

TUESDAY, MARCH 31, 1987

1955

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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FIFTY-NINTH DAY

Bismarck, March 31, 1987

The Senate convened at 9:00 a.m., with President Pro Tem Redlin presiding.

The prayer was offered by Reverend Jim Stenslie, Heart River Lutheran Church, Mandan.

Father, You have promised to renew our strength like the eagles. These are men and women who need Your strength, Your renewal. The weeks of work, the weeks of concern about families and business have taken their toll, and we ask You to renew them. Be with all of those concerns that they have at home. Help them to know that You are watching over all of those people and things that burden them. Free them to focus on the business at hand. Enlighten them, strengthen them, in Christ's name, Amen.

ROLL CALL

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

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-eighth 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 Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2404: Reps. Wentz, Sorensen, Ulmer

SB 2510: Reps. Larson, Gates, Schneider

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2344 which the House has amended and subsequently failed to pass:

HOUSE AMENDMENTS TO SB 2344

On page 1, line 21, after the word "position" insert the words "but for not more than one write-in candidate for each position to be elected"

On page 1, line 23, after the word "names" insert the words "except you may vote for only one write-in candidate for each position to be elected"

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:

HCR 3091, HCR 3092, HCR 3093

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2004, SB 2012, SB 2015, SB 2029, SB 2099, SB 2127, and SB 2507 which the House has amended and subsequently passed:

HOUSE AMENDMENTS TO ENGROSSED SB 2004

On page 1 of the engrossed bill, line 23, delete the numerals "3,736,302" and insert in lieu thereof the numerals "3,556,302"

On page 1 of the engrossed bill, line 24, delete the numerals "2,245,573" and insert in lieu thereof the numerals "2,220,573"

On page 1 of the engrossed bill, line 28, delete the numerals "269,154" and insert in lieu thereof the numerals "173,154"

On page 2 of the engrossed bill, line 1, delete the numerals "35,670,383" and insert in lieu thereof the numerals "35,369,383"

On page 2 of the engrossed bill, line 3, delete the numerals "6,582,527" and insert in lieu thereof the numerals "6,281,527"

On page 2 of the engrossed bill, line 17, delete the numerals "6,582,527" and insert in lieu thereof the numerals "6,281,527"

On page 2 of the engrossed bill, line 19, delete the numerals "68,404,524" and insert in lieu thereof the numerals "68,103,524"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Office of Management and Budget

An analysis of the \$301,000 general fund reduction is as follows:

	General Fund Increase (Decrease)
<u>Operating expenses</u>	
Reduce operating expenses	\$ (25,000)
Delete increase in state employee travel expense related to the statewide accounting and management information system (SAMIS)	(5,000)
Delete outside professional services funding related to SAMIS - work will now be handled by OMB staff	(150,000)
<u>Data processing</u>	
Reduce data processing	(25,000)
<u>State memberships</u>	
Delete funds for membership in the Midwest Technology Development Institute	(96,000)
Total increase(decrease)	\$(301,000)

HOUSE AMENDMENTS TO ENGROSSED SB 2012

- On page 1 of the engrossed bill, line 19, delete the numerals
"1,702,925" and insert in lieu thereof the numerals
"1,667,569"
- On page 1 of the engrossed bill, line 20, delete the numerals
"226,646" and insert in lieu thereof the numerals "212,006"
- On page 1 of the engrossed bill, line 22, delete the numerals
"1,935,378" and insert in lieu thereof the numerals
"1,885,382"
- On page 1 of the engrossed bill, line 23, delete the numerals
"1,937,087" and insert in lieu thereof the numerals
"1,887,091"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Parole and Probation Office

The amendment deletes \$49,996 from the general fund as follows:

General Fund
(Decrease)

Salaries and wages

Delete funds to downgrade parole agent positions	\$(11,219)
Delete funds for .5 FTE secretary	(13,717)
Delete funds for vacancy as a result of agent retiring	(10,420)

Operating expenses

Reduce funds for operating expenses	<u>(14,640)</u>
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Total	<u>\$(49,996)</u>
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HOUSE AMENDMENTS TO REENGROSSED SB 2015

On page 1 of the reengrossed bill, line 9, delete the words "to repeal section 50-24.1-02.3"

On page 1 of the reengrossed bill, delete line 10

On page 1 of the reengrossed bill, line 11, delete the word "allowances;"

On page 1 of the reengrossed bill, line 12, delete the words "pre-burials" and insert in lieu thereof the words "inspection of care and survey functions, DUI evaluation program reductions,"

On page 1 of the reengrossed bill, line 26, delete the numerals "46,359,232" and insert in lieu thereof the numerals "45,442,896"

On page 1 of the reengrossed bill, line 27, delete the numerals "22,175,469" and insert in lieu thereof the numerals "23,219,787"

On page 2 of the reengrossed bill, line 1, delete the numerals "535,148" and insert in lieu thereof the numerals "508,095"

On page 2 of the reengrossed bill, line 2, delete the numerals "469,145,308" and insert in lieu thereof the numerals "455,250,807"

On page 2 of the reengrossed bill, line 3, delete the numerals "546,801,838" and insert in lieu thereof the numerals "533,008,266"

On page 2 of the reengrossed bill, line 4, delete the numerals "367,688,005" and insert in lieu thereof the numerals "361,988,537"

On page 2 of the reengrossed bill, line 5, delete the numerals "179,113,833" and insert in lieu thereof the numerals "171,019,729"

- On page 2 of the reengrossed bill, line 18, delete the numerals "6,359,375" and insert in lieu thereof the numerals "6,459,375"
- On page 2 of the reengrossed bill, line 22, delete the numerals "44,968,477" and insert in lieu thereof the numerals "45,068,477"
- On page 2 of the reengrossed bill, line 24, delete the numerals "31,535,860" and insert in lieu thereof the numerals "31,635,860"
- On page 3 of the reengrossed bill, line 1, delete the numerals "7,813,440" and insert in lieu thereof the numerals "6,813,440"
- On page 3 of the reengrossed bill, line 2, delete the numerals "5,070,515" and insert in lieu thereof the numerals "4,070,515"
- On page 3 of the reengrossed bill, line 9, delete the numerals "215,923,738" and insert in lieu thereof the numerals "206,929,634"
- On page 3 of the reengrossed bill, line 10, delete the numerals "386,512,033" and insert in lieu thereof the numerals "380,812,565"
- On page 3 of the reengrossed bill, line 11, delete the numerals "602,435,771" and insert in lieu thereof the numerals "587,742,199"
- On page 4, after line 22, insert the following new sections:

"SECTION 6. INTEGRATION OF INSPECTION OF CARE AND SURVEY FUNCTIONS. It is the intent of the legislative assembly that the department of human services and the state department of health continue in their cooperative efforts to integrate the medicaid inspection of care responsibilities and the health facility certification survey functions as they relate to long-term care facilities, including skilled nursing facilities, intermediate care facilities, and intermediate care facilities for the developmentally disabled. Upon approval of the budget section of the legislative council, the department of human services may make expenditures from the appropriations contained in subdivision 1 of section 1 of this Act to the state department of health for purposes of unifying the certification survey and inspection of care functions during the biennium beginning July 1, 1987, and ending June 30, 1989.

SECTION 7. LEGISLATIVE INTENT - DUI EVALUATION PROGRAM REDUCTIONS. It is the intent of the legislative

assembly that the department of human services eliminate by July 1, 1989, the provision of alcohol and drug evaluations for persons resulting from violations of the state's driving under the influence laws and other criminal violations."

On page 5 of the reengrossed bill, delete lines 7 through 19

On page 5 of the reengrossed bill, delete lines 31 and 32

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Human Services

	Total All Funds Increase (Decrease)	General Fund Increase (Decrease)	Other Funds Increase (Decrease)
Salaries and wages			
Delete funding for two CMI long-term residential facilities (eight community home counselors and two activity therapist IIs)	\$ (141,384)	\$ (141,384)	
Delete funding for one CMI transitional living facility for adults (four community home counselors)	(87,916)	(87,916)	
Delete funding to delay staffing of two remaining new transitional living facilities by three months (one adolescent facility to begin on April 1, 1989, and one adult facility on October 1, 1988)	(68,393)	(68,393)	
Delete funding for four administrative secretaries for the CMI program	(119,128)	(119,128)	
Delete funding for three FTE in the children's diagnostic and treatment program (one psychologist III, one social worker II, and one secretary II)	(174,515)	(174,515)	
Reduce funding for additional vacancy savings	(400,000)	(400,000)	
Add funding for temporary salaries for the CMI program	75,000	75,000	

Subtotal salaries and wages	\$	(916,336)	\$	(916,336)	
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<u>Operating expenses</u>					
Delete funding relating to two CMI long-term residential facilities	\$	(56,090)	\$	(56,090)	
Delete funding relating to one CMI transitional living facility for adults		(80,644)		(80,644)	
Delete funding relating to delaying staffing of two remaining new transitional living facilities by three months		(70,016)		(70,016)	
Delete funding relating to children's diagnostic and treatment program staff		(18,932)		(18,932)	
Add funds for liability insurance for department employees including State Hospital physicians		550,000		314,298	\$ 235,702
Add funds for HB 1448 - consulting fees for establishment of case mix determination system for nursing homes		340,000		85,000	255,000
Add funds for the department's payment of hearing officers in the child support enforcement program		380,000		114,000	266,000
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Subtotal operating expenses	\$	1,044,318	\$	287,616	\$ 756,702
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<u>Equipment</u>					
Delete funding related to children's diagnostic and treatment program staff	\$	(7,471)	\$	(7,471)	
Delete funding related to four administrative secretaries for the CMI program		(19,582)		(19,582)	
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Subtotal equipment	\$	(27,053)	\$	(27,053)	
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<u>Grants, benefits, and claims</u>					
Delay funding of the four new psychosocial	\$	(200,000)	\$	(200,000)	

rehabilitation centers for the CMI to the second year of the biennium			
Delete funding for home and community-based service program enhancement in SB 2038	(2,589,536)	(2,589,536)	
Recognize developmental disabilities recipient liability for residential services in budget by reducing grants. These payments will be made to providers by recipient.	(1,800,000)	(641,360)	(1,158,640)
Delay funding for AFDC four percent inflationary increase from 10/1/87 to 7/1/88	(678,042)	(196,782)	(481,260)
Delete funding for other inflationary increases:			
Medical assistance (nonlong-term care)	(5,311,814)	(1,576,285)	(3,735,529)
DD services (nonsalary increase)	(1,318,757)	(639,696)	(679,061)
DD provider salary adjustment	(1,625,000)	(837,567)	(787,433)
Delete funding for the March 1987 reprojection in medical assistance costs	(1,426,143)	(430,223)	(995,920)
Delete funding for a portion of child abuse enhancements:			
Child abuse caseloads standards	(300,000)	(300,000)	
Multicounty child abuse investigations	(321,744)	(321,744)	
Regional foster care workers	(90,000)	(90,000)	
Parent aide projects	(250,000)	(250,000)	
Delete funding for	(893,950)	(310,394)	(583,556)
Title XIX reimbursement at Grafton relating to Senate amendments deleting salary increase package			
Add funds for wage order #7 - requires payment of overtime to staff at DD group homes including payment for night shifts	2,219,808	918,942	1,300,866
Add funds to retain pre-need burial limitations at \$3,000	690,677	226,314	464,363
Subtotal grants	<u>\$(13,894,501)</u>	<u>\$(7,238,331)</u>	<u>\$ (6,656,170)</u>

Funding source change

Recognize Title XIX reimbursement for DD administration costs and reduce general fund	\$ 0	\$ (200,000)	\$ 200,000
Total subdivision 1	\$ (13,793,572)	\$ (8,094,104)	\$ (5,699,468)
<u>State Hospital</u>			
Operating expenses - add funds for professional development	\$ 100,000	\$ 100,000	
Total State Hospital	\$ 100,000	\$ 100,000	
<u>DD pool</u>			
Reduce funding	\$ (1,000,000)	\$ (1,000,000)	
Total DD pool	\$ (1,000,000)	\$ (1,000,000)	
Total changes to reengrossed SB 2015	\$ (14,693,572)	\$ (8,994,104)	\$ (5,699,468)

In addition these amendments delete the statutory changes relating to the pre-need burial changes and retain the \$3,000 limit in current law (adds \$690,677, \$226,314 from the general fund).

Legislative intent sections are added to encourage cooperative efforts by the Department of Human Services and Department of Health to integrate the inspection of care and survey functions of long-term care facilities and for the Department of Human Services to eliminate the provision of alcohol and drug evaluations for persons as a result of violations of the state's driving under the influence law and other criminal violations by July 1, 1989.

HOUSE AMENDMENTS TO ENGROSSED SB 2029

- On page 1 of the engrossed bill, line 19, delete the numerals "4,465,687" and insert in lieu thereof the numerals "4,449,187"
- On page 1 of the engrossed bill, line 20, delete the numerals "1,130,799" and insert in lieu thereof the numerals "1,067,686"
- On page 1 of the engrossed bill, line 23, delete the numerals "7,043,600" and insert in lieu thereof the numerals "6,989,993"

On page 1 of the engrossed bill, line 24, delete the numerals "12,867,666" and insert in lieu thereof the numerals "12,734,446"

On page 1 of the engrossed bill, line 26, delete the numerals "5,765,065" and insert in lieu thereof the numerals "5,631,845"

On page 2 of the engrossed bill, line 8, delete the numerals "5,765,065" and insert in lieu thereof the numerals "5,631,845"

On page 2 of the engrossed bill, line 10, delete the numerals "41,518,935" and insert in lieu thereof the numerals "41,385,715"

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

State Water Commission

These amendments reduce the general fund appropriation by \$133,220 as follows:

- | | |
|---|---------------|
| 1. Reduce funding for salaries and wages (includes a possible reduction in overtime and part-time help) | \$ 16,500 |
| 2. Reduce funding for operating expenses (includes a reduction of \$20,000 relating to Missouri Basin States Association) | 63,113 |
| 3. Reduce funding for grants (includes a reduction in on-site meetings) | <u>53,607</u> |

Total \$133,220

The specific areas where reductions will be made will be determined by the commission.

HOUSE AMENDMENTS TO ENGROSSED SB 2099

On page 2 of the engrossed bill, line 30, after the word "first" insert the word "taxable"

On page 3 of the engrossed bill, line 3, after the word "first" insert the word "taxable"

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2127

- On page 2 of the engrossed bill, line 9, after the word "from" insert the word "certain"
- On page 2 of the engrossed bill, line 10, delete the words "is authorized to" and insert in lieu thereof the word "may"
- On page 2 of the engrossed bill, line 11, delete the words "sources other than" and insert in lieu thereof the words "the Bank of North Dakota. Job service North Dakota may also receive"
- On page 2 of the engrossed bill, line 12, after the word "fund" insert the words: "However, the borrowings and advances may" and delete the word "to"
- On page 2 of the engrossed bill, delete line 15 and insert in lieu thereof the word "and"
- On page 2 of the engrossed bill, line 16, delete the words "advances from the federal unemployment trust fund,"
- On page 2 of the engrossed bill, line 18, delete the words ", and payment of interest on funds borrowed from sources other"
- On page 2 of the engrossed bill, line 19, delete the words "than Title XII advances from the federal unemployment trust fund"
- On page 2 of the engrossed bill, line 20, delete the words "sources other than Title XII advances" and insert in lieu thereof the words "the Bank of North Dakota"
- On page 2 of the engrossed bill, line 21, delete the words "from the federal unemployment trust fund"
- On page 2 of the engrossed bill, line 23, delete the words "sources other than Title XII advances from the" and insert in lieu thereof the words "the Bank of North Dakota"
- On page 2 of the engrossed bill, line 24, delete the words "federal unemployment trust fund"
- On page 2 of the engrossed bill, line 30, delete the underscored comma and insert in lieu thereof the word "and"
- On page 2 of the engrossed bill, line 31, delete the words ", and to"
- On page 2 of the engrossed bill, delete line 32
- On page 2 of the engrossed bill, line 33, delete the words "the federal unemployment trust fund"

- On page 2 of the engrossed bill, line 35, delete the word "and" and insert in lieu thereof an underscored period
- On page 3 of the engrossed bill, delete lines 1 and 2
- On page 3 of the engrossed bill, line 3, delete the words "is authorized to" and insert in lieu thereof the word "may"
- On page 3 of the engrossed bill, line 4, delete the words "sources other than Title XII advances from the federal" and insert in lieu thereof the words "the Bank of North Dakota"
- On page 3 of the engrossed bill, line 5, delete the words "unemployment trust fund"
- On page 3 of the engrossed bill, line 7, delete the word "is" and insert in lieu thereof the word "may" and delete the words "authorized to"
- On page 3 of the engrossed bill, line 8, delete the words "sources other than Title XII advances from" and insert in lieu thereof the words "the Bank of North Dakota"
- On page 3 of the engrossed bill, line 9, delete the words "the federal unemployment trust fund,"
- And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2507

- On page 1 of the engrossed bill, line 2, delete the word "and"
- On page 1 of the engrossed bill, line 6, after the word "drains" insert the words "; and to provide an effective date"
- On page 2 of the engrossed bill, line 24, after the word "until" insert the words "the state water resources policy has been considered and"
- On page 3 of the engrossed bill, line 2, after the word "wetlands" insert the words "or through debits to the wetland bank as provided in section 5 of this Act"
- On page 3 of the engrossed bill, line 16, delete the word "may" and insert in lieu thereof the word "shall"
- On page 3 of the engrossed bill, line 19, after the word "and" insert the words ", where specified," and delete the words ", where specified,"
- On page 3 of the engrossed bill, line 31, delete the words "responsible for the removal" and insert in lieu thereof the words "which purchases the land"

- On page 3 of the engrossed bill, line 35, delete the words "wetlands are" and insert in lieu thereof the words "wetland acres"
- On page 4 of the engrossed bill, line 1, delete the words "suitable to"
- On page 4 of the engrossed bill, line 15, after the period insert the words "Federal, state, and private wildlife and water entities shall cooperate and work together to locate, make contacts with landowners, do appraisals, and perform other tasks necessary for lease, purchase, or other acquisition to meet the replacement requirements of this Act."
- On page 4 of the engrossed bill, line 28, after the period insert the words "If the state engineer and the commissioner jointly find that replacement wetland acres are not available in the county or contiguous counties where the proposed drainage is located, replacement wetlands may be obtained anywhere in the same biotic area."
- On page 4 of the engrossed bill, after line 28, insert the following new subsection:
- "7. Any purchase, easement, lease, or other acquisition under this Act may not obstruct the natural or existing flow of water of any natural watercourse or artificial channel to the detriment of any upstream or downstream landowner."
- On page 5 of the engrossed bill, line 7, after the word "bank" insert the words ", except for drainage of wetlands for which a permit is not required. Wetlands drained during surface coal mining operations may not be charged as a debt against acreage credit balances"
- On page 6 of the engrossed bill, line 9, delete the word "other", delete the word "this", and after the word "chapter" insert the numerals "61-16.1"
- On page 6 of the engrossed bill, line 20, delete the word "its" and insert in lieu thereof the word "the" and delete the words "on a" and insert in lieu thereof the words "required by section 7 of this Act"
- On page 6 of the engrossed bill, line 21, delete the word "complaint"
- On page 7 of the engrossed bill, line 28, delete the words "or such portions as the state engineer"
- On page 7 of the engrossed bill, line 29, delete the words "shall determine,"

On page 8 of the engrossed bill, line 2, after the period insert the words "Upon assessment of costs, the state engineer shall certify the assessment to the county auditor of the county where the noncomplying drain, lateral drain, or ditch is located. The county auditor shall extend the assessment against the property assessed. Each assessment must be collected and paid as other taxes are collected and paid. Assessments collected must be deposited with the state treasurer and are hereby appropriated out of the state treasury and must be credited to the contract fund established by section 61-02-64.1."

On page 9 of the engrossed bill, delete lines 15 through 19 and insert in lieu thereof the following new sections:

"SECTION 10. Exemption. The wetland replacement requirements of this Act do not apply to surface coal mining operations until reclamation of the wetland area begins pursuant to the provisions of chapter 38-14.1.

SECTION 11. Application of prior law. This chapter does not apply to drainage applications submitted, or to drainage violations committed, prior to January 1, 1987. Procedures for and prosecutions of such activities are governed by prior law which is continued in effect for that purpose."

On page 9 of the engrossed bill, after line 23, insert the following new section:

"SECTION 13. EFFECTIVE DATE. The replacement of wetlands requirement in sections 3 and 4 of this Act does not take effect until July 1, 1989. Until July 1, 1989, the drainage of type IV and V wetlands, as defined in U.S. fish and wildlife service circular 39 (1971 edition) is not permitted, except for permit applications submitted prior to January 1, 1987, or unless replaced in accordance with the provisions of this Act."

And renumber the lines, sections, and pages accordingly

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

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

HB 1150, HB 1204, HB 1332, HB 1342, HB 1390, HB 1408,
HB 1411, HB 1525, HB 1551, HB 1631, HCR 3003, HCR 3062,
HCR 3081

PERRY GROTEBERG, Secretary

TUESDAY, MARCH 31, 1987

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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 1150, HB 1204, HB 1332, HB 1342, HB 1390, HB 1408,
HB 1411, HB 1525, HB 1551, HB 1631, HCR 3003, HCR 3062,
HCR 3081

PERRY GROTBERG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

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

SB 2044, SB 2173, SB 2184, SB 2191, SB 2244, SB 2328,
SB 2391, SB 2444, SB 2445, SB 2458, SB 2484, SB 2490,
SB 2526

PERRY GROTBERG, 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 2044, SB 2173, SB 2184, SB 2191, SB 2244, SB 2328,
SB 2391, SB 2444, SB 2445, SB 2458, SB 2484, SB 2490,
SB 2526

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

HB 1216, HB 1457, HB 1572, HB 1593, HB 1606, HB 1621,
HB 1629, HB 1648, HCR 3027, HCR 3035, HCR 3067, HCR 3068

PERRY GROTBERG, Secretary

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 2553

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

HB 1110, HB 1532, HB 1569, HB 1623, HB 1628, HB 1669,
HCR 3046, HCR 3065, HCR 3071

PERRY GROTBERG, Secretary

SENATE CHAMBER

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

HB 1156, HB 1174, HB 1183, HB 1329, HB 1373, HB 1615,
HB 1675, HCR 3028, HCR 3057, HCR 3073

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1557, HB 1506, HCR 3066, HCR 3080, HCR 3084

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1319, HB 1323

PERRY GROTEBERG, Secretary

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1331 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact section 14 to House Bill No. 1172, section 2 to House Bill No. 1321, section 2 to Senate Bill No. 2047, and section 2 to Senate Bill No. 2458, as approved by the fiftieth legislative assembly, to provide an effective date for those bills, relating to radio communication functions by the director of institutions and telecommunication functions by the office of central data processing, compensation and expenses for witnesses in criminal actions, investigations on Indian reservations by the attorney general, and court costs; and to declare an emergency.

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

SECTION 1. Section 14 to House Bill No. 1172, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

SECTION 14. EFFECTIVE DATE. Section 6 of this Act becomes effective on January 1, 1988.

SECTION 2. Section 2 to House Bill No. 1321, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

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

SECTION 3. Section 2 to Senate Bill No. 2047, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

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

SECTION 4. Section 2 to Senate Bill No. 2458, as approved by the fiftieth legislative assembly, is hereby created and enacted to read as follows:

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

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure."

And renumber the lines, sections, and pages accordingly

SEN. DOTZENROD, Chairman

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

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1644 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 6, delete the comma and insert in lieu thereof the word "and" and after the second word "of" insert the words "sales of flight simulators."

On page 1 delete lines 7 through 9

On page 2, line 2, delete the words "mechanical or electronic equipment for use" and insert in lieu thereof the words "flight simulators or mechanical or electronic equipment for use in association with a flight simulator."

On page 2, delete lines 3 through 7

On page 2, line 11, delete the words "mechanical or" and insert in lieu thereof the words "flight simulators or mechanical or electronic equipment for use in association with a flight simulator."

On page 2, delete lines 12 through 16

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

HB 1644 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 1681 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 16, after the period insert the words "No state official or agency may require reporting of lobbyist expenditures other than is required under this subsection."

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

HB 1681 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. HEIGAARD MOVED that the Senate resolve itself into a special order of business, which motion prevailed.

SEN. HEIGAARD MOVED that former Governor Arthur Link, Chairman of the North Dakota Centennial Commission, is in the Senate Chamber and requested that a committee of two be appointed to escort him to the rostrum, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as such committee
Sens. Holmberg and Mushik.

REMARKS

by

Arthur A. Link, Chairman
North Dakota Centennial Commission

Thank you for allowing me the opportunity and the honor of speaking here today. I bring you greetings from the seventeen members of the North Dakota Centennial Commission, four of whom are members of the Legislature. As chair of the Centennial Commission for the past two years, I have presided over the efforts of these volunteer members and others in planning and organizing for the celebration of one hundred years of statehood in 1989. A great deal has been accomplished, but much has yet to be done to ensure that North Dakotans will be ready to seize this opportunity that comes only once in a lifetime.

What we refer to when we talk about the centennial is a period of time. It will be one hundred years that North Dakota has been a state. That, in itself, is not a cause to celebrate. Time will march on with or without our notice. But, as a people we have learned that our roots and the values we have acquired from the past are the foundation upon which to build for the future. So, we have a tradition of taking stock, of sizing up ourselves and our situation. And, with a centennial, the inclination is very strong. The number 100 is a positive symbol in our society: a symbol of success and achievement.

It is when that moment and the inclination come together that a wonderful opportunity presents itself to us.

So the question is, what will we do with this opportunity?

All of you here today understand this. You and your predecessors were keenly perceptive in creating the Centennial Commission in 1981, to start the planning, to get the people thinking, and to create the organizational systems necessary to make this a time of growth in understanding and growth in state pride for North Dakota. Most of you here today were present to give support in previous legislative sessions to lay the groundwork for a centennial which goes beyond the expected celebrating to achieve cultural, economic, and human enrichment.

And now, you are to be commended again for your work during this legislative session. You have amended a 1985 measure making it legal to display the centennial license plate on vehicles immediately. You have passed a series of resolutions establishing the significant days of statehood commemoration in 1989. You have passed two bills making it more convenient for city and county centennial committees and state agencies to carry out projects in the name of the centennial. And, many of you, as individuals, have responded enthusiastically to our invitation to become involved in a centennial speakers bureau.

Yours have indeed been significant and timely contributions. But the real buildup to the centennial is still ahead. We are just now entering the critical period of time for precentennial planning. In the timetable of events it has already been established that North Dakota will officially begin observing the centennial on November 2, 1988. By the time of your next assembly during the first three months of 1989, the centennial will be underway.

Right now, thousands of North Dakota citizens are in the midst of organizing centennial committees. Their primary goal will be to conduct projects of lasting importance in the community.

As an indication of the broad interest already developing, you will find in the report before you applications of some of the ninety-seven projects already started for the centennial. Many have local and regional importance. Some have statewide

significance, such as the All Veterans Memorial to be erected on the Capitol grounds; the North Dakota Hall of Fame; a Centennial Band; a living history farm at Fort Ransom; the world's largest quilt; and the restoration of historic buildings, such as Lawrence Welk's birthplace at Strasburg, the Carroll House in Fullerton, or the Armory in Williston.

The people associated with these and all the projects are proud to be working on the centennial . . . investing their time and talent and, yes, their own money to make a lasting contribution to the State of North Dakota. They need encouragement during this time when the inclination is strong. They need to know that the state shares their enthusiasm.

Some projects on this list and many more yet to come will need the support of a matching grant program in the next two years. The Centennial Commission and staff are committed to establishing criteria to maximize participation at the local level to achieve lasting results.

Our activities are not confined to North Dakota. South Dakota, Montana, and Washington also observe centennials in 1989. Idaho and Wyoming celebrate in 1990. At regional meetings, ideas have been shared and plans are being made for multistate projects in this historic, northwest region of the country. A particular goal will be to publicize tourism. The experience of working together in the name of the centennials will be the foundation for a permanent tourism and economic development program involving all six states. This adds a new dimension to the importance of our centennial observance.

Before I close, I would be remiss if I did not make a recommendation for your consideration. At the Centennial Commission we are constantly encouraging groups and organizations to get involved and start planning. Although the Legislature has been involved right from the start, you may not as yet have planned for events you may wish to conduct two years from now during the centennial year legislative session.

The Centennial Commission would welcome the opportunity to assist a special committee or a standing Legislative Council committee in planning for special centennial ceremonies and observances during and after the Fifty-first Legislative Session. Legislative history goes right back to day one of North Dakota statehood, and few public bodies have a greater tradition to learn from and commemorate than the Legislature.

I relinquish the floor with grateful thanks to you and the fine members of this body.

MOTION

SEN. HEIGAARD MOVED that the address of former Governor Arthur Link be printed in the Senate Journal, which motion prevailed.

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REQUEST

THE PRESIDENT PRO TEM REQUESTED Sens. Holmberg and Mushik to escort former Governor Arthur Link from the chamber.

MOTIONS

SEN. HEIGAARD MOVED that the Senate stand in recess until 10:30 a.m., which motion prevailed.

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

SEN. HEIGAARD MOVED that HB 1033 be moved to the head of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. J. MEYER MOVED that the amendments to HB 1033 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 1817-1820 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

HB 1033 was rereferred to the Committee on Appropriations.

SEN. DOTZENROD MOVED that the amendments to SCR 4066 as recommended by the Committee on Political Subdivisions as printed on pages 1923-1924 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4066: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of changes in the legal status of, and relationships existing among, political subdivisions and the effect of new legislation on county and city budgets.

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

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

SCR 4066 was declared adopted and the title was agreed to on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEES

SEN. TALLACKSON MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1009, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1009:

Sens. Redlin, Shea, Lips

SEN. HILKEN MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1131, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1131:

Sens. Hilken, Schoenwald, Wright

SEN. HEINRICH MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1161, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1161:

Sens. Heinrich, Peterson, Kelly

SEN. LASHKOWITZ MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1242, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1242:

Sens. J. Meyer, Stenehjem, Holmberg

SEN. LASHKOWITZ MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1266, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1266:

Sens. Lashkowitz, J. Meyer, Stenehjem

SEN. LANGLEY MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1350, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1350:

Sens. Keller, Schoenwald, Mutch

SEN. HEINRICH MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1416, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1416:

Sens. Mathern, Kelsh, Freborg

MOTION

SEN. HEIGAARD MOVED that SB 2008, SB 2014, SB 2019, SB 2031, SB 2039, SB 2115, SB 2277, SB 2279, SB 2294, SB 2303, SB 2336, SB 2387, SB 2409, and SB 2546 be moved to the head of the Twelfth order on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do not concur in the House amendments to SB 2008 as printed on page 1753 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on SB 2008:

Sens. Waldera, Stromme, Lips

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do concur in the House amendments to SB 2014 as printed on pages 1753-1754 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 44 YEAS, 9 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; Nalewaja; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjelm; Stromme; Tallackson; Thane; Tweten; Vosper; Waldera; Wogslund; Wright; Yockim

NAYS: Bakewell; David; Mutch; Naaden; Nelson; Nothing; Streibel; Tennefos; Todd

ABSENT AND NOT VOTING: None

SB 2014 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 2044, SB 2173, SB 2184, SB 2191, SB 2244, SB 2328,
SB 2391, SB 2444, SB 2445, SB 2458, SB 2484, SB 2490,
SB 2526

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

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

HB 1011, HB 1012, HB 1013, HB 1024, HB 1051, HB 1080,
HB 1222, HB 1227, HB 1288, HB 1325, HB 1340, HB 1356,
HB 1463, HB 1529, HB 1534, HB 1577, HB 1584, HB 1604,
HB 1665, HCR 3076

PERRY GROTBERG, 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 1011, HB 1012, HB 1013, HB 1024, HB 1051, HB 1080,
HB 1222, HB 1227, HB 1288, HB 1325, HB 1340, HB 1356,
HB 1463, HB 1529, HB 1534, HB 1584, HB 1604, HB 1665,
HCR 3076

PERRY GROTBERG, Secretary

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do concur in the House amendments to SB 2019 as printed on pages 1809-1810 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2019: A BILL for an Act making an appropriation for insurance premium tax payments distribution to fire departments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 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; Stenehjelm; Streibel;

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

NAYS: None

ABSENT AND NOT VOTING: None

SB 2019 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TALLACKSON MOVED that the Senate do not concur in the House amendments to SB 2031 as printed on page 1754 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on SB 2031:

Sens. Wogsland, Mushik, Thane

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. MEYER MOVED that the Senate do concur in the House amendments to SB 2039 as printed on pages 1861-1864 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2039: A BILL for an Act to establish a children's services coordinating committee to develop a plan for a coordinated delivery of services to children and adolescents; to provide a continuing appropriation; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 44 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; David; Freborg; Keller; Mutch; Naaden; Nelson; Streibel; Tennefos

ABSENT AND NOT VOTING: None

SB 2039 passed and the title was agreed to.

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HB 1009: Sens. Redlin, Shea, Lips
HB 1131: Sens. Hilken, Schoenwald, Wright
HB 1161: Sens. Heinrich, Peterson, Kelly
HB 1242: Sens. J. Meyer, Stenehjem, Holmberg
HB 1266: Sens. Lashkowitz, J. Meyer, Stenehjem
HB 1350: Sens. Keller, Schoenwald, Mutch
HB 1416: Sens. Mathern, Kelsh, Freborg

PERRY GROTEBERG, Secretary

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. MEYER MOVED that the Senate do concur in the House amendments to SB 2115 as printed on pages 1811-1812 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2115: A BILL for an Act to create and enact a new section to chapter 11-11, a new section to chapter 40-05, a new subsection to section 57-15-06.7, a new subsection to section 57-15-10, and a new section to chapter 57-15 of the North Dakota Century Code, relating to authorization and funding of county, city, and park district programs and activities for handicapped persons.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 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

SB 2115 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. MEYER MOVED that the Senate do concur in the House amendments to SB 2277 as printed on page 1864 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2277: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to licensing of addiction counselors; to amend and reenact section 23-17.1-04, subsections 6, 7, and 9 of section 25-03.1-02, and subsection 3 of section 31-01-06.3 of the North Dakota Century Code, relating to the certification of addiction counselors, to the definitions of expert examiner, independent expert examiner, and mental health professional, and to the definition of counselor; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 35 YEAS, 18 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: Adams; Bakewell; David; Freborg; Kelly; Moore; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Reiten; Streibel; Tennefos; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: None

SB 2277 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HILKEN MOVED that the Senate do concur in the House amendments to SB 2279 as printed on page 1681 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2279: A BILL for an Act to amend and reenact subsection 2 of section 39-04-18 of the North Dakota Century Code, relating to exemptions from motor vehicle registration.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 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

SB 2279 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. MEYER MOVED that the Senate do not concur in the House amendments to SB 2294 as printed on pages 1864-1867 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on SB 2294:

Sens. Maxson, Peterson, Nalewaja

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. MEYER MOVED that the Senate do not concur in the House amendments to SB 2303 as printed on pages 1867-1868 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on SB 2303:

Sens. Mathern, Heinrich, Nalewaja

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. DOTZENROD MOVED that the Senate do not concur in the House amendments to SB 2387 as printed on pages 1755-1756 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on SB 2387:

Sens. Dotzenrod, Satrom, Ingstad

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KRAUTER MOVED that the Senate do concur in the House amendments to SB 2409 as printed on page 1798 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2409: A BILL for an Act to create and enact a new section to chapter 38-09 of the North Dakota Century Code, relating to public offering of state mineral leases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 33 YEAS, 19 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Adams; Bakewell; David; Freborg; Kelly; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Reiten; Streibel; Tennefos; Thane; Tweten; Vosper; Yockim

ABSENT AND NOT VOTING: Richard

SB 2409 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. DOTZENROD MOVED that the Senate do concur in the House amendments to SB 2546 as printed on page 1869 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2546: A BILL for an Act to create and enact a new section to chapter 11-11 and a new section to chapter 40-05 of the

North Dakota Century Code, relating to the authority of counties and cities to establish centennial coordinating committees; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 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; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Richard

SB 2546 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. J. MEYER MOVED that the Senate do concur in the House amendments to SB 2336 as printed on page 1911 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2336: A BILL for an Act to provide for the establishment of an adult protective services demonstration project to be developed and managed by the department of human services; to provide an appropriation; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 38 YEAS, 15 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Nalewaja; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea;

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Stenehjelm; Stromme; Tallackson; Thane; Todd; Vosper;
Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Keller; Kelly;
Mushik; Mutch; Naaden; Nelson; Nething; Streibel;
Tennefos; Tweten; Wright

ABSENT AND NOT VOTING: None

SB 2336 passed and the title was agreed to.

MOTIONS

SEN. STENEHJEM MOVED that HB 1571, be rereferred to the Committee on Judiciary, which motion prevailed.

SEN. HEIGAARD MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

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

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

HB 1577

PERRY GROTEBERG, Secretary

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 2547

PERRY GROTEBERG, Secretary

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2109 has had the same under consideration and recommends that the SENATE ACCEDE to the amendments as found on page 1611 of the Senate Journal.

For the Senate: Sens. Hilken, Kelsh, Peterson

For the House: Reps. Melby, Knell, Brokaw

Engrossed SB 2109 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred Engrossed SB 2113 has had the same under consideration and

recommends that the HOUSE RECEDE from its amendments as found on page 1282 of the Senate Journal.

For the Senate: Sens. W. Meyer, Axtman, Lodoen

For the House: Reps. Gorman, Tokach, Skjerven (refused to sign)

Engrossed SB 2113 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

SIGNING OF BILLS AND RESOLUTIONS

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

SB 2025, SB 2033, SB 2045, SB 2053, SB 2064, SB 2110,
SB 2316, SB 2406, SB 2435, SB 2439, SB 2486, SB 2503,
SCR 4043

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:

SB 2025, SB 2033, SB 2045, SB 2053, SB 2064, SB 2110,
SB 2316, SB 2406, SB 2435, SB 2439, SB 2486, SB 2503,
SCR 4043

PERRY GROTEBERG, Secretary

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 1221, HB 1373, and HCR 3028 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1615 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1615: Reps. Moore, Gorman, Wilkie

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 2080: Reps. Belter, Anderson, Marks

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 1030, HB 1187, HB 1208, HB 1272, HB 1278, HB 1289,
HB 1406, HB 1424, HB 1426, HB 1504, HB 1597

ROY GILBREATH, Chief Clerk

MOTION

SEN. W. MEYER MOVED that Melissa Berger, Miss Rodeo North Dakota, is in the Senate Chamber along with her escort, the Bismarck Mounted Police Posse, and that they be allowed to escort Miss Berger to the rostrum, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

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

Melissa Berger, Miss Rodeo North Dakota, won her title at the Badlands Super Valu Circuit Finals Rodeo in Bismarck in October. Melissa is the eighteen-year-old daughter of Leonard and Alberta Berger of St. Anthony, North Dakota. She attends Bismarck State Community College, majoring in agricultural communications. Melissa's position as the first lady of rodeo in the state includes numerous appearances at rodeos and other functions in the state as well as travel throughout the United States. Melissa will represent North Dakota in Miss Rodeo America this fall. In preparation for Miss Rodeo America, Melissa attends barrel racing schools and a number of other appearances nationwide in preparing herself to bring the Miss Rodeo America title home to North Dakota.

THE PRESIDENT PRO TEM APPOINTED the Bismarck Mounted Police Posse as the escort committee for Miss Rodeo North Dakota and Miss Rodeo North Dakota was escorted to the rostrum.

REMARKS

by

Melissa Berger, Miss Rodeo North Dakota

Over one hundred years ago, people from all over the world came to set down roots in North Dakota. The rich prairie lands gave promise of new crops beyond compare and a cattle empire was expanding across the Badlands country.

God made us both carpenters and builders, designers and architects, but before we can build, or rather, before we can design, we must first set a goal. That is just what those individuals accomplished in creating the beautiful, interesting legacy of North Dakota.

Whenever you are traveling through my great state you will notice that North Dakota has many fine resources, but North Dakota's most popular resource is the people. North Dakota is very proud of its people, for they are honest, generous, hard-working, and

above all, they are especially proud of their state. A lot of people spend a lifetime looking for that special place, a place of uncluttered, wide open spaces and beautiful landscapes. But why look any other place when your dream is right in North Dakota?

So many times people have asked me, "What makes North Dakota so appealing?" Now, as I search for words to answer this question, I think of the newborn calf standing on wobbly legs in front of a proud farmer, the smell of freshly turned soil, and a rainbow that can be seen in the midst of a wide open prairie.

Whenever you are given the opportunity to go boating on the Missouri, fishing in Lake Sakakawea, or just swimming in the Red River, imagine to yourself what Mother Nature has created. She has created something beautiful but gentle, splendid but awesome.

Teddy Roosevelt, America's famed president, once quoted, "That if it had not been for what I learned in North Dakota, I never in the world would have become President of this great United States." Today, this great man is remembered through the Theodore Roosevelt National Park located in the heart of the beautiful and rugged Badlands of North Dakota.

Just like us, Mother Nature makes choices. Her choice many years ago was to invest her resources into a state - the State of North Dakota. She has created it just for you, for us, her special children. So, hopefully, you will be her child and make your home in North Dakota.

MOTIONS

SEN. W. MEYER MOVED that the remarks of Melissa Berger be printed in the Senate Journal, which motion prevailed.

SEN. W. MEYER MOVED that the Bismarck Mounted Police Posse be allowed to escort Miss Rodeo North Dakota from the Senate Chamber, which motion prevailed.

SEN. HEIGAARD MOVED that the Senate stand in recess until 3:00 p.m., which motion prevailed.

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

MESSAGE TO THE HOUSE SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2014, SB 2019, SB 2039, SB 2115, SB 2277, SB 2279, SB 2336, SB 2409, and SB 2546 and subsequently passed the same, but has refused to concur in the House amendments to SB 2008, SB 2031, SB 2294, SB 2303, and SB 2387 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

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SB 2008: Sens. Waldera, Stromme, Lips
SB 2031: Sens. Wogsland, Mushik, Thane
SB 2294: Sens. Maxson, Peterson, Nalewaja
SB 2303: Sens. Mathern, Heinrich, Nalewaja
SB 2387: Sens. Dotzenrod, Satrom, Ingstad

PERRY GROTEBERG, Secretary

DELIVERY OF ENROLLED BILLS

THE PRESIDENT PRO TEM ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 2:34 p.m., March 31, 1987:

SB 2020, SB 2090, SB 2137, SB 2143, SB 2218, SB 2219,
SB 2225, SB 2235, SB 2281, SB 2354, SB 2376, SB 2381,
SB 2403

DELIVERY OF ENROLLED BILLS

THE PRESIDENT PRO TEM ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 2:34 p.m., March 31, 1987:

SB 2044, SB 2055, SB 2130, SB 2173, SB 2184, SB 2191,
SB 2244, SB 2328, SB 2391, SB 2442, SB 2444, SB 2445,
SB 2458, SB 2469, SB 2484, SB 2490, SB 2526

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 28, 1987

The Honorable Rolland Redlin
President Pro Tempore
North Dakota Senate
Senate Chamber
State Capitol
Bismarck, North Dakota 58505

Dear Mr. President:

This is to inform you that on March 26, 1987, I signed the following:

SB 2026, SB 2032, SB 2052, SB 2054, SB 2057, SB 2058,
SB 2059, SB 2085, SB 2088, SB 2100, SB 2101, SB 2160,
SB 2122, SB 2131, SB 2132, SB 2164, SB 2170, SB 2174,
SB 2175, SB 2176, SB 2208, SB 2215, SB 2229, SB 2231,
SB 2232, SB 2262, SB 2263, SB 2268, SB 2269, SB 2287,
SB 2288, SB 2295, SB 2299, SB 2302, SB 2338, SB 2350,
SB 2366, SB 2367, SB 2372, SB 2394.

On March 27, 1987, I signed the following:

SB 2400, SB 2402, SB 2422, SB 2437, SB 2463, SB 2472,
SB 2476, SB 2483, SB 2514, SB 2543, SB 2093, SB 2095,
SB 2119, SB 2134, SB 2141, SB 2185, SB 2205, SB 2252,
SB 2266, SB 2273, SB 2293, SB 2363, SB 2412, SB 2415,
SB 2450, SB 2455, SB 2467, SB 2516, SB 2159, SB 2203,
SB 2278.

Sincerely,

GEORGE A. SINNER
Governor

APPOINTMENT OF CONFERENCE COMMITTEES

SEN. LASHKOWITZ MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1038, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1038:

Sens. J. Meyer, Adams, Nalewaja

SEN. SATROM MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1062, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1062:

Sens. Richard, Maixner, Ingstad

SEN. SATROM MOVED that the President Pro Tem appoint a committee of three to act with a like committee from the House as a Conference Committee on HB 1192, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1192:

Sens. Satrom, Dotzenrod, Wright

MOTION

SEN. HEIGAARD MOVED that SB 2040, SB 2307, SB 2480, SB 2489, SB 2542, and SB 2549 be moved to the head of the Twelfth order on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HEIGAARD MOVED that the Senate do concur in the House amendments to SB 2307 as printed on page 1868 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2307: A BILL for an Act to amend and reenact section 16.1-13-27 of the North Dakota Century Code, relating to the disability of an elector.

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Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mushik; Tallackson

SB 2307 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LANGLEY MOVED that the Senate do concur in the House amendments to SB 2489 as printed on page 1758 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2489: A BILL for an Act to create and enact a new section to chapters 10-13 and 49-21 of the North Dakota Century Code, relating to immunity from civil liability of directors, trustees, officers, and certain managers of electric cooperative corporations and telephone cooperatives; and to amend and reenact subsection 10 of section 10-15-03 and subsection 1 of section 10-15-31 of the North Dakota Century Code, relating to indemnification and immunity from civil liability of directors, officers, agents, or certain managers of cooperative associations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 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; Stenehjem; Streibel; Stromme;
Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;
Waldera; Wogsland; Wright; Yockim

NAYS: Lashkowitz

ABSENT AND NOT VOTING: None

SB 2489 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HILKEN MOVED that the Senate do not concur in the House amendments to SB 2542 as printed on pages 1814-1815 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on SB 2542:

Sens. Schoenwald, Hilken, Nething

MESSAGE TO THE HOUSE SENATE CHAMBER

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

HB 1038: Sens. J. Meyer, Adams, Nalewaja
HB 1062: Sens. Richard, Maixner, Ingstad
HB 1192: Sens. Satrom, Dotzenrod, Wright

PERRY GROTEBERG, Secretary

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LANGLEY MOVED that the Senate do concur in the House amendments to SB 2549 as printed on page 1869 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2549: A BILL for an Act to amend and reenact sections 5-03-01 and 5-03-04 of the North Dakota Century Code, relating to sale and taxation of alcoholic beverages for export from foreign trade zones.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: None

SB 2549 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that SB 2040, which is on the Twelfth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LANGLEY MOVED that the Senate do not concur in the House amendments to SB 2480 as printed on pages 1920-1922 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on SB 2480:

Sens. Langley, Schoenwald, Reiten

SECOND READING OF HOUSE BILL

HB 1004: A BILL for an Act making an appropriation for defraying the expenses of the state board of vocational education of the state of North Dakota.

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

ROLL CALL

The question being on the final passage of the bill, 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; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjsem; Streibel;

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

NAYS: None

ABSENT AND NOT VOTING: None

HB 1004 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that HB 1019, HB 1072, HB 1085, and HB 1474, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

MESSAGE TO THE HOUSE SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2307, SB 2489, and SB 2549 and subsequently passed the same, but has refused to concur in the House amendments to SB 2480 and SB 2542 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2480: Sens. Langley, Schoenwald, Reiten

SB 2542: Sens. Schoenwald, Hilken, Nething

PERRY GROTEBERG, Secretary

MOTION

SEN. OLSON MOVED that the Senate reconsider its action whereby the amendments to HB 1064 lost, which motion prevailed on a verification vote.

CONSIDERATION OF AMENDMENTS

SEN. OLSON MOVED that the amendments to HB 1064 as recommended by the Committee on Finance and Taxation as printed on pages 1870-1876 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1064: A BILL for an Act to provide for the adoption of the water's edge combination approach to unitary taxation for corporate income tax purposes; 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 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 1064 passed and the title was agreed to.

HB 1303: A BILL for an Act to amend and reenact subdivision d of subsection 12 of section 65-01-02 of the North Dakota Century Code, relating to definition of diseases fairly traceable to employment under the workmen's compensation law.

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

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

NAYS: Adams; Bakewell; David; Dotzenrod; Freborg; Kelly; Langley; Lips; Lodoen; Moore; Mutch; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Satrom; Streibel; Tennefos; Thane; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: Naaden

HB 1303 passed and the title was agreed to.

MOTIONS

SEN. MAIXNER MOVED that the vote by which HB 1303 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed on a verification vote.

SEN. HEIGAARD MOVED that the vote by which SCR 4066, HB 1004, and HB 1064 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. HEIGAARD MOVED that the rules be suspended and that SCR 4066, HB 1004, and HB 1064 be messaged to the House immediately, which motion prevailed.

FIRST READING OF HOUSE BILL

HB 1679: A BILL for an Act to amend and reenact sections 57-32-01.2 and 57-32-04 of the North Dakota Century Code, relating to the assessment and allocation of the tax on air carrier transportation companies; and to repeal section 57-32-01.3 of the North Dakota Century Code, relating to allocation of value of air carrier transportation companies.

Was read the first time and referred to the Committee on Finance and Taxation.

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:

SCR 4066

PERRY GROTBORG, Secretary

SENATE CHAMBER

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

HB 1004, HB 1064

PERRY GROTBORG, Secretary

MOTIONS

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

SEN. HEIGAARD MOVED that the Senate be on the Fourth order of business, and at the conclusion of the Fourth order of business, 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, the Senate adjourn and convene at 9:00 a.m., Wednesday, April 1, 1987, which motion prevailed.

PERRY GROTBORG, Secretary