

JOURNAL OF THE SENATE

Fifty-second Legislative Assembly

* * * * *

Bismarck, March 19, 1991

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

The prayer was offered by Deacon Bob Schuller, Corpus Christi Catholic Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1045, HB 1120, HB 1131, HB 1146, HB 1160, HB 1268, HB 1351, HB 1377, HB 1448, HB 1455, HCR 3006, HCR 3017, HCR 3022, HCR 3046.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1207, HB 1218, HB 1284, HB 1316.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1091, HB 1123, HB 1195, HB 1415, HB 1551, HB 1553, HB 1588.

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

MR. PRESIDENT: The Speaker has signed: SB 2092, SB 2132, SB 2136, SB 2145, SB 2147, SB 2159, SB 2170, SB 2191, SB 2209, SB 2232, SB 2244, SB 2298, SB 2345, SB 2349, SB 2350, SB 2359, SB 2363, SB 2388, SB 2391, SB 2400, SB 2424, SB 2460, SB 2495, SB 2511, SB 2517, SB 2521, SB 2558.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2574, SB 2576, SB 2579, SB 2589, SCR 4057.

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

MR. SPEAKER: The Senate has passed unchanged and the emergency clause carried on HB 1376.

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

MR. SPEAKER: The President has signed: HCR 3007, HCR 3014, HCR 3023, HCR 3024, HCR 3045, HCR 3057.

SIGNING of BILLS and RESOLUTIONS

The President signed the following enrolled resolutions: SCR 4070, SCR 4071.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4070, SCR 4071.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1024, HB 1026, HB 1140, HB 1156, HB 1178, HB 1212, HB 1217, HB 1232, HB 1252, HB 1319, HB 1320, HB 1365, HB 1367, HB 1405, HB 1427, HB 1430, HB 1449, HB 1478, HB 1481, HB 1482.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1050, HB 1200, HB 1201, HB 1451, HB 1486, HB 1504, HB 1513, HB 1569, HCR 3037.

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

MR. SPEAKER: The Senate has failed to pass: HB 1125, HB 1272, HB 1337, HB 1347, HB 1394, HB 1413.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

March 19, 1991

This is to inform you that on March 18, 1991, I signed the following: SB 2073, SB 2080, SB 2093, SB 2095, SB 2102, SB 2152, SB 2196, SB 2356.

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

MR. PRESIDENT: The Speaker has signed: SCR 4070, SCR 4071.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for his filing at the hour of 12:36 p.m., March 19, 1991: SCR 4070, SCR 4071.

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

MR. PRESIDENT: The House has amended and subsequently passed: SB 2378.

Page 1, line 3, remove the first "and"

Page 1, line 5, after "vehicle" insert "and to provide a penalty"

Page 1, line 9, replace the first "animal" with "dog or cat" and replace "an animal" with "a dog or cat"

Page 1, line 11. after the underscored period insert "Any person who violates this section is guilty of an infraction."

Page 1, line 17, replace the first underscored comma with "or" and remove ", licensed"

Page 1, line 18, remove "veterinarian, or investigator"

Renumber accordingly

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

MR. PRESIDENT: The House has passed unchanged: SB 2489.

REPORTS OF STANDING COMMITTEES

HB 1004, as engrossed: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1004 was placed on the Fourteenth order on the calendar.

HB 1005, as engrossed: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1005 was placed on the Fourteenth order on the calendar.

HB 1391, as engrossed: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING). HB 1391 was placed on the Fourteenth order on the calendar.

MOTIONS

SEN. WOGSLAND MOVED that Senate Rule 402, subsection 4, be amended to "fifty-first" legislative day from "forty-ninth" legislative day, which motion prevailed.

SEN. WOGSLAND MOVED that SCR 4006 and SCR 4027, which are on the Sixth order, be rereferred to the Joint Constitutional Revision Committee, which motion prevailed. Pursuant to Sen. Wogsland's motion, SCR 4006 and SCR 4027 were rereferred.

SEN. MARKS MOVED that SCR 4010 be amended as follows:

Page 5, line 20, remove "If approved by the voters, this measure"

Page 5, line 21, remove "applies only to officials elected after November 2, 1992."

Page 5, line 23, replace "no election" with "elections"

Page 5, line 24, replace "may" with "must"

Renumber accordingly

SEN. MARKS MOVED that the proposed amendments be adopted, which motion lost on a verification vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4010: A concurrent resolution to create a new section to article XI of the Constitution of North Dakota, relating to the number of years a person may serve as a United States senator or a United States representative from North Dakota; and to amend section 4 of article IV, sections 3 and 12 of article V, and sections 7 and 9 of article VI of the Constitution of North Dakota, relating to the number of years a person may serve in the legislative assembly, executive branch offices, and judicial offices.

ROLL CALL

The question being on the final adoption of the resolution, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 10 YEAS, 43 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Hanson, O.; Kinnoin; Naaden; Nelson; Solberg; Streibel; Vosper

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

SCR 4010 lost.

MOTION

SEN. MARKS MOVED that SCR 4015 be amended as follows:

Page 1, line 2, replace "terms" with "years"

Page 1, line 5, replace "terms" with "years" and remove "be elected to"

Page 1, line 6, replace "Senate to three full terms and limits the number of terms a person may be" with "Legislative Assembly to twelve years."

Page 1, remove lines 7 and 8

Page 1, line 19, remove "After the effective date of this"

Page 1, line 20, replace "amendment, a" with "A", remove "be elected to", and replace "three full terms as" with "twelve years as a member of the legislative assembly unless a longer period is required to complete a term to which the person is elected, and the person has not served twelve years at the time of election."

Page 1, remove line 21

Page 1, after line 21, insert:

"SECTION 2. APPLICATION. For the purposes of determining eligibility for election under section 1 of this measure, elections

occurring or number of years served before November 3, 1992, must be taken into account. This section need not be printed as a part of the permanent codification of the Constitution of North Dakota."

Renumber accordingly

REQUEST

SEN. YOCKIM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SCR 4015, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to SCR 4015, the roll was called and there were 33 YEAS, 20 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

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

NAYS: David; DeKrey; Freborg; Goetz; Holmberg; Krebsbach; Lindgren; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Solberg; Stenehjelm; Streibel; Tennefos; Traynor; Vosper

The proposed amendments to SCR 4015 were adopted.

MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that SCR 4015 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 4015: A concurrent resolution for the amendment of section 4 of article IV of the Constitution of North Dakota, relating to limiting the number of years a person may serve in the Legislative Assembly.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 16 YEAS, 37 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Hanson, E.; Hanson, O.; Heigaard; Keller; Kinnoin; Marks; Mathern; Maxson; Schoenwald; Solberg; Yockim

NAYS: Freborg; Goetz; Graba; Heinrich; Holmberg; Ingstad; Jerome; Kelly; Kelsh; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland

SCR 4015 lost.

SECOND READING OF SENATE BILL

SB 2591: A BILL for an Act to amend and reenact section 4-13.2-06 of the North Dakota Century Code, relating to violations of the poultry law.

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, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome;

Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

ABSENT AND NOT VOTING: Naaden

SB 2591 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4063: A concurrent resolution urging certain state agencies to provide support and assistance in developing the Bagg Bonanza Farm historic site.

The question being on the final adoption of the resolution, which has been read and has committee recommendation of DO PASS.

SCR 4063 was declared adopted.

MOTION

SEN. WOGSLAND MOVED that the Senate vote on SCR 4068 no later than 2:20 p.m., which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4068: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of coordinating the activities or consolidating the functions of state agricultural product promotion entities and the budgeting methods used for those entities.

The question being on the final adoption of the resolution, which has been read and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SCR 4068 was declared adopted on a verification vote.

MOTIONS

SEN. O'CONNELL MOVED that SCR 4069 be amended as follows:

Page 1, line 1, after "resolution" replace the remainder of the resolution with "to create and enact a new section to the Constitution of North Dakota, relating to payment of adjusted compensation to North Dakota veterans of United States military involvement in the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict as designated by the President of the United States and authorizing an appropriation or issuance of bonds of the state to provide necessary funds.

STATEMENT OF INTENT

This measure allows the state to provide compensation to certain resident North Dakota veterans. The veterans entitled to compensation are those who were members of the regular active duty armed forces and who served in the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict or who died while on orders to or from the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict. This measure allows the Legislative Assembly to provide an appropriation or to provide for issuance of bonds of the state to provide necessary funds.

BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the following proposed new section of the Constitution of North Dakota is agreed to and must be submitted to the qualified electors of North Dakota at the next statewide election, in accordance with section 16 of article IV of the Constitution of North Dakota.

SECTION 1. A new section of the Constitution of North Dakota is created and enacted as follows:

The legislative assembly may provide for the payment of adjusted compensation to North Dakota residents who were members of the regular active duty armed forces and who served in the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict as designated by the President of the United States or to heirs of North Dakota residents who were members of the regular active duty armed forces and who died while on orders to or from the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict as designated by the President of the United States. The legislative assembly may provide a direct appropriation or provide for the issuance, sale, and delivery of bonds of the state of North Dakota in such principal amounts as determined by the legislative assembly to be necessary for the payment of adjusted compensation under this section. Adjusted compensation under this section may be paid at such rates, terms of service, and conditions as the legislative assembly provides."

Renumber accordingly

SEN. O'CONNELL MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. WOGSLAND MOVED that the rules be suspended and that SCR 4069 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 4069: A concurrent resolution to create and enact a new section to the Constitution of North Dakota, relating to payment of adjusted compensation to North Dakota veterans of United States military involvement in the Persian Gulf theatre or in the Grenada, Lebanon, or Panama areas of armed conflict as designated by the President of the United States and authorizing an appropriation or issuance of bonds of the state to provide necessary funds.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 52 YEAS, 0 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Naaden

SCR 4069 was declared adopted.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2585.

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 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 20, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

SB 2595: 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).

SCR 4067: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4067 was placed on the Eleventh order on the calendar.

HB 1011, as engrossed: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1011 was placed on the Fourteenth order on the calendar.

HB 1083: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 13, remove the overstrike over "~~but not more than~~", after "~~two~~" insert "ten", and remove the overstrike over "~~thousand~~"

Page 1, line 20, after the fifth underscored comma insert "or" and remove "or fourteen."

Page 1, after line 21, insert:

"4. In cities of more than ten thousand inhabitants, fourteen."

Page 2, line 1, replace "4" with "5"

ReNUMBER accordingly

HB 1098: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 4, after "Code" insert "and to amend and reenact section 1 of chapter 733 of the 1989 Session Laws of North Dakota"

Page 1, line 5, after "tax" insert "and the apportionment and use of the gross production tax"

Page 8, after line 6, insert:

"SECTION 7. AMENDMENT. Section 1 of chapter 733 of the 1989 Session Laws of North Dakota is amended and reenacted as follows:

SECTION 1. AMENDMENT. Subsection 1 of section 57-51-15 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. First ~~an amount~~ the tax revenue collected under this chapter equal to one percent of the gross value at the well of the oil and ~~gas upon which a tax is collected under this chapter~~ one-fifth of the tax on gas must be deposited with the state treasurer, who shall credit thirty-three and one-third percent of the revenues to the oil and gas impact grant fund, but not in an amount exceeding five million dollars per

biennium including any amounts otherwise appropriated for oil and gas impact grants for the biennium by the legislative assembly, and who shall credit the remaining revenues to the state general fund."

Renumber accordingly

HB 1112, as engrossed: Committee on Appropriations (Sen. Tallackson, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1112 was placed on the Fourteenth order on the calendar.

HB 1132: Committee on Transportation (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 11, replace "two" with "three"

Renumber accordingly

HB 1310, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 17, overstrike the first comma and overstrike the second comma

Page 2, line 15, remove the overstrike over "~~if the declarant is a resident of a long-term care facility; as~~"

Page 2, remove the overstrike over lines 16 and 17

Page 2, line 19, after "~~50-10-1-02~~" insert "recognized member of the clergy, an attorney licensed to practice in this state, or a person as may be designated by the department of human services or the county court for the county in which the facility is located" and remove the overstrike over the period

Page 2, line 20, remove the overstrike over "~~3.~~"

Page 3, line 21, after "declaration" insert an underscored comma

Page 4, line 26, after "declaration" insert an underscored comma

Page 5, line 15, remove the overstrike over "~~4.~~" and remove "3."

Renumber accordingly

HB 1338: Committee on Agriculture (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar

Page 1, line 10, remove "or" and after "premises" insert ", or defined area"

Page 3, after line 2, insert:

"7. Intentionally turn out or release any animal in or on an animal facility."

Page 3, line 19, after "5" insert "or 7"

Renumber accordingly

HB 1375, as engrossed: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended,

recommends DO PASS (6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, replace "aldermen" with "council members"

Page 1, line 20, replace "aldermen" with "council members"

Page 1, line 22, replace "ten" with "five"

Page 2, line 1, replace "aldermen" with "council members"

Page 2, line 2, replace "aldermen" with "council members"

Page 2, line 4, replace "aldermen" with "council members"

Re-number accordingly

HB 1384, as engrossed: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 3, line 6, remove "Notwithstanding that a durable power of attorney for health care is"

Page 3, remove lines 7 and 8

Page 3, line 9, remove "withheld from the principal over the principal's objection."

Page 4, line 25, replace "may be" with "is"

Page 6, line 18, remove "being admitted or is"

Page 6, line 19, replace "an ombudsman," with "a"

Page 6, line 20, after the comma insert "an"

Page 6, line 21, replace "other" with "a" and after "by" insert "the department of human services or"

Page 8, line 1, replace "A" with "Unless a court of competent jurisdiction determines otherwise, a"

Page 8, line 16, remove "only"

Page 9, line 10, remove "In addition, no treatment"

Page 9, remove lines 11 through 13

Page 9, line 14, remove the first comma

Re-number accordingly

HB 1433, as engrossed: Committee on Transportation (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 9, overstrike "director" and insert immediately thereafter "chairman of the committee on employment of people with disabilities of the governor's council on human resources"

Page 1, line 13, overstrike "director" and insert immediately thereafter "chairman"

Page 1, line 15, overstrike "director" and insert immediately thereafter "chairman"

Page 1, line 19, overstrike "director" and insert immediately thereafter "chairman"

Page 2, line 6, overstrike "director" and insert immediately thereafter "chairman"

Page 2, line 7, overstrike "director" and insert immediately thereafter "chairman"

Page 2, line 9, overstrike "director" and insert immediately thereafter "chairman"

Page 2, line 14, overstrike "director" and insert immediately thereafter "chairman"

Page 2, line 15, replace "director" with "chairman"

Page 2, line 20, remove "Except as provided in this subsection, two" and overstrike "dollars of each" and insert immediately thereafter "The"

Page 2, line 21, remove "and one dollar of each fee for"

Page 2, line 22, remove "issuance of an additional certificate" and overstrike "must be"

Page 2, overstrike lines 23 and 24

Page 2, line 25, overstrike "fee" and remove ", and the five-dollar fee received for the issuance of an"

Page 2, line 26, remove "additional certificate under subsection 4,"

Page 3, line 6, overstrike "director" and insert immediately thereafter "chairman"

Page 4, line 18, after "on" insert "employment of"

ReNUMBER accordingly

HB 1439, as engrossed: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (6 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1439 was placed on the Fourteenth order on the calendar.

HB 1488, as engrossed: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 21, after "county" insert "either of", overstrike "fee" and insert immediately thereafter "fees", and remove the overstrike over "and no more"

ReNUMBER accordingly

HB 1613: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 4, remove "and"

Page 1, line 6, after "taxation" insert "; and to provide for application of this Act"

Page 2, after line 23, insert:

"SECTION 5. APPLICATION. This Act does not permit the establishment of a branch office in this state by an out-of-state bank or bank holding company."

Renumber accordingly

HCR 3026: Committee on Transportation (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, remove line 20

Page 1, line 21, replace "3" with "2"

Page 2, line 1, replace "4" with "3"

Renumber accordingly

HCR 3042: Committee on Natural Resources (Sen. Meyer, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 2, remove "solid"

Page 1, line 3, remove "solid"

Page 1, line 5, remove "solid"

Page 1, line 6, remove "solid" and after "plans" insert ", and to request, accept, and expend funds to conduct the study"

Page 1, line 7, remove "solid"

Page 1, line 19, remove "solid"

Page 1, line 21, remove "solid"

Page 2, line 2, remove "solid"

Page 2, line 5, after the semicolon insert "and"

Page 2, after line 5, insert:

"WHEREAS, federal and other funds may be available to assist states in conducting studies of this kind and to assess and designate appropriate agencies to site and regulate waste management;"

Page 2, line 8, after "problems" insert "and benefits" and remove "solid"

Page 2, line 10, remove "solid"

Page 2, line 11, remove "solid"

Page 2, line 12, remove "solid"

Page 2, after line 13, insert:

"BE IT FURTHER RESOLVED, that the Legislative Council may request and accept federal and other funds and may expend those funds as provided in North Dakota Century Code Section 54-35-06 in carrying out its responsibilities under this resolution; and"

Renumber accordingly

HCR 3043: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 6, after "property" insert "and to study funding sources for the wetland tax exemption program"

Page 1, line 19, after the semicolon insert "and"

Page 1, after line 19, insert:

"WHEREAS, wetlands are a valuable natural resource with value for flood control, ground water recharge, water purification, and wildlife; and

WHEREAS, the protection, development, and management of North Dakota's water resources is essential for the long-term health, safety, general welfare, and economic security of North Dakota and its citizens; and

WHEREAS, the Legislative Assembly has passed a wetland tax exemption program that has not been effective because funding has not been made available;"

Page 2, after line 3, insert:

"BE IT FURTHER RESOLVED, that the Legislative Council study fair and equitable funding sources for the wetland tax exemption program and seek the advice of the Governor, State Game and Fish Commissioner, Commissioner of Agriculture, State Engineer, and public and private groups in conducting this portion of the study; and"

Renumber accordingly

HCR 3063: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HCR 3063 was placed on the Fourteenth order on the calendar.

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

MARION HOUN, Secretary