

JOURNAL OF THE SENATE

Fifty-second Legislative Assembly

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Bismarck, February 27, 1991

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

The prayer was offered by Deacon Wilfred P. Wolf, Cathedral of the Holy Spirit, Bismarck.

The roll was called and all members were present.

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 2001, SB 2002, SB 2003, SB 2005, SB 2006, SB 2008, SB 2011, SB 2012, SB 2016, SB 2018, SB 2019, SB 2020, SB 2021, SB 2022, SB 2024, SB 2025, SB 2028, SB 2029, SB 2032, SB 2034, SB 2054, SB 2069, SB 2070, SB 2093, SB 2119, SB 2126, SB 2146, SB 2168, SB 2170, SB 2211, SB 2225, SB 2231, SB 2250, SB 2258, SB 2259, SB 2312, SB 2336, SB 2375, SB 2384, SB 2397.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2407, SB 2414, SB 2448, SB 2450, SB 2451, SB 2483, SB 2515, SB 2522, SB 2541, SB 2561.

SIGNING OF BILLS and RESOLUTIONS

The President signed the following enrolled resolution: SCR 4004.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4004.

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 1003, HB 1005, HB 1006, HB 1008, HB 1011, HB 1016, HB 1018, HB 1021, HB 1023, HB 1031, HB 1043, HB 1079, HB 1110, HB 1384, HB 1477, HB 1511, HB 1515, HB 1524, HB 1555, HB 1558, HB 1569, HB 1579, HB 1595.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Committees (Sen. Heigaard, Chairman) respectfully submit the following names for your Select Committee to consider the Governor's nomination for the State Board of Higher Education:

Sen. Lindaas, Chairman
Sen. Kelly
Sen. Graba
Sen. Robinson
Sen. Goetz
Sen. Streibel
Sen. Krebsbach

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

APPOINTMENT REFERRAL

THE PRESIDENT REFERRED the appointment of Cynthia Kaldor to the Select Committee for the office of Higher Education.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Committees (Sen. Heigaard, Chairman) respectfully submit the following names for your Select Committee

to consider the Governor's nomination for the State Board of Higher Education:

Sen. Satrom, Chairman
Sen. Heinrich
Sen. Kelsh
Sen. Krauter
Sen. Lips
Sen. Peterson
Sen. Evanson

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

APPOINTMENT REFERRAL

THE PRESIDENT REFERRED the appointment of Patricia Hill to the Select Committee for the office of Higher Education.

MOTIONS

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

THE PRESIDENT APPOINTED as such committee Sen. Marks, Lindaas, and Evanson.

CORRECTION and REVISION of the JOURNAL (Sen. Robinson, Chairman)

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Thirty-fourth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 689, line 43, after "10:20" replace "p.m." with "a.m."

Page 696, line 42, remove "and" and after "SB 2414" insert ", and SB 2422"

Page 696, line 52, remove "SB 2362,"

Page 696, line 53, remove "SB 2422,"

Page 699, line 25, replace "1" with "0"

Page 703, replace lines 22 and 23 with "SEN. WOGSLAND MOVED that SB 2024 and SB 2451 be placed at the top of the Eleventh order, which motion prevailed."

Page 711, after line 38, insert lines 4 through 17 from SJ page 713

Page 713, remove lines 4 through 17

Page 750, after line 37, insert:

"Page 2, line 19, replace "975,000" with "2,025,000"

Page 2, line 20, replace "6,654,565" with "5,604,565"

Page 3, line 9, replace "74,641,398" with "71,641,398"

Page 3, line 10, replace "87,957,833" with "84,957,833"

Page 751, line 22, replace "SB 2099" with "SB 2019"

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

CORRECTION and REVISION of the JOURNAL (Sen. Robinson, Chairman)

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Twenty-ninth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 511, line 15, replace "Tenth" with "Eleventh"

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

CORRECTION and REVISION of the JOURNAL (Sen. Robinson, Chairman)
MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Ninth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 136, after line 18, insert:

"HB 1222: A BILL for an Act to amend and reenact sections 6-03-11, 6-03-13.5, subdivision a of subsection 2 of section 6-06-35, sections 6-06-36, and 6-06.1-05 of the North Dakota Century Code, relating to consolidation or merger of banking institutions, examination fees for national bank conversion or merger into a state-chartered bank, conversion or merger of a federal credit union into a state credit union, and examination fees of a credit union in liquidation.

Was read the first time and referred to the Committee on Industry, Business and Labor."

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

REPORTS OF STANDING COMMITTEES

HB 1128: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1128 was placed on the Fourteenth order on the calendar.

HB 1136: Committee on Human Services and Veterans Affairs (Rep. Mathern, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1136 was placed on the Fourteenth order on the calendar.

HB 1312: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1312 was placed on the Fourteenth order on the calendar.

CONSIDERATION OF AMENDMENTS

SCR 4035: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ page 604 be adopted with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that SCR 4035 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4035: A concurrent resolution directing the Legislative Council to study the provision and funding of adult literacy programs.

The question being on the final adoption of the amended resolution, which has been read.

SCR 4035 was declared adopted.

CONSIDERATION OF AMENDMENTS

HB 1047: SEN. SCHOENWALD (Committee on Transportation) MOVED that the amendments on SJ pages 764-765 be adopted and then be placed on the Fourteenth order with DO NOT PASS, which motion prevailed.

HB 1112: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ page 671 be adopted and then be REREFERRED to the Committee on Appropriations with DO PASS, which motion prevailed.

HB 1114: SEN. SCHOENWALD (Committee on Transportation) MOVED that the amendments on SJ page 765 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1216: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ pages 671-672 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1286: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ page 672 be adopted and then be placed on the Fourteenth order with DO NOT PASS, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4009: A concurrent resolution regarding the approval of state agency use of block grant funds, and authorizing the Budget Section of the Legislative Council to hold the required legislative hearings on state plans for the receipt and expenditure of new or revised block grants as passed by Congress.

REQUEST

SEN. TALLACKSON REQUESTED a recorded roll call vote, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, which has been read and has committee recommendation of DO PASS, the roll was called and there were 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Stenehjøm; Streibel; Tallackson; Tennesfos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SCR 4009 was declared adopted.

SECOND READING OF HOUSE BILL

HB 1073: A BILL for an Act to amend and reenact sections 14-03-10 and 14-03-19 of the North Dakota Century Code, relating to requirements for the issuance of marriage licenses.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Stenehjøm; Streibel; Tallackson; Tennesfos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

HB 1073 passed and the title was agreed to.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Allen Richard

MOTIONS

SEN. MAXSON MOVED that HB 1195, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SEN. WOGSLAND MOVED that HB 1025 be placed at the bottom of the Fourteenth order, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1057: A BILL for an Act relating to specifications for publication of the North Dakota Century Code; and to create and enact a new subsection to section 54-35-02 of the North Dakota Century Code, relating to powers and duties of the legislative council.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1057 passed and the title was agreed to.

HB 1066: A BILL for an Act to amend and reenact section 39-04-55 of the North Dakota Century Code, relating to the possession and presentation of vehicle registration cards.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1066 passed and the title was agreed to.

HB 1076: A BILL for an Act to create and enact a new section to chapter 39-10 of the North Dakota Century Code, relating to the responsibility of motor vehicle lessors for parking violations.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1076 passed and the title was agreed to.

HB 1088: A BILL for an Act to amend and reenact section 37-03-14 of the North Dakota Century Code, relating to the North Dakota veterans' cemetery.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Nothing; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

HB 1088 passed and the title was agreed to.

HB 1089: A BILL for an Act to amend and reenact section 15-21-17 of the North Dakota Century Code, relating to the composition of the nominating committee for the state board of public school education.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Nothing; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

HB 1089 passed and the title was agreed to.

HB 1090: A BILL for an Act to amend and reenact subsection 3 of section 15-59-01 of the North Dakota Century Code, relating to the definition of the term "handicapped child".

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Nothing; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

HB 1090 passed and the title was agreed to.

HB 1097: A BILL for an Act to amend and reenact section 32-12-03 of the North Dakota Century Code, relating to the refusal of a claim by the responsible department, institution, agency, board, or commission before action may be brought against the state.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1097 passed and the title was agreed to.

HB 1121: A BILL for an Act to create and enact two new subsections to section 39-03-09 of the North Dakota Century Code, relating to the powers and duties of the state highway patrol; and to amend and reenact subsection 11 of section 39-03-09 of the North Dakota Century Code, relating to the powers and duties of the state highway patrol.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1121 passed and the title was agreed to.

HB 1129: A BILL for an Act to amend and reenact section 23-01-11 of the North Dakota Century Code, relating to acceptance of funds by the department of health and consolidated laboratories and authorization to qualify for benefits under federal laws.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1129 passed and the title was agreed to.

HB 1134: A BILL for an Act to amend and reenact subsection 1 of section 39-06-42, sections 39-08-20 and 39-16-13 of the North Dakota Century Code, relating to suspension of driving privileges, the owner's responsibility for liability insurance, and the fee requirement for copies of operating record abstracts.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1134 passed and the title was agreed to.

HB 1142: A BILL for an Act to amend and reenact section 37-19.1-04 of the North Dakota Century Code, relating to hearing procedures for veteran's preference grievance hearings.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1142 passed and the title was agreed to.

HB 1144: A BILL for an Act to amend and reenact sections 39-28-02 and 39-28-03 of the North Dakota Century Code, relating to transferring responsibility for motorcycle safety courses and reimbursement for the cost of those courses from the superintendent of public instruction to the director of the department of transportation.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1144 passed and the title was agreed to.

HB 1147: A BILL for an Act to amend and reenact sections 6-03-05 and 6-03-08 of the North Dakota Century Code, relating to appraisals prior to loans on real estate.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1147 passed and the title was agreed to.

HB 1149: A BILL for an Act to amend and reenact subsection 2 of section 39-06-05 of the North Dakota Century Code, relating to the age of students enrolled in behind-the-wheel driver's training through high school programs.

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 47 YEAS, 5 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

NAYS: DeKrey; Kelsh; Moore; O'Connell; Vosper

ABSENT AND NOT VOTING: Freborg

HB 1149 passed and the title was agreed to.

HB 1171: A BILL for an Act to repeal sections 36-06-04, 36-06-05, 36-06-05.1, 36-06-06, 36-06-07, 36-21-14, 36-21-16, 36-21-17, 60-09-01, 60-09-02, 60-09-04, 60-09-05, and 60-09-06 of the North Dakota Century Code, relating to issuance, fees, renewal, and revocation of weighmaster's licenses, weighing of livestock at a plant, remuneration of a weighmaster, issuance and revocation of grain elevator weighmaster's licenses, weighmaster's records, duties of a deputy weighmaster, and penalty for false weighing.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1171 passed and the title was agreed to.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator S. F. Hoffner

SECOND READING OF HOUSE BILLS

HB 1183: A BILL for an Act to amend and reenact subsection 3 of section 16.1-11-26 of the North Dakota Century Code, relating to the order in which names of state offices appear on the ballot.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Nothing; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

HB 1183 passed and the title was agreed to.

HB 1184: A BILL for an Act to amend and reenact subsections 9 and 10 of section 39-01-15 of the North Dakota Century Code, relating to parking privileges for the mobility impaired; and to provide a penalty.

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 52 YEAS, 1 NAY, 0 EXCUSED, 0 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; Nothing; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

NAYS: Vosper

HB 1184 passed and the title was agreed to.

HB 1197: A BILL for an Act to repeal sections 23-01-13, 23-07-07.1, 23-07-07.2, 23-07-07.3, and 23-07-07.4 of the North Dakota Century Code, relating to the submission of blood samples of pregnant women for a serological test for syphilis and the state department of health and consolidated laboratories obtaining, storing, and distributing blood plasma.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1197 passed and the title was agreed to.

HB 1220: A BILL for an Act to amend and reenact subsections 14 and 16 of section 26.1-18-03, sections 26.1-18-06, 26.1-18-17, 26.1-18-18, 26.1-18-27, 26.1-18-28, and 26.1-18-30 of the North Dakota Century Code, relating to the role of the department of health and consolidated laboratories in the review and issuance of certificates of authority for health maintenance organizations' complaint systems, annual reports, examinations, suspensions or revocations, and administrative procedures; and to repeal sections 26.1-18-05 and 26.1-18-33 of the North Dakota Century Code, relating to applications for certificate of authority for health maintenance organizations and the department of health and consolidated laboratories' authority to contract.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1220 passed and the title was agreed to.

HB 1238: A BILL for an Act to amend and reenact subsection 5 of section 57-40.3-04 of the North Dakota Century Code, relating to an exemption from the motor vehicle excise tax for certain transfers of motor vehicles into trust; 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 PASS, the roll was called and there were 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1238 passed and the title was agreed to.

HB 1241: A BILL for an Act to amend and reenact sections 6-03-57, 6-05-34, 6-07-03, 6-07-04.2, 6-07-13, and 6-07-38 of the North Dakota Century Code, relating to bank insolvency, acquisition, receiver bonds, and closing of receivership; and to repeal sections 6-07-09, 6-07-21, 6-07-22, 6-07-23, 6-07-24, 6-07-25, 6-07-26, 6-07-27, 6-07-28, 6-07-29, 6-07-34, 6-07-35, 6-07-36, 6-07-37, 6-07-39, 6-07-40, 6-07-41, 6-07-42, 6-07-43, and 6-07-45 of the North Dakota Century Code, relating to bank foreclosure, receivers, and closing of receivership.

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 28 YEAS, 25 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Evanson; Freborg; Goetz; Hanson, O.; Ingstad; Krebsbach; Langley; Lindgren; Lips; Meyer; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Traynor; Vosper

NAYS: Dotzenrod; Graba; Hanson, E.; Heigaard; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Lindaas; Marks; Mathern; Maxson; Mushik; O'Connell; Redlin; Robinson; Satrom; Schoenwald; Tomac; Wogsland; Yockim

HB 1241 passed and the title was agreed to.

HB 1254: A BILL for an Act to repeal section 6-03-05.1 of the North Dakota Century Code, relating to additional optional loans and advances by banks.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1254 passed and the title was agreed to.

HB 1315: A BILL for an Act to amend and reenact section 51-14-02 of the North Dakota Century Code, relating to revolving charge account requirements.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1315 passed and the title was agreed to.

HB 1335: A BILL for an Act to amend and reenact section 28-22-03.1 of the North Dakota Century Code, relating to property exempt from judicial process.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1335 passed and the title was agreed to.

HB 1359: A BILL for an Act to amend and reenact section 15-40.1-16.1 of the North Dakota Century Code, relating to transportation aid for pupils enrolled in area vocational and technology centers and multidistrict special education programs.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1359 passed and the title was agreed to.

HB 1397: A BILL for an Act to amend and reenact subsection 4 of section 23-25-04.1 of the North Dakota Century Code, relating to permits for asbestos contractors.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1397 passed and the title was agreed to.

HB 1429: A BILL for an Act to amend and reenact section 43-07-10 of the North Dakota Century Code, relating to renewals of contractors' licenses.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1429 passed and the title was agreed to.

HB 1442: A BILL for an Act to amend and reenact section 48-01-01 of the North Dakota Century Code, relating to bond requirements on contracts for public buildings or improvements.

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 53 YEAS, 0 NAYS, 0 EXCUSED, 0 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; Vosper; Wogsland; Yockim

HB 1442 passed and the title was agreed to.

HB 1557: A BILL for an Act relating to approval of sale of the physical plant of a telephone cooperative.

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 50 YEAS, 3 NAYS, 0 EXCUSED, 0 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; Moore; Mushik; Mutch; Naaden; Nalewaja; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Stenehjerm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Meyer; Nelson; Solberg

HB 1557 passed and the title was agreed to.

MOTIONS

SEN. TALLACKSON MOVED that the Senate congratulate the Grafton-Park River Hockey Team for winning the State Tournament and congratulations to all the other teams in the Tournament, as it was a fine Tournament with lots of good sportsmanship and athletic ability, which motion prevailed.

SEN. WOGSLAND MOVED that HB 1454 be returned to the Senate floor from the Committee on Judiciary and be rereferred to the Committee on Agriculture, which motion prevailed. Pursuant to Sen. Wogsland's motion, HB 1454 was rereferred.

SEN. WOGSLAND MOVED that HB 1151 and HB 1111 be returned to the Senate floor from the Committee on Political Subdivisions and be rereferred to the Committee on Natural Resources, which motion prevailed. Pursuant to Sen. Wogsland's motion, HB 1151 and HB 1111 were rereferred.

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., Thursday, February 28, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

SCR 4043: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4043 was placed on the Eleventh order on the calendar.

SCR 4044: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4044 was placed on the Eleventh order on the calendar.

HB 1070: Committee on Transportation (Sen. Schoenwald, 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 16, remove "this section or"

ReNUMBER accordingly

HB 1099: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1099 was placed on the Fourteenth order on the calendar.

HB 1133, as engrossed: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1133 was placed on the Fourteenth order on the calendar.

HB 1202: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1202 was placed on the Fourteenth order on the calendar.

HB 1222: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1222 was placed on the Fourteenth order on the calendar.

HB 1224: Committee on Transportation (Sen. Schoenwald, 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 1, remove "subsection 1 of"

Page 1, line 2, remove "age"

Page 1, line 5, replace "Subsection 1 of section" with "Section"

Page 1, replace lines 7 and 8 with:

"39-03-04. Qualifications of patrolmen - Veterans have preference. No person may be appointed as a patrolman unless he the person has all of the following qualifications:

1. ~~Is not less than eighteen and not more than thirty-three years of age on the date of his appointment-~~
2. Has passed such physical examination and such other qualification test as may be required by the superintendent.
- 3- 2. Is of good moral character and temperate habits.
- 4- 3. Has been a citizen of the United States for not less than two years prior to ~~his~~ the appointment.

Preference for appointment must be given at all times to honorably discharged veterans and citizens of the state of North Dakota, and all appointments must be made without regard to any political party affiliation of the applicant. ~~From July 1, 1983, through June 30, 1984, the superintendent may waive the age requirements for the personnel of the truck regulatory division of the state highway department that are so employed as of June 30, 1983."~~

Renumber accordingly

HB 1235: Committee on Industry, Business, and Labor (Sen. Langley, Chairman) recommends DO PASS (4 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). HB 1235 was placed on the Fourteenth order on the calendar.

HB 1480: 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 22, remove "established by"

Page 2, line 23, remove "section 52-61-01.5"

Renumber accordingly

HCR 3013: Committee on Education (Sen. Heinrich, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3013 was placed on the Fourteenth order on the calendar.

HCR 3016: Joint Constitutional Revision Committee (Sen. O'Connell, Chairman) recommends DO PASS (10 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3016 was placed on the Fourteenth order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1003: A BILL for an Act to provide an appropriation for defraying the expenses of the North Dakota university system and the various institutions of higher learning under the supervision of the state board of higher education; to provide an exemption to the provisions of section 54-44.1-11 of the North Dakota Century Code; and to amend and reenact sections 15-10-18.3 and 15-10-18.5 of the North Dakota Century Code, relating to tuition waivers.

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

HB 1005: A BILL for an Act making an appropriation for defraying the expenses of the North Dakota state university extension service, the northern crops institute, and the North Dakota agricultural experiment station, and to provide a contingent appropriation.

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

HB 1006: A BILL for an Act making an appropriation for defraying the expenses of the department of health and consolidated laboratories of the state of North Dakota; to provide an appropriation from the solid waste management fund; and to provide for an appropriation from the abandoned motor vehicle disposal fund.

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

HB 1008: A BILL for an Act making an appropriation for defraying the expenses of the aeronautics commission.

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

HB 1011: A BILL for an Act making an appropriation for defraying the expenses of the securities commissioner.

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

HB 1016: A BILL for an Act making an appropriation for defraying the expenses of the various divisions under the supervision of the director of the department of transportation; and to provide a statement of legislative intent.

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

HB 1018: A BILL for an Act making an appropriation for defraying the expenses of the children's services coordinating committee.

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

HB 1021: A BILL for an Act making an appropriation for defraying the expenses of the department of corrections and rehabilitation; and providing for an appropriation from the North Dakota state penitentiary land fund.

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

HB 1023: A BILL for an Act to provide an appropriation relating to pay equity adjustments; to provide requirements for the expenditure of funds for pay equity adjustments; and to provide for progress reports to the legislative council.

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

HB 1031: A BILL for an Act to amend and reenact section 50-24.4-15 of the North Dakota Century Code, relating to reimbursement of nursing home providers for property-related costs.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1043: A BILL for an Act relating to proposed legislation mandating health insurance coverage; and to provide an appropriation.

Was read the first time and referred to the Committee on Industry, Business and Labor.

HB 1079: A BILL for an Act to amend and reenact subsection 10 of section 12.1-32-02, sections 12.1-32-02.1, 19-03.1-23, and 54-21-25 of the North Dakota Century Code, relating to sentencing alternatives, prison terms for certain offenders, penalties for unlawful manufacture, delivery, or possession of controlled substances, and authority to contract with other governmental agencies for prisoners and juvenile delinquents; to provide a penalty; to provide an appropriation; and to provide an effective date.

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

HB 1110: A BILL for an Act to amend and reenact subsection 5 of section 43-12.1-02 and subsection 16 of section 43-12.1-08 of the North Dakota Century Code, relating to definition of the practice of nursing as a registered nurse and the powers and duties of the board of nursing.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1384: A BILL for an Act to provide for durable powers of attorney for health care; and to provide a penalty.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1477: A BILL for an Act to provide for utilization review of health care services; and to provide a penalty.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1511: A BILL for an Act to direct the department of human services to negotiate a new lease; to authorize the industrial commission, acting as the state building authority, to issue loan notes to make funds available for the acquisition of lands and the construction and equipping of a regional human service center facility or the purchase of an existing facility; to provide for the termination of a current lease; to provide an appropriation; and to provide for an effective date.

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

HB 1515: A BILL for an Act to amend and reenact sections 14-02.1-01, 14-02.1-02, 14-02.1-03, subsection 2 of section 14-02.1-03.1, and sections 14-02.1-04 and 14-02.1-12 of the North Dakota Century Code, relating to abortions and the Human Life Protection Act; and to provide a penalty.

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

HB 1524: A BILL for an Act to create and enact a new section to chapter 54-34 and a new section to chapter 57-39.2 of the North Dakota Century Code, relating to allocation of certain sales and use tax revenues to fund a rural economic development program under the economic development commission; to amend and reenact section 57-39.2-26 of the North Dakota Century Code, relating to allocation of sales tax revenue; and to provide an appropriation.

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

HB 1555: A BILL for an Act to establish a state-community matching physician loan repayment program; and to provide an appropriation.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1558: A BILL for an Act to provide mandatory fees upon conviction for certain offenses, deposit of the fees in the domestic violence prevention fund, and grants from the fund; and to provide an appropriation.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1569: A BILL for an Act to amend and reenact section 54-38-07 of the North Dakota Century Code, relating to establishment of facilities for the treatment of drug dependent persons by the department of human services.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1579: A BILL for an Act to create and enact two new subsections to section 14-02.1-02 and three new sections to chapter 14-02.1 of the North Dakota Century Code, relating to requirement of informed consent for abortions and civil damages for performance of abortions without informed consent; and to amend and reenact subsection 5 of section 14-02.1-02 and subsection 1 of section 14-02.1-03 of the North Dakota Century Code, relating to informed consent for abortions.

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

HB 1595: A BILL for an Act relating to payments of an unsolicited premium by a third party on behalf of a medical assistance recipient for nonmedical assistance covered items.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

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

MARION HOUN, Secretary