

TUESDAY, MARCH 24, 1987

1717

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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FIFTY-FOURTH DAY

Bismarck, March 24, 1987

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

The prayer was offered by Reverend Forrest Erickson, Grace Lutheran Brethren, Bismarck.

Heavenly Father, we thank You for a new day and for health and strength that allows us to be here this morning. We have been greatly blessed by You, and we are particularly grateful for the freedom to assemble as we are doing today, and for the liberty to participate in the governmental affairs of our state and nation. We pray that this liberty may be preserved in our land.

We also pray for these men and women here today - the leaders of our state. We ask Your divine guidance and wisdom for them that they will make wise decisions with respect to the needs and problems we face.

And so we commit the affairs of this day to You, seeking Your blessing in all things. May we live and act in such a way that Your name may truly be honored.

In Jesus' name I pray, Amen.

ROLL CALL

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

A quorum was declared by the President Pro Tem.

CORRECTION AND REVISION OF THE JOURNAL

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Fifty-third Day and finds the same to be correct.

SEN. J. MEYER, Chairman

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

MESSAGES FROM THE HOUSE HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1079, HB 1099, HB 1117, HB 1254, HB 1405, HB 1420, HB 1456, HB 1460, HB 1491,

HB 1568, HB 1608, HCR 3060, and HCR 3063 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1129, HB 1274, HB 1337, HB 1350, HB 1369, and HB 1601 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1129: Reps. Koland, Tollefson, Lautenschlager
HB 1274: Reps. Goetz, A. Hausauer, Tomac
HB 1337: Reps. Moore, A. Olson, J. DeMers
HB 1350: Reps. Dorso, Lang, Frey
HB 1369: Reps. A. Hausauer, Gorman, Enget
HB 1601: Reps. Shaw, Lindgren, Meyer

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. 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 2109: Reps. Melby, Knell, Brokaw

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HB 1079, HB 1099, HB 1117, HB 1254, HB 1405, HB 1420,
HB 1456, HB 1460, HB 1491, HB 1568, HB 1608, HCR 3060,
HCR 3063

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:

HCR 3086, HCR 3088

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE SENATE CHAMBER

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

SB 2546

PERRY GROTEBERG, Secretary

TUESDAY, MARCH 24, 1987

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SENATE CHAMBER

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

HB 1652

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

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

HB 1154, HB 1452, HB 1549, HB 1563, HB 1579, HB 1582,
HB 1595, HB 1671, HCR 3005, HCR 3010, HCR 3020, HCR 3021,
HCR 3032, HCR 3050, HCR 3069, HCR 3072

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 1154, HB 1452, HB 1549, HB 1563, HB 1579, HB 1582,
HB 1595, HB 1671, HCR 3005, HCR 3010, HCR 3020, HCR 3021,
HCR 3032, HCR 3050, HCR 3069, HCR 3072

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

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

SB 2088, SB 2101, SB 2160, SB 2248, SB 2268, SB 2269,
SB 2287, SB 2288, SB 2295, SB 2299, SB 2302, SB 2350,
SB 2366, SB 2367, SB 2372, SB 2394, SB 2400, SB 2402,
SB 2437, SB 2463, SB 2472, SB 2476, SB 2483, SB 2514,
SB 2543, SCR 4017, SCR 4021, SCR 4042, SCR 4046, SCR 4057,
SCR 4060, SCR 4065

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 2088, SB 2101, SB 2160, SB 2248, SB 2268, SB 2269,
SB 2287, SB 2288, SB 2295, SB 2299, SB 2302, SB 2350,
SB 2366, SB 2367, SB 2372, SB 2394, SB 2400, SB 2402,
SB 2437, SB 2463, SB 2472, SB 2476, SB 2483, SB 2514,
SB 2543, SCR 4017, SCR 4021, SCR 4042, SCR 4046, SCR 4057,
SCR 4060, SCR 4065

PERRY GROTEBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

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

HB 1032, HB 1197, HB 1209, HB 1279, HB 1293, HB 1304,
HB 1310, HB 1333, HB 1363, HB 1433, HB 1449, HB 1468,
HB 1538, HB 1545, HB 1552, HB 1613

PERRY GROTBORG, 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 1032, HB 1197, HB 1209, HB 1279, HB 1293, HB 1304,
HB 1310, HB 1333, HB 1363, HB 1433, HB 1449, HB 1468,
HB 1538, HB 1545, HB 1552, HB 1613

PERRY GROTBORG, Secretary

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1004 has had the same under consideration and recommends by a vote of 14 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 of the engrossed bill, line 19, delete the numerals "14,549,720" and insert in lieu thereof the numerals "14,749,720"

On page 1 of the engrossed bill, line 20, delete the numerals "3,876,566" and insert in lieu thereof the numerals "3,976,566"

On page 1 of the engrossed bill, line 23, delete the numerals "21,131,459" and insert in lieu thereof the numerals "21,431,459"

On page 1 of the engrossed bill, line 25, delete the numerals "13,330,262" and insert in lieu thereof the numerals "13,630,262"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Board of Vocational Education

The grants, benefits, and claims line item is increased by \$200,000 from the general fund and the grants to postsecondary education line item is increased by \$100,000 from the general fund. The House decreased these line items by \$456,211 and \$171,621, respectively.

SEN. TALLACKSON, Chairman

MR. PRESIDENT: Your Committee on Appropriations to which was referred Engrossed HB 1019 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Prior to July 1, 1987	\$283,895
After July 1, 1987	<u>531,435</u>
Total general fund appropriation	\$815,330

The House had appropriated \$1,779,041 from the general fund to provide for the payment of all special assessments on the old Dickinson Experiment Station property.

Section 4 is added to reflect legislative intent that the Board of University and School Lands sell the old Dickinson Experiment Station property at public auction to the highest bidder or bidders.

SEN. TALLACKSON, Chairman

HB 1019 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred HB 1208 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 15, after the word "license" insert the words "or a temporary permit"

On page 4 of the engrossed bill, line 15, delete the word "fine" and insert in lieu thereof the words "penalty fee"

On page 4 of the engrossed bill, line 17, delete the word "fine" and insert in lieu thereof the word "fee"

On page 4 of the engrossed bill, line 20, delete the word "fine" and insert in lieu thereof the words "penalty fee"

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

HB 1208 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred HB 1272 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 16, delete the words "in health care facilities"

On page 4 of the engrossed bill, line 14, after the word "be" insert the words "and section 3 of this Act"

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

HB 1272 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1289 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1 of the engrossed bill, line 9, delete the word "local" and insert in lieu thereof the word "nonprofit"
- On page 1 of the engrossed bill, line 11, delete the word "indicating" and insert in lieu thereof the words ". The record must indicate"
- On page 1 of the engrossed bill, line 12, after the first word "the" insert the word "loaned"
- On page 1 of the engrossed bill, line 17, delete the word "donated"
- On page 1 of the engrossed bill, line 18, delete the word "or" and delete the word "must" and insert in lieu thereof the word "may"
- On page 1 of the engrossed bill, line 19, delete the words "public auction, with proceeds to go to the county" and insert in lieu thereof the words "the discretion of the board of directors or person in charge of the museum"
- On page 1 of the engrossed bill, line 20, delete the words "general fund"

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

HB 1289 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1323 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

- On page 1, line 4, after the word Code insert the words "or in the alternative to amend and reenact section 39-07-11 as amended by section 5 of Senate Bill No. 2468, as approved by the fiftieth legislative assembly"
- On page 1 of the engrossed bill, line 12, delete the words "convicted in tribal court"
- On page 1 of the engrossed bill, line 13, delete the word "tribal"

- On page 1 of the engrossed bill, line 15, delete the word "tribal" and insert in lieu thereof the word "any" and after the word "court" insert the words "within the United States"
- On page 1 of the engrossed bill, line 16, delete the word "tribal"
- On page 1 of the engrossed bill, line 17, delete the words ", or to any provision of"
- On page 1 of the engrossed bill, line 18, delete the words and numerals "chapters 39-05 through 39-13, 39-21, and 39-24"
- On page 1, line 19, delete the word "Section" and insert in lieu thereof the words "If Senate Bill No. 2468 does not become effective, section"
- On page 2 of the engrossed bill, line 9, delete the word "tribal"
- On page 2 of the engrossed bill, line 10, delete the words "a tribal" and insert in lieu thereof the word "an"
- On page 2 of the engrossed bill, line 11, delete the words ", or to any"
- On page 2 of the engrossed bill, line 12, delete the words "provision of chapters 39-05 through 39-13, 39-21, and 39-24"
- On page 2, after line 23, insert the following section:

"SECTION 3. AMENDMENT. If Senate Bill No. 2468 becomes effective, section 39-07-11 of the North Dakota Century Code as amended by section 5 of Senate Bill No. 2468 is hereby amended and reenacted to read as follows:

39-07-11. Magistrate to keep record of convictions of traffic violations - Records of conviction to be forwarded to licensing authority. Every magistrate, as defined in section 29-01-14, shall keep a full record of every case brought before the magistrate in which a person is charged with a violation of chapter 12.1-16 resulting from the operation of a motor vehicle, or of any provision of chapters 39-05 through 39-13, 39-21, and 39-24, or with a violation of a municipal ordinance which is equivalent to any of the provisions of the foregoing statutes. Within ten days after a final order or judgment of conviction, for a violation not subject to disposition and reporting under chapter 39-06.1, by the North Dakota supreme court or any lower court having jurisdiction, provided that no appeal is pending and the time for filing a notice of appeal has elapsed, the magistrate then having jurisdiction shall forward a report of that fact to the licensing authority.

The licensing authority may receive reports of traffic offense convictions submitted by a court in this state for any conviction of a licensed operator for violation of an ordinance equivalent to section 12.1-16-02 or 12.1-16-03. If the reported violation caused another person's serious bodily injury, as defined in section 12.1-01-04, the magistrate shall include that information in the report. Any conviction for which a report is received by the licensing authority may be deemed by the licensing authority to be final, and the licensing authority may take any action authorized by law to be taken based on the report. Subject to the filing of an appeal, a conviction includes those instances when:

1. A sentence is imposed and suspended;
2. Imposition of a sentence is suspended under chapter 12-53; or
3. There is a forfeiture of bail or collateral deposited to secure a defendant's appearance in court and the forfeiture has not been vacated."

And renumber the lines, sections, and pages accordingly

SEN. LASHKOWITZ, Chairman

HB 1323 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was rereferred HB 1373 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

On page 1 of the engrossed bill, line 13, delete the words "at least" and delete the words "a mechanism for reaching" and insert in lieu thereof the words "the ability to reach" and delete the comma

On page 1 of the engrossed bill, line 14, delete the words "at all times,"

On page 1 of the engrossed bill, line 15, delete the word "The"

On page 1 of the engrossed bill, delete lines 16 and 17

On page 1 of the engrossed bill, line 18, delete the words "of the procedure"

And renumber the lines, sections, and pages accordingly

SEN. DOTZENROD, Chairman

HB 1373 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1450 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, after the word "licensure" insert the words "; to provide an expiration date; and to declare an emergency"

On page 1 of the engrossed bill, line 13, after the word "in" insert the words "residential or agricultural"

On page 2 of the engrossed bill, after line 13, insert the following new sections:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1989, and after that date is ineffective.

SECTION 3. 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. D. MEYER, Chairman

HB 1450 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred HB 1470 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 13, remove the overstrike over the words "~~and who is employed on a full-~~"

On page 1, line 14, remove the overstrike over the words "~~time basis~~" and insert immediately thereafter the words "except in those home health agencies affiliated with hospitals" and remove the overstrike over the words "~~- There must be supervision from a~~"

On page 1, line 15, remove the overstrike

On page 1, line 16, remove the overstrike over the words "~~hours of operation~~" and delete the words "This person, or a similarly"

On page 1, delete lines 17 through 21

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

HB 1470 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1615 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 17, after the period insert the words "For purposes of this chapter, "municipality" means a city with a population of ten thousand or less."

On page 4 of the engrossed bill, line 9, delete the words "a majority" and insert in lieu thereof the words "one-third or more"

On page 4 of the engrossed bill, line 13, delete the words "a majority" and insert in lieu thereof the words "one-third or more"

On page 4 of the engrossed bill, line 19, delete the words "a majority" and insert in lieu thereof the words "one-third or more"

On page 7 of the engrossed bill, line 11, delete the words "by forty percent or more"

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

HB 1615 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Education to which was referred HB 1675 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the words "; and to repeal subdivision j of"

On page 1, delete line 4

On page 1, line 5, delete the words "relating to school district mill levies for asbestos abatement"

On page 1, line 10, delete the word "Asbestos" and insert in lieu thereof the words "Multiyear asbestos"

On page 2, delete lines 6 through 8

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

HB 1675 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2548 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, overstrike the word "is" and insert immediately thereafter the word "was"

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

SB 2548 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred HCR 3073 has had the same under consideration and recommends by a vote of 4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, delete lines 25 through 28

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

HCR 3073 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SCR 4067 has had the same under consideration and recommends by a vote of 7 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SEN. LANGLEY, Chairman

SCR 4067 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1085 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. LASHKOWITZ, Chairman

HB 1085 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1110 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 NOT PASS.

SEN. D. MEYER, Chairman

HB 1110 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1457 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. LASHKOWITZ, Chairman

HB 1457 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1569 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 NOT PASS.

SEN. LASHKOWITZ, Chairman

HB 1569 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1638 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. LASHKOWITZ, Chairman

HB 1638 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was rereferred HB 1665 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. J. MEYER, Chairman

HB 1665 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HCR 3082 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 NOT PASS.

SEN. D. MEYER, Chairman

HCR 3082 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to HB 1009 as recommended by the Committee on Appropriations as printed on page 1688 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1009 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1247 as recommended by the Committee on Industry, Business and Labor as printed on pages 1688-1689 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1247 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

SEN. DOTZENROD MOVED that HB 1547, which is on the Sixth order, be rereferred to the Committee on Political Subdivisions, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. DOTZENROD MOVED that the amendments to HB 1331 as recommended by the Committee on Political Subdivisions as printed on pages 1689-1690 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1331 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. AXTMAN MOVED that the amendments to HB 1504 as recommended by the Committee on Agriculture as printed on page 1690 of the Senate Journal be adopted, and when so adopted, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

HB 1504 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to HB 1597 as recommended by the Committee on Transportation as printed on page 1691 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1597 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. AXTMAN MOVED that the amendments to HB 1630 as recommended by the Committee on Agriculture as printed on pages 1691-1692 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1630 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1633 as recommended by the Committee on Industry, Business and Labor as printed on pages 1692-1703 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1633 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MESSAGE FROM THE HOUSE HOUSE CHAMBER

MR. PRESIDENT: The House respectfully requests the return of SCR 4016.

ROY GILBREATH, Chief Clerk

RULING

THE PRESIDENT PRO TEM RULED that pursuant to Joint Rule 204 a two-thirds vote was needed to return SCR 4016 to the House as action had already been taken by the Senate.

The question before the Senate is the House request to return SCR 4016 to the House.

The motion to return SCR 4016 to the House lost on a verification vote.

CONSIDERATION OF AMENDMENTS

SEN. LANGLEY MOVED that the amendments to HB 1634 as recommended by the Committee on Industry, Business and Labor as printed on pages 1703-1704 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1634 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1666 as recommended by the Committee on Industry, Business and Labor as printed on page 1704 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

HB 1666 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. STENEHJEM MOVED that the Senate reconsider its action whereby SB 2404 passed, which motion prevailed.

SEN. STENEHJEM MOVED that the Senate reconsider its action whereby the Senate concurred in the House amendments to SB 2404, which motion prevailed.

SEN. MOORE MOVED that HB 1063 and HB 1640 be placed immediately following HB 1062 on the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1062: A BILL for an Act to amend and reenact subsection 1 of section 57-38-57 of the North Dakota Century Code, relating to secrecy as to income tax returns and prohibiting disclosure as to whether or not a taxpayer has filed an income tax return or report; 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, as amended, the roll was called and there were 40 YEAS, 13 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Richard; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Wright; Yockim

NAYS: Heigaard; Heinrich; Lashkowitz; Lips; Maxson; Mushik; Redlin; Satrom; Schoenwald; Shea; Tallackson; Waldera; Wogsland

ABSENT AND NOT VOTING: None

HB 1062 passed and the title was agreed to.

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

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, 53 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: None

HB 1063 lost.

HB 1640: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to disclosure by the state tax commissioner of whether or not candidates for elective office have filed income tax returns; and to provide a penalty.

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, 53 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: None

HB 1640 lost.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1034, HB 1330, and HB 1533 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1233 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1233: Reps. Wentz, Sorensen, Wilkie

ROY GILBREATH, Chief Clerk

SECOND READING OF HOUSE BILLS

HB 1161: A BILL for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to the composition of the three-member tuition committee.

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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: None

HB 1161 passed and the title was agreed to.

HB 1192: A BILL for an Act to amend and reenact subsection 1 of section 26.1-03-17 of the North Dakota Century Code, relating to the rate of the premium tax on accident and health insurance and property and casualty 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 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

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

NAYS: Tennefos

ABSENT AND NOT VOTING: None

HB 1192 passed and the title was agreed to.

HB 1325: A BILL for an Act to amend and reenact section 57-37.1-07 and subsection 3 of section 57-37.1-08 of the North Dakota Century Code, relating to interest on estate tax payments or refunds.

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, 2 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Kelly; Lodoen

ABSENT AND NOT VOTING: None

HB 1325 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that HB 1359 be placed at the foot of the calendar, which motion prevailed on a verification vote.

SECOND READING OF HOUSE BILLS

HB 1463: A BILL for an Act to authorize the conversion of nonprofit health service corporations into mutual insurance companies.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 46 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Freborg; Heigaard; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Bakewell; David; Heinrich; Mathern; Streibel

ABSENT AND NOT VOTING: Dotzenrod; Maixner

HB 1463 passed and the title was agreed to.

HB 1526: A BILL for an Act to create and enact a new section to chapter 64-04 of the North Dakota Century Code, relating to a requirement that certain tank wagons be equipped to provide metered bulk tickets.

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 25 YEAS, 27 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; Heigaard; Heinrich; Hilken; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Mathern; Maxson; Meyer, J.; Meyer, W.; Mushik; Peterson; Redlin; Richard; Satrom; Schoenwald; Todd; Waldera; Wogsland; Wright; Yockim

NAYS: Adams; Bakewell; David; Dotzenrod; Freborg; Holmberg; Ingstad; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson;

Reiten; Shea; Stenehjelm; Streibel; Stromme; Tallackson;
Tennefos; Thane; Tweten; Vosper

ABSENT AND NOT VOTING: Maixner

HB 1526 lost.

MOTION

SEN. HEINRICH MOVED that HB 1578, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3062: A concurrent resolution urging the Farm Credit Administration to adopt debt restructuring initiatives and develop lending programs and policies to aid farmers who are established in agriculture.

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

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

HCR 3062 was declared adopted and the title was agreed to on a verification vote.

SECOND READING OF HOUSE BILLS

HB 1030: A BILL for an Act to create and enact a new section to chapter 4-19 of the North Dakota Century Code, relating to the qualifications of district foresters; and to amend and reenact sections 4-19-01 and 57-57-01 of the North Dakota Century Code, relating to the appointment and duties of the state forester.

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 42 YEAS, 8 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Freborg; Hilken; Ingstad; Keller; Kelly; Krauter; Langley; Lashkowitz; Lips; Lodoen; Mathern; Maxson; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wright; Yockim

NAYS: Dotzenrod; Heigaard; Heinrich; Holmberg; Meyer, D.; Mushik; Shea; Wogsland

ABSENT AND NOT VOTING: Kelsh; Maixner; Waldera

HB 1030 passed and the title was agreed to.

HB 1038: A BILL for an Act to amend and reenact subsection 3 of section 12.1-06.1-01 and section 12.1-06.1-08 of the North Dakota Century Code, relating to computer fraud and computer crime classifications; 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 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

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

NAYS: Schoenwald

ABSENT AND NOT VOTING: Maixner

HB 1038 passed and the title was agreed to.

HB 1051: A BILL for an Act to provide for the reporting, collecting, maintaining, and disseminating of criminal history record information; to amend and reenact section 12-60-07 of the North Dakota Century Code, relating to the powers and duties of the bureau of criminal investigation; to repeal sections 12-60-10, 12-60-11, 12-60-12, 12-60-15, and 12-60-16 of the North Dakota Century Code, relating to the bureau of criminal investigation, fingerprinting arrestees, furnishing information, and reporting transfer, release or other disposition of arrestees; 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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Krauter; Maixner; Tallackson

HB 1051 passed and the title was agreed to.

HB 1131: A BILL for an Act to create and enact a new subsection to section 39-29-09 of the North Dakota Century Code, relating to all-terrain vehicle operation requirements; and to amend and reenact subsection 1 of section 39-29-01 of the North Dakota Century Code, relating to definition of all-terrain vehicle and safety requirements.

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, 2 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; Wogsland

ABSENT AND NOT VOTING: Tallackson

HB 1131 passed and the title was agreed to.

HB 1150: A BILL for an Act to provide for the appointment of guardians ad litem in prosecution of sex offenses.

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

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Waldera

HB 1150 passed and the title was agreed to.

HB 1187: A BILL for an Act to amend and reenact section 65-05.1-06 of the North Dakota Century Code, relating to limiting vocational rehabilitation benefits to two years, except in extraordinary circumstances, and to relocation and remodeling expense.

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 35 YEAS, 16 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; David; Dotzenrod; Freborg; Heigaard; Holmberg; Ingstad; Kelly; Krauter; Langley; Lips; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Wright; Yockim

NAYS: Heinrich; Hilken; Keller; Kelsh; Lashkowitz; Maixner; Mathern; Maxson; Meyer, J.; Mushik; Redlin; Richard; Schoenwald; Shea; Waldera; Wogsland

ABSENT AND NOT VOTING: Bakewell; Vosper

HB 1187 passed and the title was agreed to.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

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

SB 2088, SB 2101, SB 2160, SB 2248, SB 2268, SB 2269,
SB 2287, SB 2288, SB 2295, SB 2299, SB 2302, SB 2350,
SB 2366, SB 2367, SB 2372, SB 2394, SB 2400, SB 2402,
SB 2437, SB 2463, SB 2472, SB 2476, SB 2483, SB 2514,
SB 2543, SCR 4017, SCR 4021, SCR 4042, SCR 4046, SCR 4057,
SCR 4060, SCR 4065

ROY GILBREATH, Chief Clerk

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

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

SECOND READING OF HOUSE BILLS

HB 1227: A BILL for an Act to provide for child victim and witness fair treatment standards.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Waldera

HB 1227 passed and the title was agreed to.

HB 1242: A BILL for an Act to create and enact a new section to title 12.1 of the North Dakota Century Code, relating to the crime of child procurement; 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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Waldera

HB 1242 passed and the title was agreed to.

MOTIONS

SEN. HEIGAARD MOVED that HB 1295, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

SEN. SATROM MOVED that HB 1319, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

SEN. HEINRICH MOVED that HB 1578, which is on the Fourteenth order, be rereferred to the Committee on Education, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1332: A BILL for an Act to amend and reenact subsection 2 of section 32-12.1-03, subsection 3 of section 32-12.1-04 and section 32-12.1-05 of the North Dakota Century Code, relating to the award of damages against political subdivisions, the liability of political subdivision employees, and the statute of limitations for actions brought against political subdivisions.

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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: None

HB 1332 passed and the title was agreed to.

HB 1394: A BILL for an Act to amend and reenact section 54-03-01.5 of the North Dakota Century Code, or in the alternative to amend and reenact section 54-03-01.5 of the North Dakota Century Code as amended by section 9 of House Bill No. 1056, as approved by the fiftieth legislative assembly, relating to legislative apportionment requirements.

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

YEAS: David; Dotzenrod; Lodoen; Maxson; Meyer, W.; Peterson; Stenehjøm; Vosper

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

ABSENT AND NOT VOTING: None

HB 1394 lost.

HB 1406: A BILL for an Act to amend and reenact subsection 3 of section 43-11-19 and subdivision a of subsection 1 of section 43-11-27 of the North Dakota Century Code, relating to educational qualifications of cosmetology students and cosmetology training.

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, 5 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; David; Streibel; Tallackson; Tweten

ABSENT AND NOT VOTING: None

HB 1406 passed and the title was agreed to.

HB 1416: A BILL for an Act to create and enact a new section to chapter 15-40.1 of the North Dakota Century Code, relating to foundation aid payments to school districts with high schools that reorganize or annex.

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, 2 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Heigaard; Tweten

ABSENT AND NOT VOTING: None

HB 1416 passed and the title was agreed to.

HB 1529: A BILL for an Act to create and enact a new subsection to section 57-15-17 of the North Dakota Century Code, relating to transfers by school districts of unobligated funds from the building fund to the general fund; and to declare an emergency.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

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

NAYS: Moore

ABSENT AND NOT VOTING: None

HB 1529 passed, the title was agreed to, and the emergency clause carried.

HB 1604: A BILL for an Act to amend and reenact section 15-40.2-03 of the North Dakota Century Code, relating to school district tuition payments.

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, 2 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen;

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

NAYS: Holmberg; Nalewaja

ABSENT AND NOT VOTING: None

HB 1604 passed and the title was agreed to.

HB 1631: A BILL for an Act to create and enact chapter 32-03.1 of the North Dakota Century Code, relating to exemption for liability to encourage the public to render assistance to victims of accident and illness.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 52 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING.

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

NAYS: Lashkowitz

ABSENT AND NOT VOTING: None

HB 1631 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3003: A concurrent resolution urging the Congress of the United States to make full payments in lieu of real property taxes on all land withdrawn, held in trust, or purchased for federal purposes.

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

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

HCR 3003 was declared adopted and the title was agreed to on a voice vote.

MOTION

SEN. HEIGAARD MOVED that HB 1001, HB 1002, HB 1013, HB 1024, HB 1052, HB 1216, and HB 1222 be moved to the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1041: A BILL for an Act to create and enact a new section to chapter 6-07 of the North Dakota Century Code, relating to the priority of paying expenses of and claims against an insolvent bank; and to amend and reenact sections 6-03-67 and 41-04-27 of the North Dakota Century Code, relating to liability of a banking association for appropriation of deposits and the right of payor banks to setoff.

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 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: None

HB 1041 passed and the title was agreed to.

HB 1042: A BILL for an Act to amend and reenact section 6-02-03 of the North Dakota Century Code, relating to the capital stock requirements of banking associations.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 1 NAY, 0 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, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Maxson

ABSENT AND NOT VOTING: None

HB 1042 passed and the title was agreed to.

HB 1123: A BILL for an Act to create and enact a new section to chapter 39-08 of the North Dakota Century Code, relating to liability insurance cards being carried with a vehicle; 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 15 YEAS, 38 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Freborg; Heinrich; Hilken; Lashkowitz; Mathern; Maxson; Moore; Mushik; Nething; Schoenwald; Shea; Stenehjem; Stromme; Wright; Yockim

NAYS: Adams; Axtman; Bakewell; David; Dotzenrod; Heigaard; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland

ABSENT AND NOT VOTING: None

HB 1123 lost.

HB 1151: A BILL for an Act to create and enact a new section to chapter 14-07.1 of the North Dakota Century Code, relating to the appointment of a guardian ad litem to represent a

minor in an action for a protection order involving custody, support or visitation.

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, 15 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: David; Dotzenrod; Keller; Kelly; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Streibel; Tennefos; Thane; Tweten; Wright

ABSENT AND NOT VOTING: None

HB 1151 passed and the title was agreed to.

HB 1171: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to the qualifications of elementary and junior high school teachers; and to amend and reenact subsection 1 of section 15-34.1-03 and section 15-40.1-08 of the North Dakota Century Code, relating to the qualifications required of kindergarten and elementary teachers in order for a school to be approved and receive foundation aid.

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, 8 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; David; Dotzenrod; Freborg; Meyer, D.; Moore; Mutch; Vosper

ABSENT AND NOT VOTING: None

HB 1171 passed and the title was agreed to.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3084: A concurrent resolution directing the Legislative Council to study the Department of Human Services' establishment of a prospective Medicaid payment system. Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

MOTION

SEN. HEIGAARD MOVED that a committee of three be appointed for the memorial service, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as such committee:

Sens. Richard, Axtman, Wright

MOTIONS

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

SEN. HEIGAARD MOVED that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order of business, be on the Thirteenth order of business, and at the conclusion of the Thirteenth order of business, be on the Sixteenth order of business, and at the conclusion of the Sixteenth order of business, and after the reading of SCR 4067, HB 1009, HB 1085, HB 1110, HB 1247, HB 1331, HB 1457, HB 1504, HB 1569, HB 1597, HB 1630, HB 1633, HB 1634, HB 1638, HB 1665, HB 1666, and HCR 3082, the Senate adjourn and convene at 10:00 a.m., Wednesday, March 25, 1987, which motion prevailed.

PERRY GROTEBERG, Secretary