; Naaden; Nelson; Satrom; Vosper; Waldera

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nothing

HB 1513 passed and the title was agreed to.

\*\*\*\*\*

HB 1514: A BILL for an Act to create and enact a new section to chapter 26.1-29 of the North Dakota Century Code, relating to insurable interest in personal insurance; and to repeal section 26.1-29-09 of the North Dakota Century Code, relating to insurable interest in life and health insurance.

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

#### ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; 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: Keller; Lodoen; Meyer, W.;  
Nothing

HB 1514 passed and the title was agreed to.

\*\*\*\*\*

HB 1543: A BILL for an Act to direct the economic development commission to establish a venture capital network as a clearinghouse for information on capital investment opportunities in the state.

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

#### ROLL CALL

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

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

HB 1543 passed and the title was agreed to.

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HB 1586: A BILL for an Act to amend and reenact section 47-28-02 of the North Dakota Century Code, relating to sharing of income from patents from inventions and discoveries by faculty, officials, and employees of state institutions of higher education.

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

#### ROLL CALL

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

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

NAYS: Stromme

ABSENT AND NOT VOTING: Keller; Lodoen; Meyer, W.;  
Nething

HB 1586 passed and the title was agreed to.

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#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3058: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of developing a program for competency testing of elementary and secondary students and of providing remedial programs for students who need assistance mastering basic skills.

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

The question being on the final adoption of the resolution.

HCR 3058 was declared adopted and the title was agreed to on a voice vote.

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## MOTION

SEN. AXTMAN MOVED that HB 1471, which is on the Tenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR

HCR 3004: A concurrent resolution urging the President of the United States to establish a presidential commission to study the impact of federal Indian policies on non-Indians living or working on or near Indian reservations in the United States.

HCR 3047: A concurrent resolution directing the Legislative Council to study the North Dakota state employees health insurance program.

HCR 3051: A concurrent resolution urging state agencies, especially the Economic Development Commission and the State Highway Department, to give recognition and publicity to the International Peace Garden in their publications.

HCR 3056: A concurrent resolution directing the Legislative Council to study methods to encourage contributions to nonprofit organizations in North Dakota.

Which have been read.

The question being on the final adoption of the resolutions.

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

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## MOTIONS

SEN. HEIGAARD MOVED that Rule 402, subsection 4, be suspended and that the reporting of resolutions out of committee which propose amendments to the Constitution of North Dakota be extended two legislative days to Monday, March 16, 1987, which motion prevailed.

SEN. HEIGAARD MOVED that the SB 2550 be reprinted, which motion prevailed.

SEN. HEIGAARD MOVED that HCR 3076 be returned to the Senate floor from the Committee on Joint Constitutional Revision, which motion prevailed.

SEN. HEIGAARD MOVED that HCR 3076 be rereferred to the Committee on Judiciary, which motion prevailed.

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, and after the reading of HB 1032, HB 1044, HB 1077, HB 1086, HB 1118, HB 1193, HB 1214, HB 1280, HB 1281, HB 1282, HB 1283, HB 1284, HB 1355, HB 1360, HB 1378, HB 1381, HB 1405, HB 1421, HB 1439, HB 1456, HB 1459, HB 1535, HB 1552, HB 1643, HB 1673, HCR 3060, and HCR 3063, the Senate adjourn and convene at 12:30 p.m., Friday, March 13, 1987, which motion prevailed.

PERRY GROTEBERG, Secretary