

JOURNAL OF THE SENATE

Fifty-second Legislative Assembly

* * * * *

Bismarck, March 12, 1991

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

The prayer was offered by Rev. Doug Roberts, United Church of Christ, 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 unchanged: HB 1049, HB 1086, HB 1092, HB 1094, HB 1100, HB 1101, HB 1102, HB 1130, HB 1150, HB 1155, HB 1192, HB 1213, HB 1226, HB 1229, HB 1249, HB 1276, HB 1290, HB 1294, HB 1304, HB 1426, HB 1458, HB 1479, HB 1491, HB 1539, HB 1565.

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

MR. SPEAKER: The Senate has amended, subsequently passed, and the emergency clause carried: HB 1277.

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

MR. SPEAKER: The Senate has amended and subsequently failed to pass: HB 1314, HB 1508.

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

MR. SPEAKER: The Senate has failed to pass: HB 1353, HB 1402.

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

MR. PRESIDENT: The Speaker has signed: SCR 4014.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 10:33 a.m., March 12, 1991: SCR 4014.

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

MR. PRESIDENT: The Speaker has signed: SB 2084, SB 2153, SB 2160, SB 2218, SB 2248, SB 2304, SB 2330, SB 2343, SB 2408, SB 2452, SB 2566.

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

MR. PRESIDENT: The Speaker has signed: SB 2059, SB 2060, SB 2089, SB 2143, SB 2182, SB 2189, SB 2355, SB 2381, SB 2393, SB 2406, SB 2437, SB 2555.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 10:48 a.m., March 12, 1991: SB 2060, SB 2089, SB 2143, SB 2182, SB 2189, SB 2355, SB 2381, SB 2393, SB 2406, SB 2437, SB 2555.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 10:56 a.m., March 12, 1991: SB 2084, SB 2153, SB 2160, SB 2218, SB 2248, SB 2304, SB 2330, SB 2343, SB 2408, SB 2452, SB 2566.

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

MR. PRESIDENT: The Speaker has signed: SB 2046, SB 2047, SB 2048, SB 2050, SB 2051, SB 2071, SB 2072, SB 2074, SB 2101, SB 2105, SB 2107, SB 2116, SB 2123, SB 2129, SB 2130, SB 2192, SB 2194, SB 2208, SB 2241, SB 2242, SB 2287, SB 2290, SB 2301, SB 2303, SB 2317, SB 2318, SB 2325, SB 2334, SB 2342, SB 2396, SB 2459, SB 2496, SB 2513, SB 2553.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 11:03 a.m., March 12, 1991: SB 2046, SB 2047, SB 2048, SB 2050, SB 2051, SB 2071, SB 2072, SB 2074, SB 2101, SB 2105, SB 2107, SB 2116, SB 2123, SB 2129, SB 2130, SB 2192, SB 2194, SB 2208, SB 2241, SB 2242, SB 2287, SB 2290, SB 2301, SB 2303, SB 2317, SB 2318, SB 2325, SB 2334, SB 2342, SB 2396, SB 2459, SB 2496, SB 2513, SB 2553.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for his approval at the hour of 11:12 a.m., March 12, 1991: SB 2059.

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

MR. PRESIDENT: The House has passed unchanged: SB 2073, SB 2080, SB 2093, SB 2095, SB 2102, SB 2152, SB 2196, SB 2356, SCR 4002.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2106, SB 2108, SB 2158, SB 2173, SB 2181, SB 2266, SB 2274, SB 2329, SB 2351, SB 2353, SB 2422.

HOUSE AMENDMENTS TO SB 2106

Page 1, line 1, replace "subsection" with "subsections 1 and"

Page 1, line 3, after "teach" insert "kindergarten, elementary school, or"

Page 1, line 5, replace "Subsection" with "Subsections 1 and"

Page 1, line 6, replace "is" with "are"

Page 1, after line 7, insert:

"1. Except as provided in subsections 2 through 4, all teachers teaching kindergarten through grade eight must hold a teaching certificate and:

- a. A minimum of a kindergarten endorsement to teach kindergarten; or
- b. A major, minor, or endorsement in elementary education to teach elementary education in grades one through eight; or
- c. An endorsement in kindergarten or elementary education from the superintendent of public instruction attained prior to or within two years of the assignment to teach kindergarten or elementary education. An endorsement may be obtained by completing teaching requirements and a minimum number of credit hours in courses prescribed by the superintendent of public instruction."

Page 1, line 9, after "attained" insert "prior to or"

Renumber accordingly

HOUSE AMENDMENTS TO SB 2108

Page 1, line 1, replace "section" with "sections 15-27.1-11 and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 15-27.1-11 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

15-27.1-11. Reorganization, annexation, or dissolution of school district not operating a school - Transportation. Any school district in this state which is not operating either an approved elementary or high school within its boundaries on July 1, 1987, unless it begins

operating an approved elementary or high school prior to July 1, 1989, and any school district that may cease to operate either an approved elementary or high school within its boundaries after July 1, 1987, unless it begins operating an approved elementary or high school prior to July 1, 1989, shall become, through the process of reorganization, annexation, or dissolution as provided by law, a part of a school district operating an approved elementary or high school. Any school district not operating either an approved elementary or high school within its boundaries on July 1, 1987, unless it begins operating an approved elementary or high school prior to July 1, 1989, shall complete reorganization with or annexation to an operating school district by July 1, 1989. Any school district that ceases to operate either an approved elementary or high school within its boundaries after July 1, 1987, unless it begins operating an approved elementary or high school prior to July 1, 1989, shall complete reorganization or annexation within two years from the date the school district ceased to operate either an approved elementary or high school. Any student who resides within a school district which is annexed to or reorganized with another district or districts pursuant to sections 15-27.1-11 and 15-27.4-01, and which has been sending students to a school district in a bordering state, county, or district, because of proximity or terrain, shall be permitted to attend or continue to attend school in the district in the bordering state, county, or district, subject to the provisions of section 15-40.2-09. The students in any district that is attached by annexation, reorganization, or dissolution pursuant to sections 15-27.1-11 and 15-27.4-01 must be provided transportation in the same manner transportation is provided to students in the school district the nonoperating district is attached to.

The county committee of the county encompassing the major portion of any school district affected by sections 15-27.1-11 and 15-27.4-01 which does not reorganize or annex itself to an operating school district within the time limit prescribed in sections 15-27.1-11 and 15-27.4-01 shall dissolve and attach the nonoperating school district to an operating school district in accordance with chapter 15-27.4. This section does not apply to school districts established pursuant to chapter 15-27.5."

Page 1, line 18, overstrike "which has"

Page 1, overstrike line 19

Page 1, line 20, overstrike "because of proximity or terrain" and insert immediately thereafter "who attended a school district in a bordering state during the immediately preceding school year"

Page 2, line 1, overstrike "a request for attendance is denied under subsection 1 or"

Page 2, line 2, overstrike "subsection 2 by"

Page 2, line 3, after "resides" insert "denies a request for attendance in another state"

Page 2, line 13, after "Payments" insert "must be made to the school district or institution in the bordering state"

Page 2, line 14, remove "will be made"

Page 2, line 16, after "15-40.1-08" insert "based on the weighting factor of the student's district of residence"

Page 2, line 22, after the overstruck period insert "Transportation payments for students attending school in a bordering state must be determined as provided in section 15-40.1-16."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2158

Page 1, line 9, remove the overstrike over "~~institution~~" and remove "nursing facility"

Renumber accordingly

HOUSE AMENDMENTS TO SB 2173

Page 1, line 2, replace "and" with a comma and after "6-05-03" insert ", 6-06-06.1, and 7-02-08.1"

Page 6, line 3, after the underscored period insert "The state banking board shall take into consideration peer group ratios, or federal standards and guidelines, when determining whether any additional capital is required."

Page 6, after line 3, insert:

"SECTION 5. AMENDMENT. Section 6-06-06.1 of the North Dakota Century Code is amended and reenacted as follows:

6-06-06.1. Issuance of certificates of deposit - Penalty. Certificates of deposit, as defined in section 41-03-04, may only be issued in this state by credit unions authorized to issue certificates of deposit, and which are organized to do business in this state under this chapter or under the Federal Credit Union Act, and whose accounts are insured by the national credit union administration, except that the requirement for insurance of accounts for the North Dakota central credit union may be waived under section 6-06-40, or as authorized under sections 6-03-02.2, ~~6-05-08.1~~, and 7-02-08.1. Any person violating this section is subject to a civil penalty not to exceed five thousand dollars.

SECTION 6. AMENDMENT. Section 7-02-08.1 of the North Dakota Century Code is amended and reenacted as follows:

7-02-08.1. Issuance of certificates of deposit - Penalty. Certificates of deposit, as defined in section 41-03-04, may only be issued in this state by savings and loan associations authorized to issue certificates of deposit and organized to do business in this state under this chapter or having federal savings and loan insurance of accounts, or as authorized by sections 6-03-02.2, ~~6-05-08.1~~, and 6-06-06.1. Any person violating this section is subject to a civil penalty not to exceed five thousand dollars."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2181

Page 1, line 8, replace "that" with "in which disciplinary action is imposed against a physician"

Page 1, line 9, remove "results in the suspension or revocation of a physician's license"

Page 1, line 13, remove "further"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2266

Page 1, line 8, after the fifth comma insert "subdivision b of subsection 4 of section 26.1-31.2-01 of the North Dakota Century Code as created by section 12 of House Bill No. 1242, as approved by the fifty-second legislative assembly, section"

Page 1, line 21, after the first comma insert "credit allowed a domestic ceding insurer,"

Page 8, after line 7, insert:

"SECTION 14. AMENDMENT. Subdivision b of subsection 4 of section 26.1-31.2-01 of the North Dakota Century Code as created by section 12 of House Bill No. 1242, as approved by the fifty-second legislative assembly, is amended and reenacted as follows:

- b. In the case of a group of incorporated insurers under common administration which complies with the filing requirements contained in subdivision a, and which is under the supervision of the department of trade and industry of the United Kingdom and submits to this state's authority to examine its books and records and bears the expense of the examination, and which has aggregate policyholders' surplus of ten ~~million~~ billion dollars; the trust shall be in an amount equal to the group's several liabilities attributable to business written in the United States plus the group shall maintain a joint trustee surplus of which one hundred million dollars shall be held jointly for the benefit of United States ceding insurers of any member of the group, and each member of the group shall make available to the commissioner an annual certification of the member's solvency by the member's domiciliary regulator and its independent public accountant."

Renumber accordingly

HOUSE AMENDMENTS TO SB 2274

Page 1, line 9, replace "or" with ". If the plaintiff has not been a resident of this state for the six months preceding commencement of the action, a divorce may be granted if the plaintiff in good faith has been a resident of this state for the six months immediately preceding"

Page 1, line 15, replace "or" with ". If the plaintiff has not been a resident of this state for the six months preceding commencement of the action, a decree of separation may be granted if the plaintiff in good faith has been a resident of this state for the six months immediately preceding"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2329

Page 1, line 9, replace "thirty" with "thirty-five"

Renumber accordingly

HOUSE AMENDMENTS TO SB 2351

Page 1, line 3, after "commission" insert "; and to provide an expiration date"

Page 2, after line 15, insert:

"SECTION 2. EXPIRATION DATE. This Act is effective through June 30, 1995, and after that date is ineffective."

Renumber accordingly

HOUSE AMENDMENTS TO SB 2353

Page 1, line 9, overstrike "1987" and insert immediately thereafter "1991"

Page 1, after line 17, insert:

"This statement must be immediately followed by the date and the signature of the person to indicate that the person is specifically and knowingly waiving the exemption, which must be a separate signature from that person's signature to the entire mortgage contract."

Renumber accordingly

HOUSE AMENDMENTS TO SB 2422

Page 1, line 11, overstrike "one year" and insert immediately thereafter "two years"

Renumber accordingly

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

MR. PRESIDENT: The House has failed to pass: SB 2471, SB 2551.

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

MR. PRESIDENT: The House has concurred in the Senate amendments to HB 1035, HB 1070, HB 1114, HB 1224, HB 1411, HB 1412, and HB 1480 and subsequently passed the same.

REPORTS OF STANDING COMMITTEES

HB 1050, as engrossed: Committee on Judiciary (Sen. Maxson, 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 2, line 9, replace ", if the activities" with an underscored period

Page 2, remove lines 10 through 12

Page 5, line 1, after "for" insert "nonprofit" and replace "supporting the protection of" with "that operate a humane society, zoo, or fish or wildlife propagation and habitat enhancement program."

Page 5, remove line 2

Renumber accordingly

HB 1260, as engrossed: Committee on Judiciary (Sen. Maxson, 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 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 1 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 53-06.2-11 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; to provide a continuing appropriation; and to declare an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 1 of section 53-06.2-01 of the North Dakota Century Code is amended and reenacted as follows:

1. "Breeders' fund" means a fund, administered by the commission, established to financially reward breeders or owners of North Dakota bred horses that win races in the state as approved by the commission.

SECTION 2. AMENDMENT. Subsection 7 of section 53-06.2-04 of the North Dakota Century Code is amended and reenacted as follows:

7. Exclude from racecourses racetracks or simulcast parimutuel wagering facilities any person who violates any rule of the commission or any law.

SECTION 3. AMENDMENT. Section 53-06.2-05 of the North Dakota Century Code is amended and reenacted as follows:

53-06.2-05. Powers of commission. The commission may:

1. Compel the production of all documents showing the receipts and disbursements of any licensee and determine the manner in which such financial records are to be kept.
2. Investigate the operations of any licensee and enter any vehicle or place of business, residence, storage, or racing of any licensee on the grounds of a licensed association to determine whether there has been compliance with the provisions of this chapter and rules adopted under this chapter, and to discover and seize any evidence of noncompliance.
3. Request appropriate state officials to perform inspections necessary for the health and safety of spectators, employees, participants, and horses that are lawfully on a racetrack.
4. License all participants in the racing and simulcast parimutuel wagering industry and require and obtain information the commission deems necessary from license applicants. The commission may obtain from the bureau of criminal investigation, without charge, criminal history record information as required in the licensing process.
5. Adopt additional rules under which all horse races are conducted for the administration, implementation, and regulation of activities conducted pursuant to this chapter.

SECTION 4. AMENDMENT. Section 53-06.2-06 of the North Dakota Century Code is amended and reenacted as follows:

53-06.2-06. Organizations eligible to conduct racing and simulcast parimutuel wagering. Civic and service clubs, charitable, fraternal, religious, and veterans' organizations, and other public-spirited organizations may be licensed to conduct racing and simulcast parimutuel wagering as authorized by this chapter.

SECTION 5. AMENDMENT. Section 53-06.2-10.1 of the North Dakota Century Code is amended and reenacted as follows:

53-06.2-10.1. Offtrack Simulcast wagering. In addition to racing under the certificate system, as authorized by this chapter, and conducted upon the premises of a racetrack, offtrack simulcast parimutuel wagering may be conducted in accordance with this chapter and interim standards that need not comply with chapter 28-32, or rules adopted by the commission under this chapter. Any organization qualified under section 53-06.2-06 to conduct racing may make written application to the commission for the conduct of offtrack simulcast parimutuel wagering on races held at licensed race courses racetracks inside the state or race courses racetracks outside the state, or both. Notwithstanding any other provision of this chapter, the commission may authorize any licensee to participate in interstate or international combined wagering pools with one or more other racing jurisdictions. Any time that a licensee participates in an interstate or international combined pool, the licensee, as prescribed by the commission, may adopt the take-out of the host jurisdiction or facility. The commission may permit a licensee to use one or more of its races or simulcast programs for an interstate or international combined wagering pool at locations outside its jurisdiction, and may allow parimutuel pools in other states to be combined with parimutuel pools in its jurisdiction for the purpose of establishing an interstate or international combined wagering pool. The participation by a licensee in a combined interstate or international wagering pool does not cause that licensee

to be considered to be doing business in any jurisdiction other than the jurisdiction in which the licensee is physically located. Parimutuel taxes or commissions may not be imposed on any amounts wagered in an interstate or international combined wagering pool other than amounts wagered within this jurisdiction. Breakage for interstate or international combined wagering pools must be calculated in accordance with the statutes or rules of the host jurisdiction, and must be distributed among the participating jurisdictions in a manner agreed to among the jurisdictions.

SECTION 6. AMENDMENT. Section 53-06.2-11 of the North Dakota Century Code is amended and reenacted as follows:

53-06.2-11. Bet payoff formulas - Uses by licensee of funds in excess of expenses - Payment to general fund.

1. For each day of a live race meet at which the aggregate amount of the or a simulcast day in this state on win, place, and show parimutuel pool for the day exceeds twenty-five thousand dollars pools, the licensee shall deduct up to twenty percent of the total win, place, and show pool. The licensee may retain fifteen seventeen percent of the amount exceeding twenty-five thousand dollars and sixteen percent of the amount less than twenty-five thousand dollars for expenses. One-half of one percent must be paid to the North Dakota racing commission to be used for the North Dakota purse fund. One-half of one percent must be paid to the North Dakota racing commission to be used for the North Dakota breeders' fund for the respective breed of horses racing at that meet. The remaining four two percent of the amount exceeding twenty-five thousand dollars, and three percent of the amount less than twenty-five thousand dollars, must be paid to the state treasurer to be deposited in the general fund.
2. For each day of a live race meet or a simulcast day in this state for each daily double, quinella, exacta, trifecta, or other wager combining two or more horses for winning payoffs, the licensee shall deduct up to twenty-five percent of each wagering pool. Of this amount, the licensee may retain twenty twenty-one percent for expenses. One-half of one percent must be paid to the North Dakota racing commission to be used for the North Dakota purse fund. One-half of one percent must be paid to the North Dakota racing commission to be used for the North Dakota breeders' fund for the respective breed of horses racing at that meet. The remaining four three percent must be paid to the state treasurer to be deposited in the general fund.
3. Unclaimed tickets and breakage from each live race meet as defined by the commission must be paid to the state treasurer as prescribed by the commission must be retained by the commission in a special fund to assist in improving and upgrading racetracks in the state, for the promotion of horse racing within the state, and in developing new racetracks in the state as necessary and approved by the commission. Unclaimed tickets and breakage from the simulcast program, as defined by the commission, must be retained by the commission in a special fund to assist in improving and upgrading racetracks in the state, for the promotion of horse racing within the state, and in developing new racetracks in the state as necessary and approved by the commission.
4. The licensee conducting a live race meet or simulcast program shall retain all other money in the parimutuel pool and pay it to bettors holding winning tickets as provided by rules adopted by the commission.

5. A licensee may not use any of the portion deducted for expenses under subsections 1 and 2 for expenses not directly incurred by the licensee in conducting parimutuel racing under the certificate system. After paying qualifying expenses, the licensee shall use the remainder of the amount so withheld only for eligible uses allowed to charitable gambling organizations under subsection 7 of section 53-06.1-01.

6. The racing commission shall deposit the moneys received pursuant to subsections 1, 2, and 3 in three special funds in the state treasury. These funds must be known as the breeders' fund, the purse fund, and the racing promotion fund. Moneys, and any earnings on the moneys, in the breeders' fund, purse fund, and racing promotion fund are appropriated to the commission on a continuing basis to carry out the purposes of those funds under this chapter and must be administered and disbursed in accordance with rules adopted by the commission.

SECTION 7. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

HB 1513, as engrossed: Committee on Judiciary (Sen. Maxson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 21, replace "a person who commits an offense" with "the court shall impose the following fine upon the conviction of a person or entity described in subsection 1 for a second or subsequent offense under this chapter:"

Page 2, remove lines 22 through 26

Renumber accordingly

CONSIDERATION OF AMENDMENTS

SCR 4023: SEN. O'CONNELL (Joint Constitutional Revision Committee) MOVED that the amendments on SJ page 939 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that SCR 4023 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4023: A concurrent resolution for the ratification of the original second amendment to the Constitution of the United States, providing for a delay in any variances in compensation of members of Congress until an intervening election of the United States House of Representatives.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read, the roll was called and there were 49 YEAS, 4 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; Marks; Mathern; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson;

Satrom; Solberg; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Lips; Maxson; Schoenwald; Stenehjem

SCR 4023 was declared adopted.

CONSIDERATION OF AMENDMENTS

SCR 4049: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ pages 939 be adopted with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that SCR 4049 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4049: A concurrent resolution directing the Legislative Council to study investment of funds under the control of the State Investment Board.

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

SCR 4049 was declared adopted.

CONSIDERATION OF AMENDMENTS

HB 1032: SEN. GRABA (Committee on Political Subdivisions) MOVED that the amendments on SJ page 940 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1033: SEN. GRABA (Committee on Political Subdivisions) MOVED that the amendments on SJ page 940 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1044: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 940 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1135: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ page 942 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1137: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ pages 940-942 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1141: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 942 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that HB 1201, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1248: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ page 943 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1270: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ page 943 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1322: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ pages 943-944 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1328: SEN. GRABA (Committee on Political Subdivisions) MOVED that the amendments on SJ page 944 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1381: SEN. SCHOENWALD (Committee on Transportation) MOVED that the amendments on SJ page 944 be adopted and then be placed on the Fourteenth order with DO NOT PASS, which motion prevailed on a verification vote.

HB 1382: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 944 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1445: SEN. GRABA (Committee on Political Subdivisions) MOVED that the amendments on SJ page 945 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1451: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 945 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1504: SEN. MEYER (Committee on Natural Resources) MOVED that the amendments on SJ page 945 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1512: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ pages 945-946 be adopted and then be placed on the Fourteenth order with DO NOT PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that HB 1512, which is on the Fourteenth order, be laid over until the 51st legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1571: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ pages 946-947 be adopted and then be REREFERRED to the Committee on Appropriations with DO PASS.

REQUEST

SEN. SOLBERG REQUESTED that the Senate divide the amendments to HB 1571, which request was granted.

DIVISION I

Page 1, line 5, after the first comma insert "4-12.2-22,"

Page 1, line 9, after the semicolon insert "to provide a penalty; to provide an appropriation;"

Page 5, line 25, overstrike ", setting forth specifically the"

Page 5, line 26, overstrike "type of apiary, the location"

Page 10, after line 6, insert:

"SECTION 13. AMENDMENT. Section 4-12.2-22 of the North Dakota Century Code is amended and reenacted as follows:

4-12.2-22. Penalties - Criminal - Civil - License revocation or nonrenewal.

1. A person who violates this chapter or any rules adopted under this chapter is guilty of a class A misdemeanor.

2. In addition to criminal sanctions which may be imposed pursuant to subsection 1, a person found guilty of violating this chapter or rules adopted under this chapter is subject to a civil penalty not to exceed five thousand dollars for each violation. The civil penalty may be adjudicated by the courts or by the commissioner through an administrative hearing pursuant to chapter 28-32.
3. The department may, in accordance with the laws of this state, maintain an appropriate civil action in the name of the state against any person violating this chapter or rules adopted under this chapter.
4. The commissioner may refuse to grant a license to any person found guilty of repeated violations of this chapter or rules adopted under this chapter, or to any person who has failed to pay an adjudicated civil penalty for violation of this chapter within thirty days after a final determination that the civil penalty is owed.
5. Any person who knowingly makes a false statement, representation, or certification in any application, record, report, or other document may be subject to the penalties provided in this chapter."

Page 11, after line 9, insert:

"SECTION 16. APPROPRIATION. The funds provided in this section, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, to the commissioner of agriculture for the purpose of defraying administrative expenses created as a result of this Act for the biennium beginning July 1, 1991, and ending June 30, 1993.

Salaries and wages	\$ 8,000
Operating expenses	16,000
Total general fund appropriation	\$24,000"

Renumber accordingly

DIVISION II

Page 5, line 11, overstrike "twenty-five" and insert immediately thereafter "thirty"

The question being on the adoption of Division I of the proposed amendments to HB 1571.

Division I of the proposed amendments to HB 1571 was adopted.

The question being on the adoption of Division II of the proposed amendments to HB 1571.

Division II of the proposed amendments to HB 1571 lost on a verification vote.

HCR 3037: SEN. SCHOENWALD (Committee on Transportation) MOVED that the amendments on SJ page 947 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4045, SCR 4058, SCR 4065.

SIGNING of BILLS and RESOLUTIONS

The President signed the following enrolled bills: SB 2094, SB 2097, SB 2138, SB 2155, SB 2162, SB 2174, SB 2179, SB 2375, SB 2377, SB 2383, SB 2399, SB 2449, SB 2455, SB 2462.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)
MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2094, SB 2097, SB 2138, SB 2155, SB 2162, SB 2174, SB 2179, SB 2375, SB 2377, SB 2383, SB 2399, SB 2449, SB 2455, SB 2462.

MOTION

SEN. WOGSLAND MOVED that SB 2577, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2581: A BILL for an Act to repeal sections 15-10-21, 15-10-22, 15-11-04, 15-11-06, 15-12-02, 15-13-02, 15-13-03, 15-15-02, and 15-16-02 of the North Dakota Century Code, relating to objects and courses of instruction at the institutions of higher 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 50 YEAS, 3 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; 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; Peterson; Redlin; Robinson; Satrom; Solberg; Stenehjerm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Heigaard; O'Connell; Schoenwald

SB 2581 passed and the title was agreed to.

MOTIONS

SEN. WOGSLAND MOVED that the vote by which SCR 4023, SCR 4049, and SB 2581 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. WOGSLAND MOVED that the rules be suspended and that SCR 4023, SCR 4049, and SB 2581 be messaged to the House immediately, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1053: A BILL for an Act to amend and reenact section 53-06.1-10 of the North Dakota Century Code, relating to the playing of twenty-one and pooling of tips received by twenty-one dealers.

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 51 YEAS, 1 NAY, 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; Schoenwald; Solberg; Stenehjerm; Streibel; Tallackson; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Tennefos

ABSENT AND NOT VOTING: Satrom

HB 1053 passed and the title was agreed to.

HB 1410: A BILL for an Act to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to accreditation of the developmental center at Grafton; and to amend and reenact sections 25-04-01, 25-04-02, 25-04-04, 25-04-05, 25-04-06, 25-04-07, 25-04-08, 25-04-08.1, 25-04-11, and 25-04-11.1 of the North Dakota Century Code, relating to who may receive services from the developmental center at Grafton.

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 51 YEAS, 1 NAY, 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; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; O'Connell; Peterson; Redlin; Robinson; Schoenwald; Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Moore

ABSENT AND NOT VOTING: Satrom

HB 1410 passed and the title was agreed to.

HB 1523: A BILL for an Act to amend and reenact section 15-27.3-13 of the North Dakota Century Code, relating to teacher negotiations.

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 43 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Meyer; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; O'Connell; Peterson; Redlin; Robinson; Schoenwald; Stenehjelm; Tallackson; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Bowman; David; DeKrey; Maxson; Moore; Solberg; Streibel; Tennefos

ABSENT AND NOT VOTING: Heigaard; Satrom

HB 1523 passed and the title was agreed to.

HB 1165: A BILL for an Act to amend and reenact subsection 1 of section 12-44.1-24 of the North Dakota Century Code, relating to the removal of the requirement that the Administrative Agencies Practice Act be complied with in adopting jail rules; and to declare an emergency.

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 51 YEAS, 0 NAYS, 0 EXCUSED, 2 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; Schoenwald; Solberg; Stenehjerm; Streibel; Tallackson;
Tennefos; Thane; Tomac; Traynor; Vosper; Yockim

ABSENT AND NOT VOTING: Satrom; Wogsland

HB 1165 passed, the title was agreed to, and the emergency clause carried.

HB 1208: A BILL for an Act to create and enact a new section to chapter 57-36 of the North Dakota Century Code, relating to allowing cigarette distributors to retain a portion of tax collections for administrative expenses; to amend and reenact sections 57-36-01, 57-36-02, 57-36-07, 57-36-09, 57-36-14, 57-36-18, 57-36-26, and 57-36-33 of the North Dakota Century Code, relating to removing the requirement that cigarettes contain tax stamps and to the filing of monthly tax returns for tobacco products; to repeal sections 57-36-08, 57-36-10, 57-36-11, 57-36-12, and 57-36-13 of the North Dakota Century Code, relating to removing the requirement that cigarettes contain tax stamps; 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 PASS, the roll was called and there were 52 YEAS, 1 NAY, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; 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

NAYS: Evanson

HB 1208 passed and the title was agreed to.

HB 1441: A BILL for an Act to amend and reenact sections 26.1-13-01, 26.1-13-02, and 26.1-13-15 of the North Dakota Century Code, relating to organization and territorial limits of a county mutual insurance company.

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 51 YEAS, 2 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; Solberg; Stenehjerm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

NAYS: Schoenwald; Vosper

HB 1441 passed and the title was agreed to.

HB 1207: A BILL for an Act to amend and reenact sections 23-26-01, 23-26-02, 23-26-03, 23-26-05, 23-26-06, 23-26-07, and 23-26-08 of the North

Dakota Century Code, relating to certification of water supply and wastewater disposal system operators; and to repeal section 23-26-04 of the North Dakota Century Code, relating to an advisory board of certification.

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 1207 passed and the title was agreed to.

HB 1218: A BILL for an Act to create and enact two new sections to chapter 57-01 and a new section to chapter 57-38 of the North Dakota Century Code, relating to extension of the period of time for the tax commissioner to make an assessment if a subpoena is issued and failure of a taxpayer to complete an income tax return or supply information on changes under a federal income tax return; to amend and reenact sections 57-38-33, 57-38-38, 57-38-40, 57-39.2-15, 57-39.2-15.1, 57-39.2-25, 57-51-09 and 57-51-19 of the North Dakota Century Code, relating to failure to complete returns or supply information, failure to file a sales tax return, protest of a sales tax assessment, extension of time to perform a sales tax audit, payment of sales tax refunds, assessment of additional oil and gas production tax, and claims for credit or refund; 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; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

HB 1218 passed and the title was agreed to.

HB 1284: A BILL for an Act to create and enact a new section to chapter 39-22 of the North Dakota Century Code, relating to prohibiting the sale of motor vehicles on Sundays; to provide a penalty; to provide an effective date; and to declare an emergency.

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 39 YEAS, 14 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: David; DeKrey; Dotzenrod; Evanson; Goetz; Graba; Hanson, E.; Hanson, O.; Holmberg; Ingstad; Jerome; Kelsh; Kinnoin; Krauter; Langley; Lindaas; Lindgren; Lips; Mathern; Meyer; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Redlin; Robinson; Satrom;

Schoenwald; Solberg; Streibel; Tallackson; Tennefos; Thane; Traynor; Vosper; Wogsland; Yockim

NAYS: Bowman; Freborg; Heigaard; Heinrich; Keller; Kelly; Krebsbach; Marks; Maxson; Moore; Nething; Peterson; Stenehjelm; Tomac

HB 1284 passed, the title was agreed to, and the emergency clause carried.

MOTION

SEN. SCHOENWALD MOVED that the vote by which HB 1284 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1316: A BILL for an Act to amend and reenact section 15-39.1-05 of the North Dakota Century Code, relating to the appointment of members of the board of trustees of the teachers' fund for retirement; and to provide for application of this Act.

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; Kelsch; Kinno; 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 1316 passed and the title was agreed to.

MOTION

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 Seventh order of business, and at the conclusion of the Seventh order, the Senate be on the Ninth order of business, and at the conclusion of the Ninth order, the Senate be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the Senate be on the Sixteenth order of business, and at the conclusion of the Sixteenth order, the Senate stand adjourned until 1:00 p.m., Wednesday, March 13, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

SB 2583: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO NOT PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2583 was placed on the Eleventh order on the calendar.

SB 2584: Committee on Education (Sen. Heinrich, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2584 was placed on the Eleventh order on the calendar.

SCR 4030: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (5 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 9, replace "three senators, one from the majority party to be appointed by" with "the members of the Senate Political Subdivisions Committee; and"

Page 2, remove lines 10 through 17

Renumber accordingly

- SCR 4066: 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 4066 was placed on the Tenth order.
- HB 1140, as engrossed: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS (4 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1140 was placed on the Fourteenth order on the calendar.
- HB 1166, as engrossed: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO NOT PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1166 was placed on the Fourteenth order on the calendar.
- HB 1199, as engrossed: Committee on Education (Sen. Heinrich, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1199 was placed on the Tenth order.
- HB 1231, as engrossed: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1231 was placed on the Fourteenth order on the calendar.
- HB 1347, as engrossed: Committee on Education (Sen. Heinrich, Chairman) recommends DO NOT PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1347 was placed on the Fourteenth order on the calendar.
- HB 1394, as engrossed: Committee on Education (Sen. Heinrich, Chairman) recommends DO NOT PASS (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HB 1394 was placed on the Fourteenth order on the calendar.
- HB 1462, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE REREFERRED to the Committee on Appropriations (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
- HB 1472, as engrossed: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1472 was placed on the Fourteenth order on the calendar.
- HB 1481: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1481 was placed on the Fourteenth order on the calendar.
- HB 1487: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1487 was placed on the Fourteenth order on the calendar.
- HB 1499, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1499 was placed on the Fourteenth order on the calendar.
- HB 1555, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE REREFERRED to the Committee on Appropriations (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
- HB 1591: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1591 was placed on the Fourteenth order on the calendar.
- HCR 3001, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3001 was placed on the Tenth order.

HCR 3002: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3002 was placed on the Tenth order.

HCR 3010, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3010 was placed on the Tenth order.

HCR 3034, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3034 was placed on the Tenth order.

HCR 3047: 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). HCR 3047 was placed on the Tenth order.

HCR 3055: Committee on Education (Sen. Heinrich, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3055 was placed on the Tenth order.

HCR 3058: Committee on Education (Sen. Heinrich, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3058 was placed on the Tenth order.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills (Sen. Wogsland, Chairman) has examined a concurrent resolution to create and enact a new section to the Constitution of North Dakota, relating to authorization for issuance of bonds of the state and expenditure of the proceeds for payment of adjusted compensation to North Dakota veterans of the Persian Gulf War.

It shall be numbered SCR 4069.

Your Committee on Delayed Bills cast a vote of 4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING in favor of accepting this resolution.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Heigaard, Nelson and Reps. Kloubec, Schneider introduced:

(Approved by the Committee on Delayed Bills)

SCR 4069: A concurrent resolution to create and enact a new section to the Constitution of North Dakota, relating to authorization for issuance of bonds of the state and expenditure of the proceeds for payment of adjusted compensation to North Dakota veterans of the Persian Gulf War. Was read the first time and referred to the Committee on State and Federal Government.

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

MARION HOUN, Secretary