

FRIDAY, MARCH 13, 1987

1507

## JOURNAL OF THE SENATE

### Fiftieth Legislative Assembly

\* \* \* \* \*

#### FORTY-SEVENTH DAY

Bismarck, March 13, 1987

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

The prayer was offered by Reverend Zack D. Gill, First United Methodist Church, Mandan.

Almighty and Everlasting God, giver of all good gifts and sustainer of our lives, we come before You to invoke Your presence in this assembly. Lord, we recognize that You have created us, and we are Your people. You have placed us in positions of leadership in this state and charged us with great responsibilities. Give us wisdom and strength this day to discern Your will in all the matters that come before us. Help us to have the courage of our convictions and to discharge our responsibilities with faithfulness and honesty. Keep us ever aware of the common good that we may put behind us the sectarian interests that would divide us or rob us of Your greater blessings.

Lord, we are thankful for Your provisions and for the opportunities that are ours in this great state. Continue to honor us with Your abiding presence, and may Your healing spirit continue to sustain and bring health to us all, and most particularly to our Lieutenant Governor Ruth Meiers. It is our prayer that Your grace will fill her life as she courageously battles disease. Be gracious to us this day we pray, and continue Your rule over us. Give counsel to all our counselors, teach all our teachers, and order all our public affairs to Your glory. And notwithstanding all our provocations, still be our God and let us be Your people. We pray in the name of our Lord, Jesus Christ. Amen.

#### ROLL CALL

The roll was called and all Senators were present, except Senators Maxson, J. Meyer, Nething, Reiten, Schoenwald, 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-sixth Day and finds the same to be correct.

SEN. J. MEYER, Chairman

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

MESSAGES FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2011, SB 2033, SB 2085, SB 2093, and SB 2141 which the House has amended and subsequently passed:

HOUSE AMENDMENTS TO ENGROSSED SB 2011

On page 1 of the engrossed bill, line 15, delete the numerals "1,120,718" and insert in lieu thereof the numerals "1,071,472"

On page 1 of the engrossed bill, line 16, delete the numerals "398,158" and insert in lieu thereof the numerals "395,158"

On page 1 of the engrossed bill, line 18, delete the numerals "1,551,316" and insert in lieu thereof the numerals "1,499,070"

On page 1 of the engrossed bill, line 19, delete the numerals "1,183,593" and insert in lieu thereof the numerals "1,157,470"

On page 1 of the engrossed bill, line 20, delete the numerals "367,723" and insert in lieu thereof the numerals "341,600"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Division of Emergency Management

An analysis of the general fund and federal funds changes is as follows:

	Total Increase (Decrease)	General Fund	Federal Funds
<u>Salaries and wages</u>			
Delete one program specialist II position - state and local emergency management assistance	\$ (49,246)	\$ (24,623)	\$ (24,623)
<u>Operating expenses</u>			
Reduce employee travel and communications associated with deleted position	(3,000)	(1,500)	(1,500)
Total increase (decrease)	\$ (52,246)	\$ (26,123)	\$ (26,123)

## HOUSE AMENDMENTS TO ENGROSSED SB 2033

- On page 1 of the engrossed bill, line 2, after the word "wetlands" insert the word "mediation"
- On page 1 of the engrossed bill, line 9, after the word "Wetlands" insert the word "mediation", after the word "wetlands" insert the word "mediation", and delete the word "shall"
- On page 1 of the engrossed bill, delete lines 10 through 13 and insert in lieu thereof the words "consists of the governor, or the governor's duly authorized designee, as chairman; the commissioner of agriculture, or the commissioner's duly authorized designee; the president, or a member selected by the president, of the North Dakota farmers union; the president, or a member selected by the president, of the North Dakota farm bureau; the president, or a member selected by the president, of the North Dakota national farmers organization; the state engineer of the water commission, or the state engineer's duly authorized designee; the state game and fish commissioner, or the commissioner's duly authorized designee; the regional director of the United States fish and wildlife service, or the regional director's duly authorized designee; the executive director, or a member selected by the executive director, of the state association of counties; and the executive vice president, or a member selected by the executive vice president, of the state association of soil conservation districts"
- On page 1 of the engrossed bill, line 14, delete the word "commissioner"
- On page 1 of the engrossed bill, line 18, after the word "Wetlands" insert the word "mediation"
- On page 1 of the engrossed bill, line 19, after the word "wetlands" insert the word "mediation"
- On page 1 of the engrossed bill, line 26, after the word "Wetlands" insert the word "mediation"
- On page 1 of the engrossed bill, line 27, delete the words "any governmental entity" and insert in lieu thereof the words "the United States fish and wildlife service"
- On page 2 of the engrossed bill, line 3, after the word "wetlands" insert the word "mediation"
- On page 2 of the engrossed bill, line 8, delete the words "appropriate government" and insert in lieu thereof the words "regional director of the United States fish and wildlife service"

On page 2 of the engrossed bill, line 9, delete the word "agency"  
And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2085

On page 1 of the engrossed bill, line 2, after the word "facilities" insert the words "; and to create and enact a new subsection to section 57-15-12.2 of the North Dakota Century Code, relating to park district tax levy limitations"

On page 1 of the engrossed bill, line 6, after the word "commissioners" insert the words "established pursuant to chapter 40-49," and delete the words ", in addition to other" and insert in lieu thereof the words "not exceeding the limitation in section 2 of this Act"

On page 1 of the engrossed bill, line 7, delete the words "levies, up to five mills"

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

"SECTION 2. A new subsection to section 57-15-12.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

A park district levying a tax for parks and recreational facilities in accordance with section 1 of this Act may levy a tax not exceeding five mills."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2093

On page 1 of the engrossed bill, line 25, overstrike the words "an eight" and insert immediately thereafter the words "a ten"

On page 3 of the engrossed bill, line 24, overstrike the word "sixty" and insert immediately thereafter the word "thirty"

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SB 2141

On page 1, line 1, after the word "to" insert the words "limit the authority of the state penitentiary to acquire license plate manufacturing equipment; and to"

On page 1, after line 14, insert the following new section:

"SECTION 2. LIMITATION ON AUTHORITY OF STATE PENITENTIARY TO ACQUIRE LICENSE PLATE MANUFACTURING EQUIPMENT. The state penitentiary may not acquire license

plate manufacturing equipment to provide services under section 1 of this Act until the first general issuance of license plates after 1987."

And renumber the lines, sections, and pages accordingly

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2192 which the House has amended, and subsequently failed:

On page 4 of the engrossed bill, line 10, delete the word "must" and insert in lieu thereof the word "may"

On page 6 of the engrossed bill, line 24, delete the words "or subsection 1 of this"

On page 6, line 25, delete the word "section"

And renumber the lines, sections, and pages accordingly

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1674

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 1122, HB 1172, HB 1180, HB 1185, HB 1397, HCR 3025 and subsequently passed the same.

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 1056, HB 1300, HB 1308, HB 1594

ROY GILBREATH, Chief Clerk

MESSAGES 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 1176, HB 1207, HB 1231, HB 1257, HB 1293, HB 1330, HB 1388, HB 1393, HB 1497, HB 1609

PERRY GROTEBERG, Secretary

## SENATE CHAMBER

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

HB 1328

PERRY GROTEBERG, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

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

SB 2047, SB 2094, SB 2096, SB 2105, SB 2154, SB 2169,  
 SB 2246, SB 2250, SB 2253, 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

PERRY GROTEBERG, Secretary

## MESSAGE TO THE HOUSE

## SENATE CHAMBER

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

SB 2047, SB 2094, SB 2096, SB 2105, SB 2154, SB 2169,  
 SB 2246, SB 2250, SB 2253, 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

PERRY GROTEBERG, Secretary

## REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1129 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 17, delete the word "following" and remove the overstrike over the words "~~that the~~"

On page 1, line 18, remove the overstrike over the words "~~commission prescribes by rule~~" and delete the underscored colon and insert in lieu thereof the following: "The rules must require notification of royalty owners by certified mail that deductions may have been made for transportation or processing. The rules must also require that upon written request of the royalty owner, the royalty owner will be provided the amount, if any, of the deductions for transportation, any deductions for processing, and the posted price, if applicable. The rules of the commission must also require that the statement provide information concerning the amount of gas stored or removed from storage to any royalty owner who has an interest in gas stored off the leasehold"

On page 1, delete lines 19 through 28

On page 2, delete lines 1 through 16

On page 2, line 17, delete the words "mail within thirty days of receipt of the request"

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

HB 1129 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 1228 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 17, overstrike the words "six months" and insert immediately thereafter the words "one year"

On page 2 of the engrossed bill, line 27, after the period insert the words "A person who is not yet eighteen years of age is not eligible for a license under this chapter until that person has had an instruction permit issued under this chapter for at least six months."

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

HB 1228 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 1241 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 4 of the engrossed bill, line 19, delete the word "a" and insert in lieu thereof the words "an oral"

On page 4 of the engrossed bill, line 24, after the word "the" insert the word "oral"

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

HB 1241 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 1295 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be referred to the **Committee on Appropriations**:

On page 1 of the engrossed bill, line 2, delete the words and numerals "and a new subsection to section 63-01.1-06"

On page 1 of the engrossed bill, line 5, after the comma insert the word "and"

On page 1 of the engrossed bill, line 7, delete the words ", and authorizing funding to conduct research for the"

On page 1 of the engrossed bill, line 8, delete the words "control of leafy spurge"

On page 1 of the engrossed bill, line 11, delete the word "and" and insert in lieu thereof a comma, after the numeral "2" insert the word and numeral ", and 4", and after the first comma insert the words and numerals "subsection 4 of section 63-01.1-06.2,"

On page 1 of the engrossed bill, line 14, after the word "and" insert the words "powers of and"

On page 9 of the engrossed bill, line 8, after the semicolon insert the words "the president of the North Dakota stockmen's association or the president's authorized designee;"

On page 9 of the engrossed bill, line 29, delete the words "or employee unless that person is on vacation or taking"

On page 9 of the engrossed bill, delete line 30

On page 9 of the engrossed bill, line 31, delete the word "board"

On page 10 of the engrossed bill, line 1, delete the word "and" and insert in lieu thereof a comma and after the numeral "2" insert the word and numeral ", and 4"

On page 10 of the engrossed bill, line 25, after the word "commissioner" insert the words ", at the request of the cost-share review board,"

On page 11 of the engrossed bill, after line 9, insert the following:

"4. The request for allocated funds pursuant to subsections 2 and 3 shall be initiated by the county weed board or city which establishes a

program under section 63-01.1-10.1 by submitting a voucher and documentation. Upon approval of the voucher by the commissioner, at the request of the cost-share review board, payment shall be made by the office of management and budget out of funds appropriated for control of weeds.

SECTION 11. AMENDMENT. Subsection 4 of section 63-01.1-06.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. Any legislative appropriation for the leafy spurge control program of sections 63-01.1-06.1 through 63-01.1-06.3 shall be expended ~~only~~ for reimbursement of the cost of leafy spurge control according to this section to private landowners, including lessees, tenants, renters, or operators of private land, county weed boards, or cities, and for other leafy spurge programs as the cost-share review board determines to be necessary."

On page 11 of the engrossed bill, delete lines 28 through 34

On page 14 of the engrossed bill, line 35, delete the words "and administrative costs"

And renumber the lines, sections, and pages accordingly

SEN. W. MEYER, Chairman

HB 1295 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1337 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 15, delete the numeral "31" and insert in lieu thereof the numeral "9"

And renumber the lines, sections, and pages accordingly

SEN. SATROM, Chairman

HB 1337 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1369 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 30, after the word "effective" insert the words "for property upon which construction is begun after January 1, 1985,"

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

HB 1369 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 1460 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 "commission" insert the words  
"; and to declare an emergency"

On page 1, line 28, remove the overstrike over the word "~~and~~" and after the word "~~regulations~~" insert the word "orders"

On page 2, line 6, delete the words ", negotiable bonds of the United States or of this" and insert in lieu thereof the words "or property under such terms and conditions as the industrial commission may prescribe"

On page 2, delete lines 7 through 10

On page 2, line 11, delete the word "deposited"

On page 3, after line 11, insert the following new section:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure and is in effect upon its filing with the secretary of state or on a date specified in this Act."

And renumber the lines, sections, and pages accordingly

SEN. KRAUTER, Chairman

HB 1460 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 1481 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 23, after the period insert the following: "Any person engaged in the business of agriculture is excluded from this definition while transporting that person's

produce or livestock in a motor vehicle owned by that person."

On page 3, line 29, after the period insert in the following:  
"Any person engaged in the business of agriculture is excluded from this definition while transporting that person's produce or livestock in a motor vehicle owned by that person."

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

HB 1481 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 1491 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 of the engrossed bill, line 1, delete the word "two" and insert in lieu thereof the word "a" and delete the word "sections" and insert in lieu thereof the word "section"

On page 3 of the engrossed bill, delete lines 1 through 9

On page 3 of the engrossed bill, line 31, delete the word "or" and insert in lieu thereof an underscored comma

On page 3 of the engrossed bill, line 32, after the word "equipment" insert the words ", or agricultural aircraft"

On page 4 of the engrossed bill, after line 2, insert the following new subsection:

"9. The state and its agencies."

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

HB 1491 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 1598 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 2, after the comma insert the words "or in the alternative to amend and reenact subsection 4 to the new section to chapter 39-12 of the North Dakota Century Code as created by section 4 of House

Bill No. 1198, as approved by the fiftieth legislative assembly,"

On page 1 of the engrossed bill, line 6, delete the word "Subsection" and insert in lieu thereof the words "If House Bill No. 1198 does not become effective, subsection"

On page 2 of the engrossed bill, after line 30, insert the following section:

"SECTION 2. AMENDMENT. If House Bill No. 1198 becomes effective, subsection 4 to the new section to chapter 39-12 of the North Dakota Century Code, as created by section 4 of House Bill No. 1198, is hereby amended and reenacted to read as follows:

4. The commissioner, and local authorities, as to the highways under their respective jurisdictions, may issue permits authorizing a specific motor vehicle to exceed the weight limitations stated in subsections 1 and 2 by ten percent. The permits may not provide for a gross weight in excess of one hundred five thousand five hundred pounds [47,854.00 kilograms]. The permits must provide only for the movement of agricultural products from the field of harvest to the point of initial storage site, and for the collection and transport of solid wastes, during the period from July fifteenth to December first, and for the general movement of products during the period from December first to March seventh. The appropriate jurisdictional authority shall establish an appropriate fee for the permits and direct how they shall be issued. The highway patrol shall issue the permits authorized by the commissioner."

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

HB 1598 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 1601 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 5, delete the words "; and to provide an expiration date"

On page 1, line 25, overstrike the words "shall have full authority to" and insert immediately thereafter the word "may"

On page 2, line 19, delete the word and numerals "the 1987-89" and insert in lieu thereof the word "any"

On page 4, delete lines 10 and 11

And renumber the lines, sections, and pages accordingly

SEN. KRAUTER, Chairman

HB 1601 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 HCR 3020 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. J. MEYER, Chairman

HCR 3020 was placed on the Tenth 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 HCR 3021 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. J. MEYER, Chairman

HCR 3021 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 SCR 4063 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

SCR 4063 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1209 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. W. MEYER, Chairman

HB 1209 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 1279 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. HILKEN, Chairman

HB 1279 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 1333 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. DOTZENROD, Chairman

HB 1333 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 1363 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 1363 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 1410 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 1410 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 1449 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 1449 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 1468 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 1468 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 1538 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 1538 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 1545 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 1545 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 1608 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 1608 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 1613 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 1613 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 1671 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 1671 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 1079 as recommended by the Committee on State and Federal Government as printed on page 1464 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS which motion prevailed.

HB 1079 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1350 as recommended by the Committee on Industry, Business and Labor as printed on pages 1445-1446 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS which motion prevailed.

HB 1350 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. HEIGAARD MOVED that HB 1673 be moved to the head of the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILL

HB 1673: A BILL for an Act to provide temporary authority to the highway commissioner to reduce the period of advertising for bids and to designate the time of opening of bids for certain highway department construction contracts; to provide an expiration date; 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; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson; Redlin; Richard; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething; Reiten; Schoenwald

HB 1673 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

#### MOTION

SEN. HEIGAARD MOVED that the vote by which HB 1673 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

#### MOTION

SEN. HEIGAARD MOVED that the rules be suspended and that HB 1673 be messaged to the House immediately, which motion prevailed.

## SECOND READING OF HOUSE BILLS

HB 1032: A BILL for an Act to authorize the industrial commission to issue evidences of indebtedness for projects authorized by the fiftieth legislative assembly; to create and enact a new section to chapter 54-17.2 of the North Dakota Century Code, relating to evidences of indebtedness issued by the industrial commission and continued authority of the commission as the North Dakota building authority; to amend and reenact section 22 of chapter 571 of the 1985 Session Laws of North Dakota, relating to the continuing appropriation of moneys related to the projects; and to repeal section 21 of chapter 571 of the 1985 Session Laws of North Dakota, relating to projects authorized by the forty-ninth legislative assembly.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething; Reiten; Schoenwald

HB 1032 passed and the title was agreed to.

\*\*\*\*\*

HB 1355: A BILL for an Act to amend and reenact sections 26.1-18-04, 26.1-30-20, and subsection 1 of section 26.1-30-21 of the North Dakota Century Code, relating to the period of time in which the commissioner must approve insurance policies and notices of modification relating to the operation of a health maintenance organization.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething;  
 Reiten; Schoenwald

HB 1355 passed and the title was agreed to.

\*\*\*\*\*

HB 1405: A BILL for an Act to amend and reenact section 26.1-38-01 of the North Dakota Century Code, relating to the insurance companies that must participate in the life and health insurance guaranty association.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething;  
 Reiten; Schoenwald

HB 1405 passed and the title was agreed to.

\*\*\*\*\*

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

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

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

NAYS: Mathern

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething; Reiten; Schoenwald

HB 1456 passed and the title was agreed to.

\*\*\*\*\*

## SIGNING OF BILLS AND RESOLUTIONS

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

HB 1275, HB 1276

PERRY GROTEBERG, Secretary

MESSAGE TO THE HOUSE  
SENATE CHAMBER

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

HB 1275, HB 1276

PERRY GROTEBERG, Secretary

## SIGNING OF BILLS AND RESOLUTIONS

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

SB 2112, SB 2159, SB 2239, SB 2270, SB 2282, SB 2329,  
SB 2332, SB 2335, SB 2370, SB 2433, SB 2482, SB 2487,  
SB 2497, SCR 4004

PERRY GROTEBERG, Secretary

MESSAGES 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 2112, SB 2159, SB 2239, SB 2270, SB 2282, SB 2329,  
 SB 2332, SB 2335, SB 2370, SB 2433, SB 2482, SB 2487,  
 SB 2497

PERRY GROTEBERG, 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:

SCR 4004

PERRY GROTEBERG, Secretary

#### SENATE CHAMBER

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

HB 1673

PERRY GROTEBERG, Secretary

#### SIGNING OF BILLS AND RESOLUTIONS

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

HB 1093, HB 1119, HB 1163, HB 1164, HB 1175, HB 1205,  
 HB 1219, HB 1244, HB 1317, HB 1318, HB 1343, HB 1370,  
 HB 1389, HB 1400, HB 1415, HB 1419, HB 1425, HB 1432,  
 HB 1501, HB 1522, HB 1531, HCR 3002, HCR 3008, HCR 3012,  
 HCR 3022

PERRY GROTEBERG, Secretary

#### MESSAGE TO THE HOUSE

#### SENATE CHAMBER

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

HB 1093, HB 1119, HB 1163, HB 1164, HB 1175, HB 1205,  
 HB 1219, HB 1244, HB 1317, HB 1318, HB 1343, HB 1370,  
 HB 1389, HB 1400, HB 1415, HB 1419, HB 1425, HB 1432,  
 HB 1501, HB 1522, HB 1531, HCR 3002, HCR 3008, HCR 3012,  
 HCR 3022

PERRY GROTEBERG, Secretary

#### MOTION

SEN. HEIGAARD MOVED that HB 1535 and HCR 3063, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

#### POINT OF PERSONAL PRIVILEGE

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

The North Dakota State College of Science-Devils Lake Lady Royals basketball team achieved a season record of 29 wins

and six losses. The Lady Royals recently won the championship of the NJCAA Region 13 tournaments in Crookston, Minnesota. This is the third consecutive season and the fourth of the last five seasons in which the Lady Royals have earned a berth in the NJCAA National Basketball Tournament. The continuing excellence of the Lady Royals basketball program has brought recognition of the high quality of activity programs carried on at the North Dakota institutions of higher education. On Thursday, March 17, the Lady Royals will oppose the Utah Technical Institute in the first round of the NJCAA National Basketball Tournament at Senatobia, Mississippi. I wish to extend a sincere and hearty congratulations to the Lady Royals basketball team and their coach, Gene Roebuck, on their outstanding recent season and to wish the Lady Royals the greatest success in the NJCAA National Basketball Tournament.

#### SECOND READING OF HOUSE BILL

HB 1643: A BILL for an Act to authorize the superintendent of public instruction to charge fees for copies of general equivalency certificates.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething; Reiten; Schoenwald

HB 1643 passed and the title was agreed to.

\*\*\*\*\*

#### SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3060: A concurrent resolution directing the Legislative Council to study small but necessary schools to determine what needs to be done to capitalize upon the strengths as well as correct the deficiencies of those schools.

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

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

HCR 3060 was declared adopted and the title was agreed to on a voice vote.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILLS

HB 1044: A BILL for an Act to create and enact two new chapters to title 35 of the North Dakota Century Code, relating to statutory agricultural liens; to amend and reenact sections 11-18-14, 11-29-24, 35-21-01, and subsection 9 of section 41-09-28 of the North Dakota Century Code, relating to duties of the county register of deeds, county seed, feed, and fuel liens, release of liens, and to protection of buyers of goods; and to repeal chapters 35-07, 35-08, 35-09, and 35-10 of the North Dakota Century Code, relating to threshing or drying liens, crop production liens, motor fuel liens, fertilizer, farm chemicals, or seed liens, and sugar beet production liens.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nothing; Reiten; Schoenwald

HB 1044 passed and the title was agreed to.

\*\*\*\*\*

HB 1077: A BILL for an Act to amend and reenact section 54-52-02.6, subdivisions a and c of subsection 3, paragraphs 1, 2, and 3 of subdivision a and subdivision d of subsection 4, and subsections 5 and 6 of section 54-52-17 of the North Dakota Century Code, relating to vesting and measuring of benefits under the public employees retirement system; 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; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson; Redlin; Richard; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething; Reiten; Schoenwald

HB 1077 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

HB 1118: A BILL for an Act to amend and reenact section 54-52-19.1 of the North Dakota Century Code, relating to computation of prior service benefits for certain public employees employed under the predecessor to the public employees retirement system.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething; Reiten; Schoenwald

HB 1118 passed and the title was agreed to.

\*\*\*\*\*

**HB 1193:** A BILL for an Act to amend and reenact section 57-51-15 of the North Dakota Century Code, relating to apportionment of proceeds from the oil and gas gross production tax.

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

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

**NAYS:** None

**ABSENT AND NOT VOTING:** Maxson; Meyer, J.; Nething; Reiten; Schoenwald; Waldera

HB 1193 passed and the title was agreed to.

\*\*\*\*\*

**HB 1214:** A BILL for an Act to amend and reenact subsection 1 of section 39-16-05, subsection 1 of section 39-16.1-09, subsection 1 of section 39-16.1-10, and section 39-16.1-12 of the North Dakota Century Code, relating to proof of financial responsibility after an accident, proof of motor vehicle insurance coverage, filing certificates of insurance by an insurance carrier, notice of insurance coverage cancellation to the highway commissioner.

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

#### ROLL CALL

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

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

**NAYS:** None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething;  
Reiten; Schoenwald

HB 1214 passed and the title was agreed to.

\*\*\*\*\*

HB 1280: A BILL for an Act to amend and reenact section 53-06.1-08 of the North Dakota Century Code, relating to charitable gambling jars and punchboards.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nething;  
Reiten; Schoenwald

HB 1280 passed and the title was agreed to.

\*\*\*\*\*

#### MOTION

SEN. HOLMBERG MOVED that HB 1378 be moved immediately following HB 1283 on the calendar, which motion prevailed.

#### SECOND READING OF HOUSE BILLS

HB 1281: A BILL for an Act to amend and reenact section 53-06.1-03 of the North Dakota Century Code, relating to local authorization of certain games of chance.

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; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, W.; Moore;

Mushik; Mutch; Naaden; Nalewaja; Nelson; Olson;  
 Peterson; Redlin; Richard; Satrom; Shea; Stenehjelm;  
 Streibel; Stromme; Tallackson; Tennefos; Thane; Todd;  
 Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nothing;  
 Reiten; Schoenwald

HB 1281 passed and the title was agreed to.

\*\*\*\*\*

HB 1282: A BILL for an Act to amend and reenact subsection 6 of section 53-06.1-01 of the North Dakota Century Code, relating to allowable uses of proceeds from games of chance.

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

NAYS: None

ABSENT AND NOT VOTING: Maxson; Meyer, J.; Nothing;  
 Reiten; Schoenwald

HB 1282 passed and the title was agreed to.

\*\*\*\*\*

HB 1283: A BILL for an Act to amend and reenact section 53-06.1-11 of the North Dakota Century Code, relating to issuance of prizes and to expense limitations with respect to charitable gambling.

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 40 YEAS, 7 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, W.; Mushik; Mutch; Naaden; Nalewaja; Nelson; Olson; Richard; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Wogsland; Wright

NAYS: David; Moore; Peterson; Redlin; Tennefos; Tweten; Yockim

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald

HB 1283 passed and the title was agreed to.

\*\*\*\*\*

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

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald

HB 1378 passed and the title was agreed to.

\*\*\*\*\*

HB 1360: A BILL for an Act relating to crediting prior service for certain members of the public employees retirement system.

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nothing; Reiten; Schoenwald

HB 1360 passed and the title was agreed to.

\*\*\*\*\*

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2047, SB 2094, SB 2096, SB 2105, SB 2154, SB 2169,  
SB 2246, SB 2250, SB 2253, 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

## SECOND READING OF HOUSE BILLS

HB 1381: A BILL for an Act to create and enact three new subsections to section 57-38-01 of the North Dakota Century Code and a new section to chapter 57-38 of the North Dakota Century Code, relating to a tax credit for employers who hire developmentally disabled or chronically mentally ill employees; 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 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald

HB 1381 passed and the title was agreed to.

\*\*\*\*\*

HB 1421: A BILL for an Act to require the office of management and budget and the state highway department to award contracts for the purchase of highway grade stakes to facilities for the physically handicapped, developmentally disabled, and chronically mentally ill; and to amend and reenact sections 24-02-19 and 54-44.4-05 of the North Dakota Century Code, relating to competitive bidding procedures.

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald

HB 1421 passed and the title was agreed to.

\*\*\*\*\*

HB 1439: A BILL for an Act to create and enact a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to entries against driving records; to amend and reenact sections 39-06.1-09 and 39-08-09 of the North Dakota Century Code, relating to the definition of a moving violation and immediate notice of an accident; 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 44 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; Tweten; Yockim

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald

HB 1439 passed and the title was agreed to.

\*\*\*\*\*

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

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

SB 2112, SB 2159, SB 2239, SB 2270, SB 2282, SB 2329,  
SB 2332, SB 2335, SB 2370, SB 2433, SB 2482, SB 2487,  
SB 2497

ROY GILBREATH, Chief Clerk

## SECOND READING OF HOUSE BILLS

HB 1459: A BILL for an Act to amend and reenact section 50-01-08 of the North Dakota Century Code, relating to the compensation of members of county social service boards.

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 38 YEAS, 9 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; David; Kelly; Lodoen; Mutch; Naaden; Nelson; Streibel; Todd

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald

HB 1459 passed and the title was agreed to.

\*\*\*\*\*

HB 1552: A BILL for an Act to amend and reenact section 55-08-05 of the North Dakota Century Code, relating to the sale of beer and wine by concessionaires operating within state parks and state recreation areas.

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 17 YEAS, 30 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Bakewell; David; Dotzenrod; Holmberg; Ingstad;  
Keller; Kelsh; Krauter; Maixner; Meyer, D.; Olson;  
Peterson; Richard; Shea; Stenehjelm; Todd; Waldera

NAYS: Axtman; Freborg; Heigaard; Heinrich; Hilken; Kelly;  
Langley; Lashkowitz; Lips; Lodoen; Mathern; Meyer, W.;  
Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Redlin;  
Satrom; Streibel; Stromme; Tallackson; Tennefos; Thane;  
Tweten; Vosper; Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald

HB 1552 lost.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILLS ON CONSENT CALENDAR

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

HB 1284: A BILL for an Act to amend and reenact sections 20.1-03-01.1 and 20.1-03-01.3 of the North Dakota Century Code, relating to bowhunter safety requirements.

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

Which have been read.

## ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Maxson; Meyer, J.;  
Nething; Reiten; Schoenwald; Stenehjem

So the bills passed and the titles were agreed to.

\*\*\*\*\*

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 1666

ROY GILBREATH, Chief Clerk

DELIVERY OF ENROLLED RESOLUTIONS

THE PRESIDENT PRO TEM ANNOUNCED that the following resolutions were delivered to the Secretary of State for his filing at the hour of 10:00 a.m., March 13, 1987:

SCR 4003, SCR 4006, SCR 4007, SCR 4015, SCR 4018, SCR 4020,  
SCR 4036, SCR 4045, SCR 4048, SCR 4064

COMMUNICATION

Doctor of the Day Schedule

March 16: Cory Miller, M.D., Fargo  
Internal Medicine  
March 17: Cory Miller, M.D., Fargo  
Internal Medicine  
March 18: Cory Miller, M.D., Fargo  
Internal Medicine  
March 19: Ken Helenbolt, M.D., Fargo  
Urology  
March 20: Wayne Anderson, M.D., Fargo  
Surgery

MOTIONS

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

SEN. HEIGAARD MOVED that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order of business, and after the reading of SCR 4063, HB 1079, HB 1209, HB 1279, HB 1333, HB 1350, HB 1363, HB 1410, HB 1449, HB 1468, HB 1538, HB 1545, HB 1608, HB 1613, HB 1671, HCR 3020, and HCR 3021, the Senate adjourn and convene at 1:00 p.m., Monday, March 16, 1987, which motion prevailed.

PERRY GROTEBERG, Secretary