

JOURNAL OF THE SENATE

Fifty-second Legislative Assembly

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Bismarck, February 18, 1991

The Senate convened at 1:00 p.m., with President Omdahl presiding.

The prayer was offered by Father Wilfred Lambertz, Blue Cloud Abbey/St. Lawrence Catholic Church, Milbank, South Dakota.

The roll was called and all members were present except Senator Vosper.

A quorum was declared by the President.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2100, SB 2145, SB 2158, SB 2178, SB 2189, SB 2234, SB 2257, SB 2266, SB 2324, SB 2339, SB 2356, SB 2411, SB 2423, SB 2429, SB 2482, SB 2513, SB 2534, SB 2553, SCR 4024.

SIGNING OF BILLS AND RESOLUTIONS

The President signed the following enrolled bill: SB 2164.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2164.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1125, HB 1196, HB 1234, HB 1260, HB 1262, HB 1329, HB 1337, HB 1373, HB 1376, HB 1450, HB 1495.

MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that SB 2109, SB 2275, SB 2504, SB 2542, SB 2559, SB 2007, SB 2065, SB 2188, SB 2284, SB 2336, SB 2459, SB 2487, SB 2525, SB 2528, SB 2539, and SB 2566 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2109: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ pages 367-368 be adopted with DO PASS, which motion lost on a verification vote.

SECOND READING OF SENATE BILL

SB 2109: A BILL for an Act to amend and reenact sections 57-43.1-02 and 57-43.2-02 of the North Dakota Century Code, relating to the tax reduction for qualifying alcohol-blended fuel; to provide an appropriation; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 5 YEAS, 47 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: David; Moore; Naaden; Solberg; Streibel

NAYS: Bowman; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsch; Kinno; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Stenehjem; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Vosper

SB 2109 lost.

CONSIDERATION OF AMENDMENTS

SB 2275: SEN. MAXSON (Committee on Judiciary) MOVED that the amendments on SJ pages 494-498 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2275: A BILL for an Act to create and enact sections 51-18-04.1, 51-18-04.2, and 51-18-04.3 and two new sections to chapter 51-18 of the North Dakota Century Code, relating to telepromoting transactions; to amend and reenact sections 51-15-04, 51-15-05, 51-15-06.1, 51-15-07, 51-15-08, 51-15-11, 51-18-01, and 51-18-08 of the North Dakota Century Code relating to the authority of the attorney general, enforcement of remedies, the definition of a telepromoter, and exceptions from regulation of home solicitation sales; and to provide a penalty.

ROLL CALL

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

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Vosper

SB 2275 passed and the title was agreed to.

MOTIONS

SEN. WOGSLAND MOVED that SB 2279, SB 2305, and SB 2362, which are on the Sixth order, be laid over one legislative day, which motion prevailed.

SEN. WOGSLAND MOVED that SB 2470 be placed at the bottom of the Sixth order, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2504: SEN. MAXSON (Committee on Judiciary) MOVED that the amendments on SJ page 507 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2504: A BILL for an Act to create and enact a new section to chapter 30.1-21 of the North Dakota Century Code, relating to closing decedent's estates.

ROLL CALL

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

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Vosper

SB 2504 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2542: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ page 508 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2542: A BILL for an Act to amend and reenact sections 4 and 5 of chapter 198 of the 1989 Session Laws of North Dakota, relating to home-based instruction.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

NAYS: Graba; Kelly; Mushik; Peterson

ABSENT AND NOT VOTING: Vosper

SB 2542 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2559: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ pages 508-509 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2559: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to the membership of the state board of higher education.

ROLL CALL

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

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Vosper

SB 2559 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2561: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ pages 509-511 be adopted and then be

REREFERRED to the Committee on Appropriations with DO PASS, which motion prevailed.

HB 1127: SEN. LANGLEY (Committee on Industry, Business and Labor) MOVED that the amendments on SJ page 511 be adopted with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that HB 1127 be placed on the Fourteenth order, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1127: A BILL for an Act to amend and reenact subsections 1, 4, and 5 of section 14-02.4-02 of the North Dakota Century Code, relating to the application of age and other employment discrimination restrictions.

ROLL CALL

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

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjsem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Vosper

HB 1127 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2007: SEN. TALLACKSON (Committee on Appropriations) MOVED that the amendments on SJ page 525 be adopted with DO PASS.

REQUEST

SEN. WOGSLAND REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2007, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2007, the roll was called and there were 32 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Evanson; Graba; Hanson, E.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Langley; Lindaas; Lips; Marks; Mathern; Maxson; Meyer; Mushik; O'Connell; Redlin; Robinson; Satrom; Schoenwald; Tallackson; Thane; Tomac; Wogsland; Yockim

NAYS: Bowman; David; DeKrey; Freborg; Goetz; Hanson, O.; Krebsbach; Lindgren; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Solberg; Stenehjsem; Streibel; Tennefos; Traynor

ABSENT AND NOT VOTING: Vosper

The motion to adopt the amendments to SB 2007 passed.

SECOND READING OF SENATE BILL

SB 2007: A BILL for an Act to provide for an appropriation for defraying the expenses of the adjutant general; to provide for an appropriation of

funds from the national guard tuition trust fund; and to provide legislative intent.

ROLL CALL

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

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjerm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Vosper

SB 2007 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2065: SEN. MAXSON (Committee on Judiciary) MOVED that the amendments on SJ pages 525-526 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2065: A BILL for an Act to create and enact three new sections to chapter 53-06.1 of the North Dakota Century Code, relating to the establishment of a state gaming commission; to amend and reenact sections 53-06.1-01, 53-06.1-02, 53-06.1-02.1, 53-06.1-03, 53-06.1-06, 53-06.1-06.1, subsection 1 of section 53-06.1-07, section 53-06.1-08, subsection 1 of section 53-06.1-11, sections 53-06.1-11.1, 53-06.1-12, 53-06.1-12.1, 53-06.1-12.2, 53-06.1-13, 53-06.1-14, 53-06.1-15, 53-06.1-15.1, 53-06.1-16, 53-06.1-16.2, 53-06.1-17, subsection 1 of section 54-07-01.2, subsection 8 of section 57-39.2-01, and subsections 6 and 7 of section 57-40.2-01 of the North Dakota Century Code, relating to definitions, the conducting of games of chance and parimutuel horse racing, and sales and use taxes; and to repeal sections 53-06.2-02, 53-06.2-03, 53-06.2-13, subsection 42 of section 57-39.2-04, and subsection 24 of section 57-40.2-04 of the North Dakota Century Code, relating to the North Dakota racing commission and sales and use tax exemptions for electronic games of chance.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

NAYS: Naaden; Solberg; Stenehjerm

ABSENT AND NOT VOTING: Ingstad; Vosper

SB 2065 passed and the title was agreed to.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The Speaker has signed: SB 2164.

CONSIDERATION OF AMENDMENTS

SB 2211: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ page 528 be adopted and then be REREFERRED to the Committee on Appropriations with DO PASS, which motion prevailed.

MOTIONS

SEN. TRAYNOR MOVED that the Senate reconsider its action whereby SB 2077 passed, which motion prevailed on a verification vote.

SEN. WOGSLAND MOVED that SB 2077 be laid over one legislative day, which motion prevailed.

SEN. THANE MOVED that the Senate reconsider its action whereby SB 2379 failed to pass, which motion prevailed.

SEN. WOGSLAND MOVED that SB 2379 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2188: SEN. MEYER (Committee on Natural Resources) MOVED that the amendments on SJ pages 526-528 be adopted and then be placed on the CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2188: A BILL for an Act to provide for the establishment of a program to carry out the provisions of the Emergency Planning and Community Right-to-Know Act of 1986, expanded duties of the division of emergency management, a facility fee system, a state and local hazardous chemicals fund or account, and the expenditure of special funds; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 39 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: DeKrey; Dotzenrod; Evanson; Goetz; Graba; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Mushik; Nelson; Nothing; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Tallackson; Tennefos; Thane; Tomac; Traynor; Yockim

NAYS: Bowman; David; Freborg; Hanson, E.; Hanson, O.; Krauter; Moore; Mutch; Naaden; Nalewaja; O'Connell; Streibel; Wogsland

ABSENT AND NOT VOTING: Vosper

SB 2188 passed and the title was agreed to.

MOTION

SEN. WOGSLAND MOVED that the Senate stand in recess until 4:15 p.m., which motion prevailed. THE SENATE RECONVENED pursuant to recess taken, with President Omdahl presiding.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for his approval at the hour of 2:36 p.m., February 18, 1991: SB 2164.

CONSIDERATION OF AMENDMENTS

SB 2231: SEN. MEYER (Committee on Natural Resources) MOVED that the amendments on SJ pages 528-530 be adopted and then be REREFERRED to the Committee on Appropriations with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that SB 2282, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2284: SEN. TALLACKSON (Committee on Appropriations) MOVED that the amendments on SJ pages 530-531 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2284: A BILL for an Act to authorize the director of the department of human services to transfer title and convey certain land at the state developmental center at Grafton to the city of Grafton; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland

NAYS: Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2284 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2336: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ page 531 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2336: A BILL for an Act to amend and reenact section 15-12-02 of the North Dakota Century Code, relating to courses of instruction and the academic year at the North Dakota state university of agriculture and applied science.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 22 YEAS, 27 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; DeKrey; Freborg; Hanson, E.; Hanson, O.; Keller; Kelsh; Kinnoin; Krauter; Langley; Lindgren; Meyer; Moore; Mutch; Nalewaja; Nething; Peterson; Solberg; Tennefos; Thane; Tomac; Wogsland

NAYS: David; Evanson; Goetz; Graba; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Kelly; Krebsbach; Lindaas; Lips; Marks; Mathern; Maxson; Mushik; Nelson; O'Connell; Redlin; Robinson; Satrom; Schoenwald; Stenehjelm; Tallackson; Traynor; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2336 lost.

CONSIDERATION OF AMENDMENTS

SB 2354: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 531 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2354: A BILL for an Act to amend and reenact subsection 1 of section 53-06.2-02 of the North Dakota Century Code, relating to membership of the racing commission; and to provide for transition.

ROLL CALL

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

YEAS: Bowman; David; DeKrey; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nothing; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2354 passed and the title was agreed to.

MOTION

SEN. WOGSLAND MOVED that SB 2457, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2459: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 533 be adopted and then be REREFERRED to the Committee on Appropriations with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that pursuant to Senate Rule 330, SB 2459 be placed on the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2459: A BILL for an Act to establish a North Dakota motion picture development office.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 33 YEAS, 16 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: David; Evanson; Freborg; Goetz; Graba; Hanson, E.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krebsbach; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Nalewaja; Peterson; Robinson; Satrom; Schoenwald; Stenehjelm; Tallackson; Thane; Tomac; Traynor; Wogsland

NAYS: Bowman; DeKrey; Hanson, O.; Krauter; Langley; Maxson; Meyer; Moore; Mutch; Nelson; Nothing; O'Connell; Redlin; Solberg; Tennefos; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2459 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2487: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 533 be adopted with DO NOT PASS, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILL

SB 2487: A BILL for an Act to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to county judges participating in the public employees retirement system; and to amend and reenact subsection 3 of section 54-52-01, section 54-52-02.3, and subsection 4 of section 54-52.1-01 of the North Dakota Century Code, relating to the participation of county judges in the public employees retirement system and the uniform group insurance program; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 2 YEAS, 47 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Maxson; O'Connell

NAYS: Bowman; David; DeKrey; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2487 lost.

CONSIDERATION OF AMENDMENTS

SB 2525: SEN. MEYER (Committee on Natural Resources) MOVED that the amendments on SJ pages 533-534 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2525: A BILL for an Act to establish the membership of a legislative council interim committee, which is to study ownership and management of state and federal lands and ownership and management of lands by not-for-profit entities; to create and enact a new section to chapter 20.1-02 of the North Dakota Century Code, relating to acquisitions of certain interests in land; and to repeal section 20.1-02-18.3 of the North Dakota Century Code, relating to the suspension of federal authority to acquire interests in land.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 15 YEAS, 34 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; DeKrey; Freborg; Hanson, O.; Holmberg; Kelsh; Kinnoin; Krauter; Mathern; Meyer; Moore; O'Connell; Solberg; Tomac; Wogsland

NAYS: David; Evanson; Goetz; Graba; Hanson, E.; Heigaard; Heinrich; Ingstad; Jerome; Keller; Kelly; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Maxson; Mushik; Mutch; Nalewaja; Nelson; Nething; Peterson; Redlin; Robinson; Satrom; Schoenwald; Stenehjem; Tallackson; Tennefos; Thane; Traynor; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2525 lost.

CONSIDERATION OF AMENDMENTS

SB 2528: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ pages 534-535 be adopted and then be REREFERRED to the Committee on Appropriations with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that pursuant to Senate Rule 330, SB 2528 be placed on the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2528: A BILL for an Act to amend and reenact subsections 1 and 10 of section 53-06.2-01, subsection 7 of section 53-06.2-04, sections 53-06.2-05, 53-06.2-06, 53-06.2-10.1, and 53-06.1-11 of the North Dakota Century Code, relating to the definitions of breeders' fund and purse fund for parimutuel horse racing, duties and powers of the North Dakota racing commission, organizations eligible to conduct racing and simulcast parimutuel wagering, and payoff formulas for parimutuel wagering.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 28 YEAS, 21 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; DeKrey; Hanson, E.; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mushik; O'Connell; Robinson; Schoenwald; Stenehjem; Tallackson; Thane; Traynor; Wogsland; Yockim

NAYS: David; Evanson; Freborg; Goetz; Graba; Hanson, O.; Heigaard; Mathern; Maxson; Meyer; Moore; Mutch; Nalewaja; Nelson; Nothing; Peterson; Redlin; Satrom; Solberg; Tennefos; Tomac

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2528 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2539: SEN. SCHOENWALD (Committee on Transportation) MOVED that the amendments on SJ page 535 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2539: A BILL for an Act to create and enact a new section to chapter 39-06.1 of the North Dakota Century Code, relating to alternative disposition of traffic offenses.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 48 YEAS, 1 NAY, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nothing; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

NAYS: Heinrich

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2539 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2566: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ pages 535-536 be adopted with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2566: A BILL for an Act to create and enact a new subsection to section 15-51-11 of the North Dakota Century Code, relating to power of the city of Fargo board of education to levy taxes.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 42 YEAS, 7 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Holmberg; Ingstad; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Robinson; Schoenwald; Solberg; Stenehjelm; Tallackson; Tennefos; Tomac; Traynor; Wogsland; Yockim

NAYS: Evanson; Heinrich; Jerome; Lips; Redlin; Satrom; Thane

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2566 passed and the title was agreed to.

MOTION

SEN. WOGSLAND MOVED that SCR 4028 and SCR 4038, which are on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2470: SEN. LANGLEY (Committee on Industry, Business and Labor) MOVED that the amendments on SJ pages 506-507 be adopted and is placed on the CALENDAR WITHOUT RECOMMENDATION, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2470: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to direct insurance reimbursements for certified registered nurse anesthetists.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 21 YEAS, 28 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: David; DeKrey; Graba; Heigaard; Heinrich; Jerome; Keller; Kelly; Langley; Marks; Mathern; Meyer; Mushik; Nething; O'Connell; Peterson; Redlin; Schoenwald; Tallackson; Traynor; Wogsland

NAYS: Bowman; Evanson; Freborg; Goetz; Hanson, E.; Hanson, O.; Holmberg; Ingstad; Kelsh; Kinnoin; Krauter; Krebsbach; Lindaas; Lindgren; Lips; Maxson; Moore; Mutch; Nalewaja; Nelson; Robinson; Satrom; Solberg; Stenehjelm; Tennefos; Thane; Tomac; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2470 lost.

MOTIONS

SEN. WOGSLAND MOVED that SB 2439 and SB 2467 be placed at the top of the Eleventh order, which motion prevailed.

SEN. NALEWAJA MOVED that SB 2439 be amended as follows:

Page 1, line 13, replace "two" with "one" and remove "fifty"

ReNUMBER accordingly

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

SECOND READING OF SENATE BILLS

SB 2439: A BILL for an Act to create and enact a new section to chapter 57-38 and a new subsection to section 57-38-30.3 of the North Dakota Century Code to provide an income tax credit for premiums paid for nursing home insurance; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 29 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Evanson; Freborg; Hanson, E.; Hanson, O.; Holmberg; Kelly; Krauter; Krebsbach; Lindgren; Mathern; Mushik; Nalewaja; Peterson; Solberg; Tallackson; Tennefos; Thane

NAYS: Goetz; Graba; Heigaard; Heinrich; Ingstad; Jerome; Keller; Kelsh; Kinnoin; Langley; Lindaas; Lips; Marks; Maxson; Meyer; Moore; Mutch; Nelson; Nething; O'Connell; Redlin; Robinson; Satrom; Schoenwald; Stenehjeme; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2439 lost.

SB 2467: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an income tax deduction for premiums paid for nursing home insurance; to amend and reenact subsections 3 and 4 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax reduction for premiums paid for nursing home insurance; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 38 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Evanson; Mutch; Nalewaja; Solberg; Tallackson; Tennefos; Thane; Yockim

NAYS: Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Stenehjeme; Tomac; Traynor; Wogsland

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2467 lost.

SB 2061: A BILL for an Act to create and enact three new subsections to section 57-38-30.3 of the North Dakota Century Code, relating to income tax credits for certain investments under the simplified optional method of computing state income tax liability; to amend and reenact section 10-30.1-09 of the North Dakota Century Code, relating to tax credits for investment in venture capital corporations; and to provide an effective date and an expiration date.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 48 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

NAYS: Bowman; David; DeKrey; Evanston; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Meyer; Naaden; Streibel; Vosper

SB 2061 lost.

SB 2221: A BILL for an Act to create and enact a new section to chapter 36-01 of the North Dakota Century Code, relating to definitions; and to amend and reenact sections 36-01-08, 36-01-12, 36-01-13, 36-01-14, 36-01-17, and 36-01-19 of the North Dakota Century Code, relating to duties of the state board of animal health, powers of the state board of animal health over contagious and infectious diseases, diseased animals to be reported to the board, protest of killing of diseased animals, oaths and examinations, and the emergency fund in case of epizootic.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Evanston; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2221 passed and the title was agreed to.

SB 2361: A BILL for an Act to amend and reenact sections 54-03-02 and 54-03-02.1 of the North Dakota Century Code, relating to reconvened regular sessions of the legislative assembly in even-numbered years for budget adjustment purposes.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 33 YEAS, 16 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Evanson; Goetz; Graba; Hanson, E.; Heigaard; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Lindaas; Lindgren; Marks; Mathern; Maxson; Meyer; Mushik; Nalewaja; O'Connell; Peterson; Redlin; Robinson; Schoenwald; Stenehjem; Tallackson; Thane; Traynor; Wogsland; Yockim

NAYS: Bowman; David; DeKrey; Freborg; Hanson, O.; Ingstad; Langley; Lips; Moore; Mutch; Nelson; Nething; Satrom; Solberg; Tennefos; Tomac

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2361 passed and the title was agreed to.

CONFLICT OF INTEREST

SEN. DEKREY STATED that he had a conflict of interest on SB 2374.

MOTION

SEN. WOGSLAND MOVED that Sen. DeKrey be allowed to vote on SB 2374, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2374: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 57-38-01.2 of the North Dakota Century Code, relating to an income tax deduction for military compensation while on active military duty; to amend and reenact subsection 3 of section 57-38-30.3 of the North Dakota Century Code, relating to an income tax reduction for military compensation while on active military duty; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 25 YEAS, 24 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; Evanson; Freborg; Goetz; Hanson, E.; Hanson, O.; Holmberg; Ingstad; Jerome; Krebsbach; Langley; Lindgren; Marks; Meyer; Mutch; Nalewaja; Nelson; Nething; Peterson; Solberg; Stenehjem; Tennefos; Thane; Traynor

NAYS: DeKrey; Graba; Heigaard; Heinrich; Keller; Kelly; Kelsh; Kinnoin; Krauter; Lindaas; Lips; Mathern; Maxson; Moore; Mushik; O'Connell; Redlin; Robinson; Satrom; Schoenwald; Tallackson; Tomac; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2374 lost for want of a Constitutional majority.

SB 2418: A BILL for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to sentences for persons operating a motor vehicle while under the influence of intoxicating liquor or any other drug or substance.

ROLL CALL

The question being on the final passage of the bill, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 14 YEAS, 35 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: DeKrey; Evanson; Freborg; Graba; Heigaard; Holmberg; Ingstad; Kinnoin; O'Connell; Redlin; Stenehjelm; Tallackson; Thane; Yockim

NAYS: Bowman; David; Goetz; Hanson, E.; Hanson, O.; Heinrich; Jerome; Keller; Kelly; Kelsh; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; Peterson; Robinson; Satrom; Schoenwald; Solberg; Tennefos; Tomac; Traynor; Wogsland

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2418 lost.

MOTION

SEN. WOGSLAND MOVED that SB 2421 and SB 2453, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2463: A BILL for an Act to provide for net energy billing for small power producers and cogenerators.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 6 YEAS, 43 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Evanson; Freborg; Hanson, O.; Heinrich; Mathern; Traynor

NAYS: Bowman; David; DeKrey; Goetz; Graba; Hanson, E.; Heigaard; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Tallackson; Tennefos; Thane; Tomac; Wogsland; Yockim

ABSENT AND NOT VOTING: Dotzenrod; Naaden; Streibel; Vosper

SB 2463 lost.

MOTIONS

SEN. WOGSLAND MOVED that the absent member be excused, which motion prevailed.

SEN. WOGSLAND MOVED that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order, the Senate be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the Senate stand adjourned until 1:00 p.m., Tuesday, February 19, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

SB 2009: Committee on Appropriations (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 16, replace "46,848" with "51,700"

Page 1, line 18, replace "691,251" with "800,000"

Page 1, line 19, replace "1,292,516" with "1,406,117"

Page 1, line 22, replace "101,462" with "169,602"

Page 2, line 3, replace "170,682" with "238,822"

Page 2, line 4, replace "116,547" with "156,547"

Page 2, line 5, replace "54,135" with "82,275"

Page 2, line 6, replace "1,346,651" with "1,488,392"

Page 2, line 7, replace "116,547" with "156,547"

Page 2, line 8, replace "1,463,198" with "1,644,939"

Page 2, after line 13, insert:

"SECTION 3. LEGISLATIVE INTENT - SOIL DIGITIZING. It is the intent of the legislative assembly that \$195,971, or so much thereof as may be necessary, from the general fund for 5.5 FTE positions for the soil survey digitizing center included in the salaries and wages line item in subdivision 1 of section 1 of this Act may be transferred to the operating expenses line item to pay for contract personnel for the soil survey digitizing center at the discretion of the soil conservation committee."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 710 - SOIL CONSERVATION COMMITTEE

This amendment increases the operating expenses line item by \$4,852 from the general fund to provide additional funding for travel, postage, and printing costs.

An additional \$108,749, from \$691,251 to \$800,000 from the general fund is provided for the soil conservation technician grants program.

A section of legislative intent is added allowing the Soil Conservation Committee to either hire employees or contract for personnel for the soil survey digitizing center.

DEPARTMENT 711 - CENTENNIAL TREES

This amendment adds \$68,140, \$28,140 of which is from the general fund and \$40,000 from federal funds, for one FTE volunteer coordinator position (\$60,000) for the federal America the Beautiful tree planting program and \$8,140 for temporary salaries.

SB 2033, as engrossed: Committee on Appropriations (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 6, remove "to establish a special interim study committee;"

Page 1, line 7, after "appropriation" insert "from the state aid distribution fund"

Page 6, line 5, after "be" insert "periodically"

Page 6, line 6, after "located" insert ", as may be requested by the treasurer," and after "and" insert "must be"

Page 8, remove lines 4 through 20

Page 8, line 21, replace "There" with "Notwithstanding the provisions of section 57-39.2-26.1, there"

Page 8, line 22, replace "general" with "state aid distribution"

Page 8, line 23, replace "\$225,000" with "\$200,000"

Page 8, remove lines 28 and 29

Page 9, remove lines 1 through 4

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment removes the special study committee in Section 6 and the related \$25,000 general fund appropriation added by the Senate Human Services and Veterans Affairs Committee in Section 8 and changes the appropriation for financial incentives for multicounty social service districts from \$225,000 to \$200,000. The source of funding is also changed from the general fund to the state aid distribution fund.

SB 2058, as engrossed: Committee on Appropriations (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 50, after line 21, insert:

"Less Bank of North Dakota earnings	5,800,000"
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Page 50, line 22, replace "estimated income" with "other funds" and replace "6,034,882" with "234,882"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 601 - ECONOMIC DEVELOPMENT AND FINANCE

The amendment provides a breakdown of the funding sources for the department's appropriation including a separate line for the transfer of \$5,800,000 from Bank of North Dakota's earnings.

SB 2078: Committee on State and Federal Government (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 3, line 16, overstrike "54-06-09 and" and after "44-08-04" insert "and 54-06-09"

Page 4, line 8, remove "The" and overstrike "policies on investment goals and objectives"

Page 4, line 9, replace "and" with "The"

Page 4, line 14, replace "policies are" with "the asset allocation is"

Page 4, line 15, remove "policies on investment goals and objectives and"

Page 4, line 16, replace "remain" with "remains"

Page 4, line 18, replace "those" with "asset allocations and investment"

Renumber accordingly

SB 2099: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2099 was placed on the Eleventh order on the calendar.

SB 2094: Committee on State and Federal Government (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 10, remove "purchase a special annuity in an alternate retirement"

Page 1, line 11, replace "program" with "distribute the employer contribution and applicable interest"

Page 1, line 16, replace ", used by the board to" with a period

Page 1, remove lines 17 through 19

ReNUMBER accordingly

SB 2148: Committee on Agriculture (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 22, remove "Reports may be submitted on"

Page 2, line 1, remove "a weekly basis if multiple sales are conducted in a week."

ReNUMBER accordingly

SB 2200: Committee on State and Federal Government (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 14, after "obligations" insert "Notwithstanding other provisions in this section and section 54-52.3-03, the public employees retirement system board, or any successor state agency, may not establish, enroll, or administer any pretax benefits program for a political subdivision or any other public or private business or entity, except for any program established specifically for employees of the state. The board may continue administering any pretax benefits program established for a political subdivision before January 1, 1991, through the end of the plan year"

ReNUMBER accordingly

SB 2205: Committee on State and Federal Government (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, remove "23-01-02,"

Page 1, remove lines 2 and 3

Page 1, line 4, remove "54-34.2-05," remove "54-36-04, 54-36-06," and replace "54-56-01" with "54-36-05"

Page 1, line 5, after the second "the" insert "state board for Indian scholarships and the" and remove "advisory"

Page 1, line 6, remove "; and to repeal section 54-36-05 of the North Dakota Century Code,"

Page 1, line 7, remove "relating to meetings of the Indian affairs commission"

Page 1, line 13, remove the overstrike over "~~executive director~~" and remove "~~coordinator~~"

Page 1, line 14, remove "advisory"

Page 1, line 16, remove the overstrike over "~~executive director~~"

Page 1, line 17, remove "coordinator" and remove "advisory"

Page 1, line 18, after the period insert "The state board of higher education shall request scholarship funds and staff to administer the Indian scholarship program in the board's biennial budget request."

Page 1, remove lines 19 through 22

Page 2, remove lines 1 through 29

Page 3, remove lines 1 through 29

Page 4, remove lines 1 through 29

Page 5, remove lines 1 through 29

Page 6, remove lines 1 through 23

Page 6, line 27, remove "advisory"

Page 7, line 2, after the underscored comma insert "one of whom must be at least one-fourth degree of Indian blood,"

Page 7, line 3, overstrike "and", after "Mountain" insert ", and the Sisseton-Wahpeton," and overstrike "their designees"

Page 7, line 13, after "~~commission~~" insert "in the absence of the chairperson, the vice chairperson"

Page 7, line 24, after "governor" insert ", after consultation with the members of the commission,"

Page 7, line 25, replace "~~a coordinator~~" with "an executive director" and remove "advisory"

Page 8, line 5, remove "advisory"

Page 8, remove the overstrike over lines 6 through 9

Page 8, line 10, remove the overstrike over "~~commission's duties are~~"

Page 8, line 11, remove the overstrike over "~~To investigate~~" and remove "Confer and advise on"

Page 8, line 14, remove the overstrike over "~~To assist tribal, state, and federal agencies~~" and remove "Confer and advise"

Page 8, line 17, remove the overstrike over "~~To assist tribal groups~~" and remove "Confer and advise"

Page 8, line 19, remove the overstrike over "~~To work~~" and remove "Work"

Page 8, line 21, remove the overstrike over "~~To seek~~" and remove "Seek"

Page 8, line 23, remove the overstrike over "~~To confer~~" and remove "Confer"

Page 8, replace lines 26 through 29 with

"7. To encourage and propose agreements and accords between federal, state, and local agencies and the several tribal

governments, and, pursuant to chapter 54-40.2, to assist in monitoring and negotiating agreements and accords when asked by an affected tribe."

Page 9, remove lines 1 through 26

Page 9, replace lines 27 and 28 with:

"SECTION 5. AMENDMENT. Section 54-36-05 of the North Dakota Century Code is amended and reenacted as follows:

54-36-05. Meetings —~~How called~~ - Quorum. ~~The Indian affairs commission or any subcommittee it may appoint may meet at such times and places as it may deem advisable. Meetings may be called by the chairman or by a call signed by a majority of the members of the commission.~~ At any meeting of the commission a majority of the members ~~shall constitute~~ constitutes a quorum and a majority of ~~such the~~ quorum ~~shall have authority to may~~ act in any matter falling within the jurisdiction of the commission."

Renumber accordingly

SB 2272: Committee on Appropriations (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 3, after "appropriation" insert "from the state aid distribution fund"

Page 3, line 25, replace "There" with "Notwithstanding the provisions of section 57-39.2-26.1, there"

Page 3, line 26, replace "general" with "state aid distribution"

Page 3, line 27, replace "\$960,000" with "\$900,000"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

This amendment changes the funding source of the matching funds for senior citizen programs from the general fund to the state aid distribution fund and reduces the appropriation from \$960,000 to \$900,000.

SB 2294: Committee on Appropriations (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (13 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, replace "board of higher education" with "agricultural experiment station"

Page 1, line 6, replace "\$500,000" with "\$300,000", after the third comma insert "and from special funds, derived from other income, the sum of \$200,000, or so much thereof as may be necessary," and replace "board of" with "agricultural experiment station"

Page 1, line 7, remove "higher education"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 640 - MAIN RESEARCH STATION

This amendment provides that \$200,000 of the \$500,000 appropriation to purchase Hastings Hall be from other funds rather than the general fund and that the appropriation be to the Agricultural Experiment Station rather than the Board of Higher Education.

SB 2358: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, replace "two" with "a" and replace "sections" with "section"

Page 1, line 3, remove "and compensation to agents writing policies"

Page 1, line 4, remove "for government self-insurance pools"

Page 1, line 10, replace ", or enter into any rebating agreements or in any other" with a period

Page 1, remove lines 11 through 19

Re-number accordingly

SB 2376: Committee on State and Federal Government (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 3, remove "establishment of a public employment"

Page 1, line 4, remove "relations board." and after the second "relations" insert "; and to provide an effective date"

Page 1, line 16, remove "; and establishing a state employment relations board to assist"

Page 1, remove line 17

Page 1, line 18, remove "the provisions of this Act"

Page 1, line 22, replace "state employment relations board" with "commissioner"

Page 2, line 7, remove "'Board" means the state employment relations board established by"

Page 2, remove line 8

Page 2, line 9, remove "4."

Page 2, after line 14, insert:

"4. "Commissioner" means the commissioner of labor."

Page 2, line 22, replace "board" with "commissioner"

Page 3, line 4, replace "board" with "commissioner"

Page 3, line 12, remove "labor"

Page 3, line 13, remove "relations"

Page 3, line 24, remove "rather than"

Page 3, line 25, remove "routine mental, manual, mechanical, or physical work;"

Page 5, line 24, replace "board" with "commissioner"

Page 7, line 24, replace "State employment relations board" with "Duties of the commissioner"

Page 7, remove lines 25 through 29

Page 8, remove lines 1 through 29

Page 9, remove lines 1 through 4

Page 9, line 5, replace "6" with "1" and replace "board" with "commissioner"

Page 9, line 7, replace "it" with "the commissioner"

Page 9, line 9, replace "7" with "2"

Page 9, line 10, replace "board or its" with "commissioner or the commissioner's"

Page 9, line 15, replace "its" with "the commissioner's"

Page 9, line 19, replace "said board" with "the commissioner" and replace "develop board" with "adopt"

Page 9, line 20, replace "board's" with "commissioner's" and replace "board members" with "commissioner"

Page 9, line 21, remove "that they decide"

Page 9, line 22, replace "8" with "3" and replace "board" with "commissioner"

Page 9, line 24, replace "it" with "the commissioner", replace "its" with "the commissioner's", and replace "board" with "commissioner"

Page 10, line 1, replace "board" with "commissioner"

Page 10, line 2, replace "its" with "the commissioner's"

Page 10, line 3, replace "9" with "4" and replace "board" with "commissioner"

Page 10, line 7, replace "board" with "commissioner"

Page 10, line 17, replace "One" with "By an employer stating that one"

Page 10, line 20, replace "board" with "commissioner"

Page 10, line 21, replace "it" with "the commissioner"

Page 10, line 24, replace the first "board" with "commissioner" and replace the second "board" with "commissioner"

Page 10, line 25, replace "it" with "the commissioner"

Page 10, line 26, replace "it" with "the commissioner"

Page 10, line 29, replace "board" with "commissioner"

Page 11, line 5, replace "board" with "commissioner"

Page 11, line 8, replace "board" with "commissioner" and replace "its" with "a"

Page 11, line 12, replace "board" with "commissioner"

Page 11, line 13, replace "board" with "commissioner"

Page 11, line 15, replace "it" with "the commissioner"

Page 11, line 16, replace "board" with "commissioner"

Page 11, line 19, replace "it" with "the commissioner" and replace "board" with "commissioner"

Page 11, line 23, replace "board" with "commissioner"

Page 11, line 25, replace "board" with "commissioner"

Page 11, line 28, replace "board" with "commissioner"

Page 12, line 2, replace "labor" with "choices"

Page 12, line 3, remove "organizations"

Page 12, line 5, replace "board" with "commissioner"

Page 12, line 21, replace "board" with "commissioner"

Page 12, line 22, replace "board" with "commissioner"

Page 12, line 26, replace "board" with "commissioner"

Page 12, line 28, replace "board" with "commissioner"

Page 13, line 1, replace "board" with "commissioner"

Page 13, line 9, replace "board" with "commissioner"

Page 13, line 19, replace "board" with "commissioner"

Page 13, line 25, remove "board"

Page 13, line 28, replace "board" with "commissioner"

Page 14, line 3, replace "board" with "commissioner"

Page 14, line 6, replace "board" with "commissioner"

Page 14, line 9, replace "board" with "commissioner"

Page 14, line 12, replace "board" with "commissioner"

Page 15, line 17, replace "board" with "commissioner"

Page 16, line 1, replace "board" with "commissioner"

Page 16, line 20, replace "board" with "commissioner"

Page 17, line 19, replace "board" with "commissioner"

Page 17, line 21, replace "board" with "commissioner"

Page 17, line 22, replace "board" with "commissioner"

Page 17, line 23, replace "board" with "commissioner"

Page 17, line 24, replace "board" with "commissioner"

Page 17, line 27, replace "board or a board member designated by the board" with "commissioner"

Page 17, line 28, replace "board" with "commissioner"

- Page 17, line 29, replace the first "board" with "commissioner" and replace the second "board" with "commissioner"
- Page 18, line 4, replace "board" with "commissioner"
- Page 18, line 10, replace "member" with "commissioner"
- Page 18, line 11, replace "board members or hearing officers" with "commissioner"
- Page 18, line 16, replace "member" with "commissioner"
- Page 18, line 17, replace "board" with "commissioner"
- Page 18, line 19, replace the first "board" with "commissioner" and replace the second "board" with "commissioner"
- Page 18, line 20, remove "member or"
- Page 18, line 23, replace "board" with "commissioner"
- Page 18, line 26, replace the first "board" with "commissioner" and replace the second "board" with "commissioner"
- Page 18, line 28, replace "board" with "commissioner"
- Page 19, line 1, replace "board, or a member designated by the" with "commissioner"
- Page 19, line 2, remove "board" and remove "thereof"
- Page 19, line 3, replace "board" with "commissioner"
- Page 19, line 4, replace "board" with "commissioner"
- Page 19, line 5, replace "board" with "commissioner"
- Page 19, line 8, replace "board" with "commissioner"
- Page 19, line 10, replace "it" with "the commissioner" and replace "its" with "the commissioner's"
- Page 19, line 18, replace "board" with "commissioner"
- Page 19, line 20, replace "board" with "commissioner" and replace "its" with "the commissioner's"
- Page 19, line 22, replace "board" with "commissioner"
- Page 19, line 23, replace "it" with "the commissioner"
- Page 19, line 25, replace "it" with "the commissioner"
- Page 19, line 27, replace "board" with "commissioner"
- Page 19, line 28, replace "board" with "commissioner"
- Page 20, line 3, replace "board" with "commissioner"
- Page 20, line 5, replace "board" with "commissioner"
- Page 20, line 6, replace "its" with "the commissioner's"
- Page 20, line 8, replace the first "board" with "commissioner" and replace the second "board" with "commissioner"
- Page 20, line 11, replace "board" with "commissioner"

Page 20, line 13, replace "board" with "commissioner"

Page 20, line 15, replace "board" with "commissioner"

Page 20, line 20, replace "board" with "commissioner"

Page 20, line 26, replace "board" with "commissioner"

Page 21, line 2, replace "board" with "commissioner"

Page 21, line 4, replace "board" with "commissioner"

Page 21, line 5, replace "board" with "commissioner"

Page 21, line 10, replace "board" with "commissioner"

Page 23, line 10, replace "board" with "commissioner"

Page 23, line 11, replace "board" with "commissioner"

Page 23, line 14, replace "board" with "commissioner"

Page 23, line 17, replace "majority" with "the commissioner"

Page 23, line 18, remove "vote of the members of the board"

Page 23, line 24, replace the first "board" with "commissioner" and replace the second "board" with "commissioner"

Page 24, line 2, replace "board" with "commissioner"

Page 24, line 14, replace "board" with "commissioner"

Page 24, line 15, replace "board" with "commissioner"

Page 24, line 23, replace "board" with "commissioner"

Page 24, line 24, replace "board" with "commissioner"

Page 25, line 7, replace "board" with "commissioner"

Page 26, line 4, replace "board" with "commissioner"

Page 26, line 9, replace "board" with "commissioner"

Page 29, line 1, replace "board" with "commissioner"

Page 30, after line 10, insert:

"SECTION 21. EFFECTIVE DATE. This Act becomes effective on January 1, 1992."

ReNUMBER accordingly

SB 2403: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "sections 16.1-04-02, 16.1-13-27, and"

Page 1, line 3, after "facilities" insert "and voting places"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 16.1-04-02 of the North Dakota Century Code is amended and reenacted as follows:

16.1-04-02. Voting places - Duties and responsibilities of the board of county commissioners or the governing body of the city. The board of county commissioners of each county:

1. Shall designate a voting place for each precinct and may alter ~~such~~ the voting places when there is a good and sufficient reason. However, the voting places for precincts located within the boundaries of any incorporated city ~~shall~~ must be designated, and altered if required, by the governing body of the city.
2. Shall provide that all voting places ~~which~~ are reasonably accessible to the elderly and the handicapped physically disabled.

SECTION 2. AMENDMENT. Section 16.1-13-27 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

16.1-13-27. Disability of elector - Polling place accessibility. Any elector who declares to the judges of the election that the elector cannot read the English language, or that because of blindness or other disability is unable to mark the elector's ballot, upon request, may receive the assistance of any person of the elector's choice, other than the elector's employer, officer or agent of the elector's union, a candidate running in that election, or a relative of a candidate as provided in subsection 2 of section 16.1-05-02, in marking the elector's ballot. If the elector requests the assistance of a member of the election board, however, the elector shall receive the assistance of both election judges in the marking of the elector's ballot. No one assisting any elector in marking a ballot under this chapter ~~shall~~ may give information regarding the ~~same~~ ballot. No elector, other than one who is unable to read the English language or one who because of disability is unable to mark a ballot, ~~shall~~ may divulge to anyone within the polling place the name of any candidate for whom the elector intends to vote, nor ask, nor receive the assistance of any person within the polling place to mark the elector's ballot. In order to comply with the reasonable accessibility requirement of subsection 2 of section ~~16.1-04-02~~: in any polling place not accessible to an elector suffering from a physical disability or handicap: the elector may have two members of the election board who are of opposite political parties deliver a ballot from the polling place to a convenient place within the building: After the ballot has been delivered: the disabled or handicapped elector ~~shall~~ cast the ballot in the general presence of both officials: After returning to the polling place with the voted ballot, the election officials ~~shall~~ immediately give the name and address of the elector to the poll clerks who ~~shall~~ enter the information in the pollbooks: The voted ballot must then immediately be placed in the ballot box by both election officials: In order to comply with the reasonable accessibility requirement of subsection 2 of section ~~16.1-04-02~~: if a polling place cannot be made accessible: an alternate accessible site within reasonable proximity may also be provided for voting: The board of county commissioners ~~shall~~ publicize the location of alternate polling places if provided: Parking facilities at polling places ~~must~~ be accessible to the elderly and the handicapped and ~~must~~ be clearly marked: "

Renumber accordingly

SB 2422: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING) SB 2422 was placed on the Eleventh order on the calendar.

SB 2424: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 16.1-01 of the North Dakota Century Code, relating to voter lists.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 16.1-01 of the North Dakota Century Code is created and enacted as follows:

Voter lists - Addition or transfer of names. In a county in which the county auditor prepares a list of the persons who voted at a prior election and provides the list to voting precincts on election day, the county auditor, with the approval of the secretary of state, may establish a procedure by which a person may transfer that person's name from the voter list of one precinct to the voter list of another precinct in the county if that person establishes a new residence, and by which a person who establishes residence in the county may have that person's name placed on the voter list in the appropriate precinct. The procedure provided for in this section may not be used to require the registration of electors."

Renumber accordingly

SB 2434: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2434 was placed on the Eleventh order on the calendar.

SB 2435: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 8, overstrike "Each"

Page 1, line 9, overstrike "election judge" and insert immediately thereafter "The board of county commissioners of the county in which the polling place is located"

Page 1, line 13, replace "three" with "one", after "hundred" insert "fifty", and replace "last" with "same election, primary or general, four years prior to this".

Renumber accordingly

SB 2436: Committee on Agriculture (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act relating to a right of first refusal of preceding owners of agricultural land.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Right of first refusal. A lender shall offer to the immediately preceding former owner of agricultural land acquired through foreclosure, deed in lieu of foreclosure, or cancellation of a contract for deed, an opportunity to purchase or lease the land for cash upon the same terms as those set forth by a third party, unless in the determination of the lender, the immediately preceding former owner had sufficient assets to have prevented forfeiture of the agricultural land. This Act applies only to lenders subject to the divestiture provisions under chapter 10-06. This Act does not apply to the farmers home administration.

SECTION 2. Notice - Terms - Liability. A lender shall notify in writing the immediately preceding former owner of the terms of a third party's offer to purchase or lease the agricultural land. The lender shall serve notice personally or by registered mail. The notice must state that the immediately preceding former owner has fourteen days from the date of service within which to accept an offer to lease the land, by paying the entire cash rent amount to the lender. If a lender receives a third party offer to purchase the land, the notice to the immediately preceding former owner must state that the immediately preceding former owner has fourteen days from the date of service within which to accept an offer to sell the land by making a nonrefundable earnest money payment to the lender in the amount of five percent of the total sale price, and by agreeing in writing to pay the remaining ninety-five percent of the total sale price within thirty days. Failure to respond within the time permitted constitutes a waiver of all rights under this Act.

SECTION 3. Resale. An immediately preceding former owner who purchases agricultural land in accordance with this Act is liable for damages to any person damaged by a resale of that land within one year from the date of repurchase."

Renumber accordingly

SB 2458: Committee on Agriculture (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 14, overstrike "the vendor or the vendor's designee" and insert immediately thereafter "a certifying agent"

Page 4, line 9, replace "title" with "chapter"

Renumber accordingly

SB 2493: Committee on Agriculture (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 13, after "description" insert " In addition, for all documents recorded under this section which list more than five sections of land, a fee of one dollar for each additional section listed which is to be recorded in the tract index"

Renumber accordingly

SB 2499: Committee on Agriculture (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 4, after "member" insert " , at large,"

Page 2, line 5, remove "the breeding of"

Page 2, line 6, replace "said industry on" with "all other industries not currently represented and regulated by"

Page 2, line 19, replace "North Dakota exotic" with "governor from a list of applicants each of whom has submitted an application with three references and has demonstrated a knowledge of exotic animal breeds"

Page 2, line 20, remove "animal breeders association for the member representing exotic animals"

Re-number accordingly

SB 2506: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 4, after "ballots" insert "; and to declare an emergency"

Page 3, line 28, remove "A county auditor, city"

Page 3, remove line 29

Page 4, remove line 1

Page 4, line 2, remove "appears personally in the election officer's office."

Page 4, after line 24, insert:

"SECTION 6. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

SB 2509: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 6, line 19, after "tax" insert "for the period specified in the original or subsequent development agreement"

Page 6, line 24, after "ordinances" insert ", if so determined by resolution of the governing body of the public authority"

Re-number accordingly

SB 2514: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2514 was placed on the Eleventh order on the calendar.

SB 2519: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 10, replace "chairman" with "chairperson"

Re-number accordingly

SB 2536: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (6 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2536 was placed on the Eleventh order on the calendar.

SB 2543: Committee on State and Federal Government (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 16, after "disclose" insert "the source and balance of" and after "loan" insert an underscored comma

Page 1, line 17, after "advance" insert an underscored comma

Page 3, line 1, replace "engrossment" with "endorsement"

Page 3, line 5, replace the first underscored comma with "during the calendar year, or who has an unpaid balance on an"

Page 3, line 6, replace "to" with "made by" and after the second comma insert "on the candidate's own behalf"

Page 3, line 8, after "of" insert "or if a balance due"

Page 3, line 9, overstrike "during the calendar year"

Page 3, line 23, remove the overstrike over "secretary of state" and remove "officer with"

Page 3, remove line 24

Page 3, line 25, remove "certificate of endorsement, or petition of nomination"

Page 3, line 28, remove "filing" and remove the overstrike over "of the secretary"

Page 4, line 1, remove the overstrike over "of state"

Page 4, line 2, remove "filing" and remove the overstrike over "of the secretary of state"

Renumber accordingly

SB 2545: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (9 YEAS, 5 NAYS, 0 ABSENT AND NOT VOTING). SB 2545 was placed on the Eleventh order on the calendar.

SB 2549: Committee on Appropriations (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 3, replace "at" with "on the", after "Dickinson" insert "state university campus", and after the semicolon insert "and"

Page 1, line 4, remove "; and to provide a statement of legislative intent"

Page 1, line 5, remove "regarding funding of the project"

Page 1, remove lines 7 through 13

Page 1, line 18, replace "biennium" with "period"

Page 1, line 19, replace "1993" with "1995"

Page 2, line 1, after "funds" insert "in the amount of \$2,000,000"

Page 2, line 2, replace "biennium" with "period" and replace "1993" with "1995"

Page 2, line 3, after "construction" insert "and acquisition", replace "at" with "on the", and after "Dickinson" insert "state university campus"

Page 2, line 4, remove "and with construction and acquisition funds authorized"

Page 2, line 5, remove "in the amount of \$2,000,000"

Page 2, line 8, after "1993" insert ", or one year after construction is completed, whichever is later"

Page 2, line 9, replace "1993" with "1995"

Page 2, line 12, after "INTENT" insert "- APPROPRIATION"

Page 2, line 17, replace "at" with "on the"

Page 2, line 18, after "Dickinson" insert "state university campus"

Page 2, line 19, after the period insert "The federal funds and local source funds described in this section are hereby appropriated to the western history museum on the Dickinson state university campus for costs associated with construction of the project authorized by this Act for the period beginning July 1, 1991, and ending June 30, 1995."

ReNUMBER accordingly

SB 2551: Committee on Education (Sen. Heinrich, Chairman) recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2551 was placed on the Eleventh order on the calendar.

SB 2556: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 4, after "Public" insert "construction"

Page 1, line 5, after "public" insert "construction"

Page 1, line 8, remove "adopt"

Page 1, remove line 9

Page 1, line 10, remove "or instrumentality suggested"

Page 1, line 12, remove "costs do"

Page 1, replace lines 13 and 14 with "is bid as a line item and the amount of the fuel to be used is twenty thousand gallons [75708 liters] or more."

Page 1, line 15, replace "any contract in effect on" with "all contracts"

Page 1, line 16, remove "the effective date of this Act and any contract" and after "entered" insert "into"

ReNUMBER accordingly

SCR 4009: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4009 was placed on the Eleventh order on the calendar.

SCR 4031: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4031 was placed on the Tenth order.

SCR 4033: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4033 was placed on the Tenth order.

SCR 4036: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4036 was placed on the Tenth order.

SCR 4040: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4040 was placed on the Tenth order.

SCR 4041: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4041 was placed on the Tenth order.

HB 1429: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1429 was placed on the Fourteenth order on the calendar.

HB 1442: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1442 was placed on the Fourteenth order on the calendar.

HB 1557: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1557 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1125: A BILL for an Act to amend and reenact sections 23-27-01, 23-27-02, and 23-27-04 of the North Dakota Century Code, relating to licensing ambulance services.

Was read the first time and referred to the Committee on Judiciary.

HB 1196: A BILL for an Act to create three new subsections to section 20.1-01-02 of the North Dakota Century Code to provide definitions for certain types of wildlife; to amend and reenact subsections 32 and 42 of section 20.1-01-02, subsection 14 of section 20.1-02-05, sections 20.1-02-15 and 20.1-03-12 of the North Dakota Century Code, relating to definitions of wildlife and shooting preserves powers of the game and fish commissioner to regulate possession and propagation of wildlife; to repeal chapter 20.1-09 of the North Dakota Century Code, relating to fees for propagation and shipment of wildlife and protected birds and animals; to provide a penalty; and to provide an expiration date.

Was read the first time and referred to the Committee on Natural Resources.

HB 1234: A BILL for an Act to amend and reenact section 15-47-27.1 of the North Dakota Century Code, relating to renewal of first-year teacher contracts.

Was read the first time and referred to the Committee on Education.

HB 1260: A BILL for an Act to amend and reenact section 53-06.2-11 of the North Dakota Century Code, relating to expenses for horse racing licensees.

Was read the first time and referred to the Committee on Judiciary.

HB 1262: A BILL for an Act to create and enact a new section to chapter 32-03.1 of the North Dakota Century Code, relating to providing immunity to retired physicians and physicians serving under a medical residency who render medical care on a voluntary basis at free clinics.

Was read the first time and referred to the Committee on Judiciary.

HB 1329: A BILL for an Act to amend and reenact section 20.1-08-05 of the North Dakota Century Code, relating to publication of gubernatorial game and fish proclamations.

Was read the first time and referred to the Committee on Natural Resources.

HB 1337: A BILL for an Act to create and enact a new chapter to title 35 of the North Dakota Century Code, relating to liens on property in self-service storage facilities.

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

HB 1373: A BILL for an Act to amend and reenact subsection 3 of section 53-06.1-11 of the North Dakota Century Code, relating to the calculation of expenses incurred for games of chance.

Was read the first time and referred to the Committee on Judiciary.

HB 1376: A BILL for an Act to provide for creation of the southwest water authority; and to declare an emergency.

Was read the first time and referred to the Committee on Natural Resources.

HB 1450: A BILL for an Act to create and enact a new section to chapter 15-41 of the North Dakota Century Code, relating to high school diplomas for students receiving home-based instruction.

Was read the first time and referred to the Committee on Education.

HB 1495: A BILL for an Act to create and enact two new sections to chapter 65-02 of the North Dakota Century Code, relating to requiring the workers compensation bureau to establish a managed care program; and to amend and reenact subsection 6 of section 65-01-02 and section 65-05-28 of the North Dakota Century Code, relating to the implementation of a managed care program.

Was read the first time and referred to the Committee on Judiciary.

The Senate stood adjourned pursuant to Senator Wogsland's motion.

MARION HOUN, Secretary