

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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SIXTY-FIRST DAY

Bismarck, April 2, 1987

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

The prayer was offered by Reverend Jerry Fike, Calvary United Methodist Church, Bismarck.

O God, on a day when so many shadows surround the decisions to be made, we pause to recognize You as the light of the world. On a day in which we live, think, and feel so many different ways, we pause to ask that we might experience a new surge of life. On a day in which our world continues to be troubled by anger, resentments, and violent disagreements, we pause to think of Your divine law and Your desire for peace and justice for all humanity, and we pause to find our place in that plan. On a day of exhausting work, we pause to be reminded that in You we may find strength and rest. Give us light and life, peace and justice, strength and rest on this day. Amen.

ROLL CALL

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

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 Sixtieth Day and finds the same to be correct.

SEN. J. MEYER, Chairman

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

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: The Speaker has appointed Rep. Klundt to replace Rep. L. Hanson on the Conference Committee on HB 1161.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith SB 2023 and SB 2183 which the House has amended and subsequently passed:

HOUSE AMENDMENTS TO ENGROSSED SB 2023

- On page 1 of the engrossed bill, line 2, after the word "Dakota" insert the words "; and to declare an emergency"
- On page 1 of the engrossed bill, line 7, delete the numerals "300,000" and insert in lieu thereof the numerals "292,500"
- On page 1 of the engrossed bill, line 8, delete the word "biennium" and insert in lieu thereof the words "period beginning with the effective date of this Act"
- On page 1 of the engrossed bill, line 9, delete the words "beginning July 1, 1987,"
- On page 1 of the engrossed bill, after line 16, insert the following new section:

"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

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment reduces the general fund support provided the Centennial Commission by \$7,500, from \$300,000 to \$292,500 and adds an emergency clause. The Senate had provided \$300,000 in comparison to the executive recommendation of \$132,000.

HOUSE AMENDMENTS TO ENGROSSED SB 2183

- On page 4 of the engrossed bill, line 9, delete the words "a contractor" and insert in lieu thereof the words "the commission, its agents, employees, or contractors"
- On page 5 of the engrossed bill, line 8, after the word "commission" insert the words ", after notice and hearing,"

And renumber the lines, sections, and pages accordingly

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2007, SB 2181, SB 2383, SB 2413, SB 2418, SB 2427

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2126, SB 2393, SB 2396, SB 2496

ROY GILBREATH, Chief Clerk

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

HB 1474, HB 1560, HB 1571, HCR 3088

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 1072, HB 1470

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1085

PERRY GROTEBERG, Secretary

APPOINTMENT OF CONFERENCE COMMITTEE

SEN. J. MEYER 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 1183, which motion prevailed.

THE PRESIDENT PRO TEM APPOINTED as a Conference Committee on HB 1183:

Sens. J. Meyer, Peterson, Heinrich

MOTION

SEN. HEIGAARD MOVED that SB 2097, SB 2202, and SB 2259 be moved to the head of the Twelfth order on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LANGLEY MOVED that the Senate do concur in the House amendments to SB 2097 as printed on page 1754 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2097: A BILL for an Act to create and enact a new subsection to section 26.1-04-03, a new subsection to section 26.1-33-05, and a new subdivision to subsection 1 of section 26.1-36-04 of the North Dakota Century Code, relating to unfair insurance practices and required insurance premium refunds.

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; 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: Freborg

SB 2097 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 2202 as printed on pages 1794-1796 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2202: A BILL for an Act to create and enact a new subsection to section 39-06.1-06, a new paragraph to subdivision a of subsection 3 of section 39-06.1-10, and a new subdivision to subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to highway speed limits and sanctions for violation of highway speed limits; amend and reenact subsection 3 of section 39-06.1-06, paragraph 33 of subdivision a of subsection 3 of section 39-06.1-10, and subdivision f of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to sanctions for violation of speed limits; to provide a penalty; and to provide a contingent effective date; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Meyer, W.;

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: Maxson; Moore

ABSENT AND NOT VOTING: Freborg; Keller

SB 2202 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. HILKEN MOVED that the Senate do not concur in the House amendments to SB 2259 as printed on page 1812 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 2259:

Sens. Hilken, Schoenwald, Wright

MOTION

SEN. MAIXNER MOVED that the Senate stand in recess until 11:00 a.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 inform you that the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

HB 1183: Sens. J. Meyer, Heinrich, Peterson

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has concurred in the House amendments to SB 2097 and SB 2202 and subsequently passed the same but has refused to concur in the House amendments to SB 2259 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2259: Sens. Hilken, Schoenwald, Wright

PERRY GROTEBERG, Secretary

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 2008: Reps. Gunsch, Gerntholz, Solberg
SB 2128: Reps. Koland, Larson, Frey
SB 2480: Reps. Koland, Dalrymple, Scherber

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1072 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1004 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1004: Reps. Thompson, R. Hausauer, Hill

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4010

ROY GILBREATH, Chief Clerk

MOTION

SEN. HEIGAARD MOVED that SB 2127 and SB 2365 be moved to the head of the Twelfth order on the calendar, which motion prevailed.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LANGLEY MOVED that the Senate do concur in the House amendments to SB 2127 as printed on pages 1965-1966 of the Senate Journal, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2127: A BILL for an Act to create and enact a new section to chapter 52-04 of the North Dakota Century Code, relating to advances from sources other than the federal unemployment trust fund; and to amend and reenact section 52-04-22 of the North Dakota Century Code, relating to the federal advance interest repayment fund.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Freborg; Keller; Tweten

SB 2127 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LASHKOWITZ MOVED that the Senate do not concur in the House amendments to SB 2365 as printed on pages 1868-1869 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 2365:

Sens. Lashkowitz, J. Meyer, Stenehjem

REPORT OF CONFERENCE COMMITTEE

SEN. HILKEN MOVED that the conference committee report on Engrossed SB 2109 as printed on page 1985 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to amend and reenact sections 43-09-13, 43-09-13.1, 43-09-14, and 43-09-15 of the North Dakota Century Code, relating to the licensing of electricians.

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

YEAS: Adams; Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; 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; Stromme; Tallackson; Tennefos; Todd; Vosper;
Wogsland; Yockim

NAYS: Bakewell; David; Kelly; Streibel; Thane; Tweten;
Wright

ABSENT AND NOT VOTING: Freborg; Keller; Waldera

SB 2109 passed and the title was agreed to.

REPORTS OF CONFERENCE COMMITTEES

SEN. W. MEYER MOVED that the conference committee report on Engrossed SB 2113 as printed on pages 1985-1986 of the Senate Journal be adopted, which motion prevailed.

SEN. SCHOENWALD MOVED that the conference committee report on Reengrossed HB 1068 as printed on page 1781 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1068: A BILL for an Act to amend and reenact paragraph 13 of subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to drivers license penalty points for fleeing a peace officer; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Freborg; Keller

HB 1068 passed and the title was agreed to.

THURSDAY, APRIL 2, 1987

2045

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has reconsidered its action whereby it did not concur with the Senate amendments to HB 1615, and now wishes to inform you that it does now concur in the Senate amendments to HB 1615, and subsequently passed the same. Also, the House has dissolved the House Conference Committee on HB 1615.

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

SEN. SCHOENWALD MOVED that the conference committee report on Engrossed SB 2080 as printed on page 2034 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2080: A BILL for an Act to create and enact three new sections to chapter 24-07 and a new subsection to section 32-12.1-03 of the North Dakota Century Code, relating to the designation of certain roads as minimum maintenance roads and the limitation of liabilities of political subdivisions for those roads.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 49 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Heigaard; Hilken; Holmberg; Ingstad; 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: Heinrich; Lashkowitz

ABSENT AND NOT VOTING: Freborg; Keller

SB 2080 passed and the title was agreed to.

REPORT OF CONFERENCE COMMITTEE

SEN. KELSH MOVED that the conference committee report on Engrossed SB 2520 as printed on pages 2013-2014 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2520: A BILL for an Act to amend and reenact subsection 6 of section 15-27.2-04 of the North Dakota Century Code, relating to credit for residents of annexed school districts that have surplus funds prior to the annexation.

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

SB 2520 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. W. MEYER MOVED that the amendments to HB 1349 as recommended by the Committee on Agriculture as printed on pages 1998-2003 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1349: A BILL for an Act to create and enact two new chapters to title 35 of the North Dakota Century Code, relating to statutory agricultural liens; to amend and reenact sections 11-18-14, 11-29-24, 35-21-01, and subsection 9 of section 41-09-28 of the North Dakota Century Code, relating to duties of the county register of deeds, county seed, feed, and fuel liens, release of liens, and to information that must be filed with the secretary of state under the central notice system; to repeal chapters 35-07, 35-08, 35-09, and 35-10 of the North Dakota Century Code, relating to threshing or drying liens, crop production liens, motor fuel liens, fertilizer, farm chemicals, or seed liens, and sugar beet production liens; and to declare an emergency.

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

THURSDAY, APRIL 2, 1987

2047

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

NAYS: None

ABSENT AND NOT VOTING: Freborg; Keller

HB 1349 passed, the title was agreed to, and the emergency clause carried.

CONSIDERATION OF AMENDMENTS

SEN. SATROM MOVED that the amendments to HB 1645 as recommended by the Committee on Finance and Taxation as printed on page 2004 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1645: A BILL for an Act to create and enact a new section to chapter 57-38 of the North Dakota Century Code, relating to a corporate income tax credit for research and experimental expenditures; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Freborg; Keller

HB 1645 passed and the title was agreed to.

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 11:34 a.m., April 2, 1987:

SB 2014, SB 2019, SB 2025, SB 2033, SB 2039, SB 2045,
SB 2053, SB 2064, SB 2110, SB 2115, SB 2277, SB 2279,
SB 2316, SB 2336, SB 2406, SB 2409, SB 2435, SB 2439,
SB 2486, SB 2503, SB 2546

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 2127 and subsequently passed the same but has refused to concur in the House amendments to SB 2365 and the President Pro Tem has appointed as a conference committee to act with a like committee from the House on:

SB 2365: Sens. Lashkowitz, J. Meyer, Stenehjem
PERRY GROTEBERG, Secretary

MESSAGE 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 2542: Reps. Almlie, Knell, Scherber
ROY GILBREATH, Chief Clerk

MOTIONS

SEN. HEIGAARD MOVED that the vote by which HB 1349 and HB 1645 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 HB 1349 and HB 1645 be messaged to the House immediately, 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.

SEN. MAIXNER MOVED that HCR 3034, HCR 3044, and HCR 3064 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3034: A concurrent resolution for the amendment of section 5 of article III of the Constitution of the State of North Dakota, relating to the placement on an election ballot and suspension of operations of a referred tax measure.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 41 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Adams; David; Moore; Mutch; Naaden; Nelson; Nething; Shea; Tennefos

ABSENT AND NOT VOTING: Freborg; Keller; Meyer, W.

HCR 3034 was declared adopted and the title was agreed to on a roll call vote.

MESSAGES TO THE HOUSE
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following on which the Senate has adopted the conference committee report and subsequently passed the same:

HB 1068

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 1349, HB 1645

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report:

SB 2113

PERRY GROTEBERG, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following on which the Senate has adopted the conference committee report and subsequently passed the same:

SB 2080, SB 2109, SB 2520

PERRY GROTEBERG, Secretary

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3044: A concurrent resolution for the amendment of subsections 2 through 8 of section 6 of article VIII of the Constitution of the State of North Dakota, relating to the appointment of members to and the powers and duties of the state board of higher education.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 41 YEAS, 9 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; David; Kelly; Moore; Mutch; Naaden; Nething; Shea; Streibel

ABSENT AND NOT VOTING: Freborg; Keller; Meyer, W.

HCR 3044 was declared adopted and the title was agreed to on a roll call vote.

HCR 3064: A concurrent resolution requesting the Congress of the United States to propose for ratification by the states an amendment to the United States Constitution to terminate all fractional reserve banking practices in the United States and to establish the United States Monetary Commission.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 23 YEAS, 28 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Dotzenrod; Hilken; Kelly; Kelsh; Krauter; Lodoen; Meyer, D.; Meyer, W.; Mutch; Naaden; Nelson; Nething; Reiten; Richard; Shea; Streibel; Tennefos; Todd; Tweten; Vosper

NAYS: Axtman; Heigaard; Heinrich; Holmberg; Ingstad; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, J.; Moore; Mushik; Nalewaja; Olson; Peterson; Redlin; Satrom; Schoenwald; Stenehjelm; Stromme; Tallackson; Thane; Waldera; Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Freborg; Keller

HCR 3064 was declared lost on a roll call vote.

DELIVERY OF ENROLLED RESOLUTIONS

THE PRESIDENT PRO TEM ANNOUNCED that the following resolution was delivered to the Secretary of State for his filing at the hour of 1:00 p.m., April 2, 1987:

SCR 4043

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 2365: Reps. Cleveland, Shaft, Ulmer

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1247 and HB 1666 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1247: Reps. Koland, Dalrymple, Oban

HB 1666: Reps. Koland, Dorso, Enget

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1156 and HB 1506 and subsequently passed the same but has refused to concur in the Senate amendments to HB 1359, HB 1450, and HB 1470 and the

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

HB 1359: Reps. Whalen, Dorso, Oban

HB 1450: Reps. Koland, Dalrymple, Scherber

HB 1470: Reps. Larson, D. Olsen, P. DeMers

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to inform you that the House has adopted the conference committee report on SB 2339 and the Speaker has appointed as a new conference committee to act with a like committee from the Senate on:

SB 2339: Reps. Martinson, Christman, Hokana

ROY GILBREATH, Chief Clerk

MOTIONS

SEN. HEIGAARD MOVED that the vote by which HCR 3034 and HCR 3044 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 HCR 3034 and HCR 3044 be messaged to the House immediately, 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 FROM THE HOUSE

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 1240, HB 1337, HB 1338, HB 1557, HB 1652, HB 1681,
HCR 3074, HCR 3078, HCR 3079, HCR 3083, HCR 3085, HCR 3086,
HCR 3091, HCR 3092, HCR 3093, HCR 3094

ROY GILBREATH, Chief Clerk

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT: Your Conference Committee to which was referred SB 2314 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1755 of the Senate Journal and that SB 2314 be amended as follows:

On page 1, line 16, after the word "misdemeanor" insert the words
"unless the false report is made to a law enforcement official, in which case the person who causes the false report to be made is guilty of a class A misdemeanor"

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Mathern, Maxson, Peterson

For the House: Reps. Shaft, Cleveland, Flaagan

SB 2314 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 2378 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1682 of the Senate Journal and that Engrossed SB 2378 be amended as follows:

That the House recede from its amendments to engrossed Senate Bill No. 2378, as printed on page 1682 of the Senate Journal and page 1915 of the House Journal, and that engrossed Senate Bill No. 2378 be amended as follows:

On page 1 of the engrossed bill, line 16, after the word "number" insert the words ", as soon as available,"

On page 1 of the engrossed bill, line 19, delete the words "The building permit official may not issue"

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

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Krauter, Schoenwald, Nething

For the House: Reps. Lindgren, Sorensen, Skjerven (refused to sign)

Engrossed SB 2378 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 2510 has had the same under consideration and recommends that the HOUSE RECEDE from its amendments as found on page 1617 of the Senate Journal and that Engrossed SB 2510 be amended as follows:

On page 5 of the engrossed bill, line 10, overstrike the words "in writing" and insert immediately thereafter the words "and documented"

On page 5 of the engrossed bill, line 18, after the word "~~thereafter~~" insert the words "and, if the restraint is a chemical one, it must be administered by a licensed nurse or physician" and underscore the period

On page 5 of the engrossed bill, line 24, delete the underscored period and insert in lieu thereof a period

And renumber the lines, sections, and pages accordingly

For the Senate: Sens. Heinrich, Maxson, Stenehjem

For the House: Reps. Larson, Gates, Schneider

Engrossed SB 2510 was placed on the Seventh order of business on the calendar for the succeeding legislative day.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
EXECUTIVE OFFICE
Bismarck

April 2, 1987

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

Dear Mr. President Pro Tempore:

This is to inform you that on April 1, 1987, I signed the following:

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, 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.

Sincerely,

GEORGE A. SINNER
Governor

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Appropriations to which was rereferred HB 1037 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Education.

SEN. TALLACKSON, Chairman

HB 1037 was rereferred to the Committee on Education.

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2552 has had the same under consideration and

recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, after line 9, delete the remainder of the bill and insert in lieu thereof the following:

"15. a. All farm structures, and improvements located on agricultural lands. This subsection shall be construed to exempt farm buildings and improvements only, and shall not be construed to exempt from taxation industrial plants, or structures of any kind not used or intended for use as a part of a farm plant, or as a farm residence. Any structure or structures used in connection with a retail or wholesale business other than farming, even though situated on agricultural land, shall not be exempt under this subsection.

b. It is the intent of the legislative assembly that this exemption as applied to a residence shall be strictly construed and interpreted to exempt only a residence which is situated on a farm and which is occupied or used by a person who is a farmer and that the exemption shall not be applied to property which is occupied or used by a person who is not a farmer. For purposes of this subdivision subsection:

(1) "Farm" means a single tract or contiguous tracts of agricultural land containing a minimum of ten acres [4.05 hectares] and which normally provides a farmer, who is actually farming the land or engaged in the raising of livestock or other similar operations normally associated with farming and ranching, with not less than fifty percent of his annual net income.

(2) "Farmer" means an individual who normally devotes the major portion of his time to the activities of producing products of the soil, poultry, livestock, or dairy farming in such products' unmanufactured state and who normally receives not less than fifty percent of his annual net income from any one or more of the foregoing activities; and the term also includes an individual who is retired because of illness or age and who at the time of

retirement owned and occupied as a farmer as defined above the residence in which he lives and for which the exemption is claimed.

- (3) "Net income from farming activities" described in paragraph 2 means taxable income from those activities as computed for income tax purposes pursuant to chapter 57-38 adjusted to include the following:
- (a) The difference between gross sales price less expenses of sale and the amount reported for sales of agricultural products for which the farmer reported a capital gain.
 - (b) Interest expenses from farming activities which have been deducted in computing taxable income.
- (4) For purposes of applying the income requirements of this ~~subdivision~~ subsection, if a husband and wife reside together in a residence claimed as exempt under this ~~subdivision~~ subsection because both or one of them is a farmer, not less than fifty percent of their combined net income from all sources must be net income from farming activities as defined in paragraph 3 in order for the residence to qualify for the exemption. The fifty percent of annual net income requirements of this section do not apply if the annual net nonfarm income, including that of a spouse if married, is twenty thousand dollars or less.
- (5) When exemption is claimed under this ~~subdivision~~ subsection for a residence, the assessor may require that the occupant of the residence who it is claimed is a farmer provide to the assessor for the year or years specified by the assessor a written statement in which it is stated that fifty percent or more of the net income of that occupant was, or was not, net income from farming activities; provided, that if that occupant is married and they both occupy the residence, it shall be stated in the written statement that their net income

from farming activities was, or was not, fifty percent or more of their combined net income from all sources.

- (6) In addition to any of the provisions of this subsection or any other provision of law, a residence situated on agricultural land is not exempt for the year if it is occupied by an individual engaged in farming who had nonfarm income, including that of a spouse if married, of more than thirty thousand dollars during each of the three preceding calendar years. The provisions of this paragraph do not apply to an individual who is retired because of illness or age and who at the time of retirement owned and occupied as a farmer the residence in which he lives and for which the exemption is claimed.

SECTION 2. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1986."

And renumber the lines, sections, and pages accordingly

SEN. SATROM, Chairman

SB 2552 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Joint Constitutional Revision to which was referred SCR 4047 has had the same under consideration and recommends by a vote of 10 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 resolution, line 4, after the word "property" insert the words "to allow imposition of property taxes and state oil and gas taxes or other taxes imposed in lieu of property taxes on minerals or property owned by the federal land bank and relating to taxation of state or local government property if exemption of the property is waived by the legislative assembly"

On page 1 of the engrossed resolution, line 8, after the word "property" insert the words "to allow imposition of property taxes and state oil and gas taxes or other taxes imposed in lieu of property taxes on minerals or property owned by the federal land bank and relating to taxation of state or local government property if exemption of the property is waived by the legislative assembly"

On page 1 of the engrossed resolution, line 14, delete the word "statewide" and insert in lieu thereof the word "general"

On page 2 of the engrossed resolution 1, line 1, delete the words "or an act of the legislative assembly"

On page 2 of the engrossed resolution, line 2, after the word "county" insert an underscored comma and after the second underscored comma insert the words "to the extent immunity from taxation has not been waived by an act of the legislative assembly,"

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

SCR 4047 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was rereferred Engrossed HB 1539 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Education:

In lieu of the amendments to engrossed HB 1539 adopted by the Senate as printed on page 1576 of the Senate Journal, engrossed HB No. 1539 is amended as follows:

On page 1 of the engrossed bill, line 4, after the word "schools" insert the words "; and to provide for a contingent separate and additional educational support per-pupil payment"

On page 3 of the engrossed bill, after line 21, insert the following new section:

"SECTION 2. CONTINGENT SEPARATE AND ADDITIONAL PER-PUPIL PAYMENT. If section 1 of this Act relating to high schools including grades nine through twelve becomes law, the superintendent of public instruction shall distribute a separate and additional educational support per-pupil payment of five dollars during the first year of the biennium beginning July 1, 1987, and ending June 30, 1989."

And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The bill is amended to provide for a contingent additional \$5 per-pupil payment. The payment is to be made only if that portion of the bill passes which requires that ninth grade enrollments are to be included with grades 10-12 enrollments in determining per-pupil payments. This change would result in a savings of approximately \$632,000 that will be spent pursuant to Section 2 under the \$5 per-pupil payment.

And renumber the lines, sections, and pages accordingly

SEN. TALLACKSON, Chairman

Engrossed HB 1539 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was rereferred Reengrossed HB 1578 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Education:

In addition to the amendments to reengrossed House Bill No. 1578 adopted by the Senate as printed on pages 1577-1578 of the Senate Journal and in lieu of the amendments to reengrossed House Bill No. 1578 adopted by the Senate as printed on pages 1766-1767 of the Senate Journal, reengrossed HB 1578 is amended as follows:

On page 5 of the reengrossed bill, delete lines 33 through 35

And renumber the lines, sections, and pages accordingly

SEN. TALLACKSON, Chairman

HB 1578 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:

In lieu of the amendments to House Bill No. 1644 as printed on pages 1971-1972 of the Senate Journal, House Bill No. 1644 is amended as follows:

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 1, line 15, delete the words "and necessary land upon which the building is"

On page 1, line 16, delete the words ", if the" and insert in lieu thereof the word "on", delete the word "is", and delete the words "or a nonprofit" and insert in lieu thereof the words "if the building is"

On page 1, delete lines 17 through 22

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 1680 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 13, after the word "pay" insert the words ", from its retirement fund and without the need for a prior appropriation,"

On page 1, line 14, delete the word "that" and insert in lieu thereof the word "which"

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

HB 1680 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 1679 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. SATROM, Chairman

HB 1679 was placed on the Fourteenth 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:

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SB 2031, SB 2040, SB 2072, SB 2076, SB 2078, SB 2304,
SB 2307, SB 2451, SB 2489, SB 2540, SB 2549

PERRY GROTEBERG, Secretary

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

SB 2031, SB 2040, SB 2072, SB 2076, SB 2078, SB 2304,
SB 2307, SB 2451, SB 2489, SB 2540, SB 2549

PERRY GROTEBERG, Secretary

SENATE CHAMBER

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

HB 1303, HCR 3034, HCR 3044

PERRY GROTEBERG, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill for an Act to provide a statement of legislative intent concerning revenue for funding of elementary and secondary education.

Your Committee on Delayed Bills cast a ballot of 4 YEAS, 1 ABSENT AND NOT VOTING in favor of accepting this bill.

SEN. MAIXNER, Chairman

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

FIRST READING OF SENATE BILL

Sen. Ingstad introduced:

(Approved by the Committee on Delayed Bills)

SB 2555: A BILL for an Act to provide a statement of legislative intent concerning revenue for funding of elementary and secondary education; to create and enact two new subsections to section 57-39.2-04 and two new subsections to section 57-40.2-04 of the North Dakota Century Code, relating to an exemption from sales and use taxes for food or food products purchased with vouchers and food stamps; to amend and reenact sections 57-39.2-02.1 and 57-40.2-02.1 of the North Dakota Century Code as contained in sections 1 and 4 of Senate Bill No. 2901, as approved by the fiftieth legislative assembly, and subsections 7, 8, and 9 of section 57-39.2-01, subsection 12 of section 57-39.2-04, subsection 8 of section 57-40.2-01, and section 57-40.2-03.2 of the North Dakota Century Code, relating to the imposition of sales and use taxes on certain sales of services and property, and to the rate of use tax on

alcoholic beverages; and to repeal sections 57-39.2-03.3, 57-39.2-03.4, subsections 22, 27, 30, and 33 of section 57-39.2-04, section 57-39.2-04.1, subsections 10, 13, and 18 of section 57-40.2-04, and section 57-40.2-04.1 of the North Dakota Century Code, relating to exemptions from sales and use taxes.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill relating to the sales tax exemption for certain nonresidents and the imposition of sales and use taxes on certain designated services.

Your Committee on Delayed Bills cast a ballot of 4 YEAS, 1 ABSENT AND NOT VOTING in favor of accepting this bill.

SEN. MAIXNER, Chairman

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

FIRST READING OF SENATE BILL

Sen. Heigaard introduced:

(Approved by the Committee on Delayed Bills)

SB 2556: A BILL for an Act to amend and reenact subsections 7, 8, and 9 of section 57-39.2-01 and subsection 12 of section 57-39.2-04 of the North Dakota Century Code, and section 57-39.2-02.1 of the North Dakota Century Code as contained in section 1 of Senate Bill No. 2901, as approved by the fiftieth legislative assembly, relating to the sales tax exemption for certain nonresidents and the imposition of sales and use taxes on certain designated services.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill relating to the tax imposed on motor vehicle fuels and special fuels.

Your Committee on Delayed Bills cast a ballot of 4 YEAS, 1 ABSENT AND NOT VOTING in favor of accepting this bill.

SEN. MAIXNER, Chairman

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

FIRST READING OF SENATE BILL

Sen. Heigaard and Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

SB 2557: A BILL for an Act to amend and reenact subsection 1 of section 57-43.1-02 and subsection 1 of section 57-43.2-02

of the North Dakota Century Code, relating to the tax imposed on motor vehicle fuels and special fuels.
Was read the first time and referred to the Committee on Finance and Taxation.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill for an Act relating to an income tax surtax imposed upon individuals, estates, and trusts filing a long form income tax return; and to provide an effective date and an expiration date.

Your Committee on Delayed Bills cast a ballot of 4 YEAS, 1 ABSENT AND NOT VOTING in favor of accepting this bill.

SEN. MAIXNER, Chairman

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

FIRST READING OF SENATE BILL

Sen. Richard introduced:

(Approved by the Committee on Delayed Bills)

SB 2558: A BILL for an Act to create and enact two new sections to chapter 57-38 of the North Dakota Century Code, relating to an income tax surtax imposed upon individuals, estates, and trusts filing a long form or optional form income tax return; and to provide an effective date and an expiration date.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill for an Act to provide for contingent reduction in general fund appropriation authority regarding foundation aid grants.

Your Committee on Delayed Bills cast a ballot of 4 YEAS, 1 ABSENT AND NOT VOTING in favor of accepting this bill.

SEN. MAIXNER, Chairman

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

FIRST READING OF SENATE BILL

Sen. Richard introduced:

(Approved by the Committee on Delayed Bills)

SB 2559: A BILL for an Act to provide for contingent reduction in general fund appropriation authority regarding foundation aid grants.

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

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a concurrent resolution directing the Legislative Council to study state aid to local fire departments and districts.

Your Committee on Delayed Bills cast a ballot of 4 YEAS, 1 ABSENT AND NOT VOTING in favor of accepting this resolution.

SEN. MAIXNER, Chairman

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Wogsland introduced:

(Approved by the Committee on Delayed Bills)

SCR 4069: A concurrent resolution directing the Legislative Council to study state aid to local fire departments and districts.

Was read the first time and referred to the Committee on Political Subdivisions.

SIGNING OF BILLS AND RESOLUTIONS

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

HB 1240, HB 1337, HB 1338, HB 1557, HB 1652, HB 1681

PERRY GROTEBERG, Secretary

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

HCR 3074, HCR 3078, HCR 3079, HCR 3083, HCR 3085, HCR 3086,
HCR 3091, HCR 3092, HCR 3093, HCR 3094

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 1240, HB 1337, HB 1338, HB 1557, HB 1652, HB 1681,
HCR 3074, HCR 3078, HCR 3079, HCR 3083, HCR 3085, HCR 3086,
HCR 3091, HCR 3092, HCR 3093, HCR 3094

PERRY GROTEBERG, 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 Seventh order of business, and

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at the conclusion of the Seventh 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 HB 1679, the Senate adjourn and convene at 9:00 a.m., Friday, April 3, 1987, which motion prevailed.

PERRY GROTEBERG, Secretary