

JOURNAL OF THE SENATE

Fifty-fourth Legislative Assembly

* * * * *

Bismarck, February 16, 1995

The Senate convened at 8:00 a.m., with President Myrdal presiding.

The prayer was offered by Rev. Harley A. Holden, Pastoral Counselor, Discovery Christian Counseling Center, Bismarck.

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

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal (Sen. Sand, Chairman) has carefully examined the Journal of the Twenty-second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 289, line 43, after "2027" insert "be reconsidered and"

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

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1008, HB 1050, HB 1155, HB 1165, HB 1168, HB 1289, HB 1344, HB 1355, HB 1360, HB 1363, HB 1365, HB 1375, HB 1392, HB 1399, HB 1416, HB 1426, HB 1439, HB 1487, HB 1501, HB 1502.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1022, HB 1076, HB 1090, HB 1094, HB 1151, HB 1203, HB 1218, HB 1241, HB 1257, HB 1284, HB 1290, HB 1291, HB 1305, HB 1320, HB 1334, HB 1378, HB 1415, HB 1496, HCR 3023.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1001, HB 1002, HB 1003, HB 1005, HB 1006, HB 1013, HB 1014, HB 1015, HB 1017, HB 1018, HB 1021, HB 1131, HB 1171, HB 1245, HB 1369, HB 1379, HB 1432, HB 1441, HB 1461, HCR 3033.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2006, SB 2007, SB 2020, SB 2025, SB 2066, SB 2304, SB 2313, SB 2351, SB 2369, SB 2382, SB 2405, SB 2429, SB 2433, SB 2466, SB 2481, SB 2508, SB 2509.

MOTION

SEN. G. NELSON MOVED that the Secretary of the Senate notify the House of the Senate's unanimous consent to suspend Joint Rule 203 in regard to SB 2067, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The Senate has unanimously approved the motion of Senator Gary Nelson to suspend the Joint Rule 203 in regard to SB 2067.

MOTION

SEN. GOETZ MOVED that SB 2009, SB 2012, SB 2013, and SB 2080 be moved to the bottom of the Sixth order, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2003: SEN. NALEWAJA (Appropriations Committee) MOVED that the amendments on SJ pages 573-574 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2003: A BILL for an Act to provide an appropriation for defraying the expenses of the attorney general; and to amend and reenact section 54-12-11 and subsection 3 of section 62.1-04-03 of the North Dakota Century Code, relating to the salary of the attorney general and concealed weapons license fees.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2003 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2015: SEN. NETHING (Appropriations Committee) MOVED that the amendments on SJ pages 596-604 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2015: A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide a statement of legislative intent relating to state employee compensation adjustments; to provide a statement of legislative intent relating to program-based performance budgeting; to authorize transfer of various special funds to the general fund; to amend and reenact section 54-27.2-02 of the North Dakota Century Code, relating to the budget stabilization fund; to direct a study of statewide emergency communication needs; and to declare an emergency.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2015 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2017: SEN. NALEWAJA (Appropriations Committee) MOVED that the amendments on SJ pages 604-605 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2017: A BILL for an Act to provide an appropriation for defraying the expenses of the adjutant general and for operation of the North Dakota veterans' cemetery.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2017 passed and the title was agreed to.

MOTION

SEN. G. NELSON MOVED that SB 2030 be moved to the bottom of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2031, as engrossed: SEN. NAA DEN (Appropriations Committee) MOVED that the amendments on SJ pages 609-610 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2031: A BILL for an Act to establish a noxious weed educational fund; and to provide appropriations for noxious weed control and eradication.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Reengrossed SB 2031 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2075, as engrossed: SEN. NETHING (Appropriations Committee) MOVED that the amendments on SJ pages 611-612 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2075: A BILL for an Act to create and enact a new section to chapter 23-01 of the North Dakota Century Code, relating to the consolidated laboratories function of the state department of health and consolidated laboratories; to amend and reenact section 19-13.1-01, subsections 2 and 12 of section 19-13.1-02, sections 19-13.1-03, 19-13.1-06, subsections 5 and 6 of section 19-13.1-07, subsection 4 of section 19-13.1-08, sections 19-13.1-09, 19-13.1-10, 19-13.1-11, 19-13.1-12, 19-13.1-13, 19-13.1-14, 19-18-02, 19-18-02.2, subsections 1 and 3 of section 19-18-03, sections 19-18-04, 19-18-04.1, subsections 2 and 3 of section 19-18-04.2, sections 19-18-05, 19-18-06, 19-18-06.1, subsections 1 and 3 of section 19-18-07, sections 19-18-08, 19-18-10, 19-18-11, 19-20.1-01, subsections 6, 13, and 17 of section 19-20.1-02, sections 19-20.1-03, 19-20.1-03.1, 19-20.1-03.2, 19-20.1-03.3, 19-20.1-03.4, subsections 1 and 4 of section 19-20.1-04, sections 19-20.1-06, 19-20.1-07, 19-20.1-08, 19-20.1-10, 19-20.1-11, 19-20.1-12, subsections 3 and 4 of section 19-20.1-13, sections 19-20.1-14, 19-20.1-15, 19-20.1-16, and 19-20.1-17 of the North Dakota Century Code, relating to transferring administration of commercial feed, insecticide, fungicide, rodenticide, fertilizer, and soil conditioner laws from the state department of health and consolidated laboratories to the commissioner of agriculture; and to repeal section 19-18-01 of the North Dakota Century Code, relating to the short title of the Insecticide, Fungicide, and Rodenticide Act of 1947.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Bowman; O'Connell

ABSENT AND NOT VOTING: Tallackson

Reengrossed SB 2075 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that SB 2094 be moved to the bottom of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2181: SEN. SCHERBER (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 615-617 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2181: A BILL for an Act to create and enact section 50-06-05.6 of the North Dakota Century Code, relating to the commission on aging; and to amend and reenact sections 50-06-01.4, 50-26-01, 50-26-02, 50-26-03, 50-26-05, 50-27-01, and 50-27-03, and subsection 1 of section

54-07-01.2 of the North Dakota Century Code, relating to the children's trust fund administration and the governor's council on human resources.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2181 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2231: SEN. LAFOUNTAIN (Judiciary Committee) MOVED that the amendments on SJ pages 617-618 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2231: A BILL for an Act to create and enact a new subsection to section 11-19.1-01 and four new sections to chapter 50-25.1 of the North Dakota Century Code, relating to definitions and to the duty of the state child protection team to serve as a child fatality review panel; to amend and reenact subsection 2 of section 11-19.1-07, sections 11-19.1-11, 11-19.1-13, 23-02.1-27, 50-25.1-01, 50-25.1-03, 50-25.1-04.1, 50-25.1-05.4, 50-25.1-05.5, 50-25.1-09, 50-25.1-09.1, 50-25.1-10, and 50-25.1-13 of the North Dakota Century Code, relating to reporting the death of a child which may have resulted from child abuse or neglect; and to provide an effective date.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2231 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2264: SEN. W. STENEHJEM (Judiciary Committee) MOVED that the amendments on SJ pages 618-619 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2264: A BILL for an Act to create and enact a new chapter to title 12.1, a new subsection to section 12.1-34-02, a new section to chapter 26.1-40, four new sections to chapter 27-20, a new subsection to section 27-20-31, and a new section to chapter 39-06 of the North Dakota Century Code, relating to criminal street gangs and street crime, fair treatment of victims and witnesses in juvenile court proceedings, a juvenile's loss of driving privileges, loss of driving privileges by delinquent children, juvenile court's exercise of contempt authority over parents ordered to participate in the treatment of a child, authority of the juvenile court to order the parents of a juvenile adjudicated delinquent to make restitution to the victim, disclosure of identifying information about a juvenile, disposition of a delinquent child, and a juvenile delinquent's loss of driving privileges; to amend and reenact subsections 1 and 2 of section 12.1-06.1-01, sections 12.1-06.1-02 and 12.1-06.1-03, subsection 1 of section 12.1-32-02, subsection 5 of section 27-20-02, sections 27-20-26, 27-20-34, 27-20-51, 27-20-52, and 27-20-53 of the North Dakota Century Code, relating to criminal associations and racketeering, leading a criminal association, illegal control of an enterprise, sentencing alternatives, definition of a deprived child, right to counsel for juveniles under the Uniform Juvenile Court Act, transfer of juveniles to other courts, inspection of court files and records, law enforcement records, and fingerprinting and photographing of juveniles; to repeal section 29-01-28 of the North Dakota Century Code, relating to exclusion of spectators from trials of minors; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 4 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennesfos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

NAYS: Heitkamp; Mathern; O'Connell; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2264 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2297: SEN. MATHERN (Political Subdivisions Committee) MOVED that the amendments on SJ page 619 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2297: A BILL for an Act to amend and reenact section 18-11-15 of the North Dakota Century Code, relating to qualifications for service pensions under the alternate firefighters relief association plan; and to provide for application of this Act.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2297 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2308: SEN. O'CONNELL (Education Committee) MOVED that the amendments on SJ pages 619-620 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

MOTION

SEN. B. STENEHJEM MOVED that Engrossed SB 2308 be amended as follows, which motion prevailed.

Page 1, line 2, remove "; and to provide for civil actions for"

Page 1, line 3, remove "violations"

Renumber accordingly

SECOND READING OF SENATE BILL

SB 2308: A BILL for an Act to require school principals to provide parents with access to or copies of various documents.

MOTION

SEN. G. NELSON MOVED that the question be put at 9:26 a.m., which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 17 YEAS, 31 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Bowman; Christmann; Freborg; Grindberg; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Wanzek; Watne

NAYS: Andrist; DeMers; Goetz; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Sand; Scherber; St. Aubyn; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Reengrossed SB 2308 lost.

CONSIDERATION OF AMENDMENTS

SB 2309: SEN. SAND (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 620 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2309: A BILL for an Act to create and enact a new section to chapter

37-19.1 of the North Dakota Century Code, relating to the eligibility period for veterans' preference.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzenek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2309 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2312: SEN. KREBSBACH (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 620 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2312: A BILL for an Act to create and enact two new sections to chapter 6-09 of the North Dakota Century Code, relating to the transfer of functions of the department of economic development and finance to the Bank of North Dakota; to amend and reenact sections 4-14.1-03, 10-24-40, subsection 6 of section 10-30-04, sections 10-30.3-03, 10-30.3-05, 10-30.3-11, 10-30.3-12, 10-30.4-01, 10-30.4-02, 10-30.4-03, 10-30.4-05, 21-11-02, 21-11-03, 21-11-04, 21-11-05, 21-11-06, 24-02-37.1, subsection 1 of section 28-32-01, sections 40-57.1-04, 52-01-03, 54-34-06.1, 54-34-12, 54-34-15, 54-53-02, 55-06-01, 55-08-02.1, 57-38.5-01, 57-38.5-02, 57-38.5-07, and 57-38.5-08 of the North Dakota Century Code, relating to the transfer of functions of the department of economic development and finance to the Bank of North Dakota; and to repeal chapter 54-34.3 of the North Dakota Century Code, relating to the department of economic development and finance.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 16 YEAS, 32 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Freborg; Heinrich; Kelsh; Kinnoin; Krauter; Mathern; Mutch; Naaden; Nelson, C.; O'Connell; Scherber; Solberg; Streibel; Tennefos; Wogsland; Yockim

NAYS: Andrist; Bowman; Christmann; DeMers; Goetz; Grindberg; Heitkamp; Holmberg; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mushik; Nalewaja; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Wanzenek; Watne

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2312 lost.

MOTION

SEN. GOETZ MOVED that the Senate stand in recess until 10:10 a.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Myrdal presiding.

MOTION

SEN. GOETZ MOVED that SB 2030 be moved to the top of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2030: SEN. NETHING (Appropriations Committee) MOVED that the amendments on SJ pages 606-609 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2030: A BILL for an Act to provide an appropriation for capital projects of various state departments and institutions; to authorize the industrial commission to issue and sell bonds for capital projects; to provide for the use of funds in the public transportation fund; and to amend and reenact section 54-17.2-23 of the North Dakota Century Code, relating to the limitation on state building authority lease payments.

REQUEST

SEN. YOCKIM REQUESTED that the Senate divide Engrossed SB 2030 as follows, which request was granted.

DIVISION A

SECTION 3		
Bismarck state college	Science and mathematics center	\$8,060,000

SECTION 4		
Bismarck state college project		\$1,060,000

DIVISION B

SECTION 3		
University of North Dakota	Abbott hall	\$2,371,769

SECTION 4		
University of North Dakota project		\$ 871,769

DIVISION C

SECTION 3		
North Dakota state college of science	Bute gym	\$1,300,000

SECTION 4		
North Dakota state college of science project		\$ 800,000

DIVISION D

SECTION 3		
Dickinson state university	Klinefelter hall	\$2,750,000

SECTION 4		
Dickinson state university project		\$ 275,000

DIVISION E

SECTION 3		
Minot state university	Old main	\$ 422,000

DIVISION F

SECTION 3

Valley City state university McFarland hall \$ 514,000

SECTION 4

Valley City state university project \$ 51,400

DIVISION G

The remainder of the bill.

ReNUMBER and correct totals accordingly

REQUEST

SEN. NETHING REQUESTED that the Senate vote on Division G first, which request was granted.

REQUEST

SEN. YOCKIM REQUESTED a recorded roll call vote on Division G of Engrossed SB 2030, which request was granted.

ROLL CALL

The question being on the final adoption of Division G of Engrossed SB 2030, the roll was called and there were 42 YEAS, 6 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Holmberg; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Heitkamp; Kelsh; Kinnoin; Krauter; O'Connell; Tomac

ABSENT AND NOT VOTING: Tallackson

Division G of Engrossed SB 2030 passed.

REQUEST

SEN. YOCKIM REQUESTED a recorded roll call vote on the remaining divisions of Engrossed SB 2030, which request was granted.

ROLL CALL

The question being on the final adoption of Division A of Engrossed SB 2030, the roll was called and there were 40 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Yockim

NAYS: Christmann; Freborg; Mutch; Naaden; Nelson, G.; Streibel; Tennefos; Wogsland

ABSENT AND NOT VOTING: Tallackson

Division A of Engrossed SB 2030 passed.

ROLL CALL

The question being on the final adoption of Division B of Engrossed SB 2030, the roll was called and there were 36 YEAS, 12 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Thane; Traynor; Urlacher; Watne; Wogsland; Yockim

NAYS: Bowman; Christmann; Kinnoin; Mutch; Naaden; Nelson, G.; Solberg; Stenehjem, B.; Streibel; Tennefos; Tomac; Wanzek

ABSENT AND NOT VOTING: Tallackson

Division B of Engrossed SB 2030 passed.

ROLL CALL

The question being on the final adoption of Division C of Engrossed SB 2030, the roll was called and there were 40 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Christmann; Freborg; Mutch; Naaden; Nelson, G.; Stenehjem, B.; Streibel; Tennefos

ABSENT AND NOT VOTING: Tallackson

Division C of Engrossed SB 2030 passed.

ROLL CALL

The question being on the final adoption of Division D of Engrossed SB 2030, the roll was called and there were 38 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Watne; Wogsland; Yockim

NAYS: Christmann; Freborg; Kelsh; Mutch; Naaden; Nelson, G.; Stenehjem, B.; Streibel; Tennefos; Wanzek

ABSENT AND NOT VOTING: Tallackson

Division D of Engrossed SB 2030 passed.

ROLL CALL

The question being on the final adoption of Division E of Engrossed SB 2030, the roll was called and there were 35 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Thane; Traynor; Urlacher; Watne; Wogsland; Yockim

NAYS: Bowman; Christmann; Freborg; Kelsh; Kinnoin; Mutch; Naaden; Nelson, G.; Stenehjem, B.; Streibel; Tennefos; Tomac; Wanzek

ABSENT AND NOT VOTING: Tallackson

Division E of Engrossed SB 2030 passed.

ROLL CALL

The question being on the final adoption of Division F of Engrossed SB 2030, the roll was called and there were 38 YEAS, 10 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Watne; Wogsland; Yockim

NAYS: Bowman; Christmann; Mutch; Naaden; Nelson, G.; Solberg; Stenehjem, B.; Streibel; Tennefos; Wanzek

ABSENT AND NOT VOTING: Tallackson

Division F of Engrossed SB 2030 passed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 33 YEAS, 15 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nething; Redlin; Robinson; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Traynor; Urlacher; Watne; Wogsland; Yockim

NAYS: Bowman; Christmann; Freborg; Kelsh; Kinnoin; Krauter; Mutch; Naaden; Nelson, G.; O'Connell; Sand; Streibel; Tennefos; Tomac; Wanzek

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2030 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2323, as engrossed: SEN. KRINGSTAD (Finance and Taxation Committee) MOVED that the amendments on SJ pages 620-621 be adopted and then be placed on the Eleventh order with DO NOT PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2323: A BILL for an Act to amend and reenact subsection 8 of section 10-24-05 of the North Dakota Century Code, relating to legislative approval of indebtedness by a nonprofit corporation on behalf of the state.

MOTION

SEN. TENNEFOS MOVED that Reengrossed SB 2323 be amended as follows:

Page 1, line 12, replace "issue bonds" with "incur any substantial long-term indebtedness"

Page 1, line 17, after the underscored period insert "For purposes of this section, "substantial long-term indebtedness" means an obligation extending beyond the current biennium for the purpose of which funds were not provided in the budget for the current biennium or which will require an increase of fifty thousand dollars or more in appropriation

authority for any subsequent biennium. For purposes of this section, "current biennium" means the biennium in which the obligation is entered."

Renumber accordingly

MOTION

SEN. G. NELSON MOVED that the question be put at 11:20 a.m., which motion prevailed.

The proposed amendment to Reengrossed SB 2323 failed on a verification vote.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 17 YEAS, 29 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Krauter; Mathern; Mutch; Naaden; Nelson, G.; Nething; Sand; Solberg; Stenehjem, B.; Tennefos; Tomac; Wanzek; Yockim

NAYS: Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mushik; Nalewaja; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Streibel; Thane; Traynor; Urlacher; Watne; Wogsland

ABSENT AND NOT VOTING: DeMers; Kinnoin; Tallackson

Reengrossed SB 2323 lost.

CONSIDERATION OF AMENDMENTS

SB 2324: SEN. URLACHER (Political Subdivisions Committee) MOVED that the amendments on SJ page 621 be adopted and then be placed on the Eleventh order with DO NOT PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2324: A BILL for an Act to create and enact a new subsection to section 40-22-01 of the North Dakota Century Code, relating to improvement of riverbanks by municipalities.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 21 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Freborg; Grindberg; Heinrich; Heitkamp; Kelsh; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; O'Connell; Scherber; Stenehjem, B.; Traynor; Wogsland; Yockim

NAYS: Christmann; DeMers; Goetz; Holmberg; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Mutch; Nelson, G.; Nething; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2324 lost.

CONSIDERATION OF AMENDMENTS

SB 2332: SEN. LAFOUNTAIN (Judiciary Committee) MOVED that the amendments on

SJ page 621 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2332: A BILL for an Act to amend and reenact section 16.1-05-01, subsections 2 and 3 of section 16.1-05-03, sections 16.1-05-05, 16.1-06-15, 16.1-06-18, 16.1-07-05, 16.1-07-12, 16.1-12-04, and 16.1-15-44 of the North Dakota Century Code, relating to election workers, testing election equipment, ballots, political advertisements, independent candidates, and voting abstracts; and to repeal sections 16.1-11-14 and 16.1-11-17 of the North Dakota Century Code, relating to affidavits of candidacy and filling vacancies in slates of candidates.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Stenehjem, B.; Tallackson

Engrossed SB 2332 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2348: SEN. C. NELSON (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 622 be adopted and then be placed on the Eleventh order with **DO NOT PASS**.

REQUEST

SEN. YOCKIM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2348, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2348, the roll was called and there were 37 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Wanzek; Watne

NAYS: Kelsh; Kinnoin; Krauter; Langley; Mathern; Mushik; O'Connell; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

The motion to adopt the amendments to SB 2348 passed.

SECOND READING OF SENATE BILL

SB 2348: A BILL for an Act to create and enact two new sections to chapter 54-03 of the North Dakota Century Code, relating to standards of conduct for members of the legislative assembly.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 15 YEAS, 33 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: DeMers; Heitkamp; Kelsh; Krauter; LaFountain; Mathern; Mushik; O'Connell; Redlin; Robinson; Scherber; Stenehjem, B.; Tomac; Wogsland; Yockim

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Heinrich; Holmberg; Kinnoin; Krebsbach; Kringstad; Langley; Lee; Lindaas; Lips; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2348 lost.

MOTION

SEN. GOETZ MOVED that the Senate stand in recess until 1:00 p.m., which motion prevailed.

THE SENATE RECONVENED, with President Myrdal presiding.

CONSIDERATION OF AMENDMENTS

SB 2349: SEN. TRAYNOR (Judiciary Committee) MOVED that the amendments on SJ page 623 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2349: A BILL for an Act to create and enact two new subsections to section 10-06.1-17 and section 10-23-03.3 of the North Dakota Century Code, relating to annual reports required of farm corporations and limited liability companies engaged in farming and reinstatement of corporations and foreign corporations following dissolution or revocation for failure to file an annual report; to amend and reenact sections 10-23-01, 10-23-02, 10-23-03, and 10-23-06 of the North Dakota Century Code, relating to annual reports of domestic and foreign corporations and license fees paid by corporations; and to provide a penalty.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2349 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2372: SEN. GOETZ (Appropriations Committee) MOVED that the amendments on

SJ pages 623-624 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2372: A BILL for an Act to provide legislative intent regarding the expenditure of funds appropriated by the fifty-third legislative assembly for telecommunications grants; to provide an appropriation to the superintendent of public instruction for the expansion of public radio service; to provide an exemption; and to declare an emergency.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2372 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2410: SEN. C. NELSON (Judiciary Committee) MOVED that the amendments on SJ page 624 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2410: A BILL for an Act to provide for confidentiality of private information concerning minors.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 37 YEAS, 11 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Watne; Wogsland; Yockim

NAYS: Christmann; Kinnoin; Mutch; Naaden; O'Connell; Sand; Solberg; Stenehjem, B.; Streibel; Tennefos; Wanzek

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2410 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2420: SEN. W. STENEHJEM (Judiciary Committee) MOVED that the amendments on SJ pages 624-625 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2420: A BILL for an Act to provide for political committee registration and corporate political contributions, to limit campaign contributions to candidates for the legislative assembly, and to provide for the use of unexpended campaign contributions; to amend and reenact sections 15-28-10, 16.1-08.1-01, 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, 16.1-08.1-06, and 16.1-08.1-07 of the North Dakota Century Code, relating to campaign contribution statements; to repeal chapter 16.1-08 of the North Dakota Century Code, relating to political committee registration and corporate political contributions; and to provide a penalty.

MOTION

SEN. YOCKIM MOVED that Engrossed SB 2420 be amended as follows:

Page 5, line 1, replace "one thousand" with "two hundred fifty"

Page 5, line 2, replace "makes" with "accepts or receives"

Renumber accordingly

REQUEST

SEN. YOCKIM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2420, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2420, the roll was called and there were 19 YEAS, 29 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; LaFountain; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Wogsland; Yockim

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Tallackson

The proposed amendments to Engrossed SB 2420 failed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 2 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: LaFountain; Tennefos

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2420 passed and the title was agreed to.

MOTION

SEN. W. STENEHJEM MOVED that SB 2233 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2233: A BILL for an Act to create and enact two new sections to chapter 16.1-08 of the North Dakota Century Code, relating to campaign contributions; to amend and reenact sections 16.1-08-01 and 16.1-08.1-02 of the North Dakota Century Code, relating to definitions and campaign contribution statements; and to provide a penalty.

MOTION

SEN. YOCKIM MOVED that SB 2233 be amended as follows:

Page 3, line 25, replace "makes" with "accepts or receives"

Page 4, replace lines 1 through 6 with:

"Campaign contributions - Use of unexpended contributions. A candidate may use a contribution only for a political purpose, except a person who ceases to be a candidate may return unexpended contributions to contributors; use unexpended contributions as a contribution to any political party or for other political purposes; use unexpended contributions as a donation to any charitable organization; or, if the person is elected to a public office, use unexpended contributions to further the purposes of the office to which the person was elected."

Renumber accordingly

REQUEST

SEN. YOCKIM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2233, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2233, the roll was called and there were 18 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Wogsland; Yockim

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: LaFountain; Tallackson

The proposed amendments to SB 2233 failed.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 18 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Wogsland; Yockim

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.;

Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: LaFountain; Tallackson

SB 2233 lost.

CONSIDERATION OF AMENDMENTS

SB 2421: SEN. ANDRIST (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 625 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2421: A BILL for an Act to create and enact a new section to chapter 6-01 of the North Dakota Century Code, relating to the acquisition of financial institutions by bank holding companies; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 23 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Christmann; DeMers; Freborg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; LaFountain; Langley; Lindaas; Mathern; Mushik; O'Connell; Redlin; Robinson; Sand; Scherber; Tomac; Urlacher; Wogsland; Yockim

NAYS: Bowman; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Wanzek; Watne

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2421 lost.

CONSIDERATION OF AMENDMENTS

SB 2422: SEN. MUTCH (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 625-629 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2422: A BILL for an Act to amend and reenact section 6-01-17.1, subsection 8 of section 6-03-02, sections 6-03-13.1, 6-03-13.3, 6-03-13.4, 6-07-04.2, and 6-10-03 of the North Dakota Century Code, relating to the establishment of multiple offices of a bank; and to repeal sections 6-03-14, 6-03-14.1, 6-03-15, 6-03-16, 6-03-17, 6-03-18, and 6-03-19 of the North Dakota Century Code, relating to banking.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn;

Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzen; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2422 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that SB 2434 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2434: A BILL for an Act to create and enact a new chapter to title 6, a new section to chapter 6-03, and a new section to chapter 6-08 of the North Dakota Century Code, relating to the acquisition of North Dakota banks by out-of-state bank holding companies, antitrust limitations from the acquisition of a North Dakota bank, and antitrust limitations of merging financial institutions; to amend and reenact sections 57-35-02.2 and 57-35.2-02.3 of the North Dakota Century Code, relating to taxation of banks and trust companies and the privilege tax on banks, trust companies, and building and loan associations; to repeal sections 6-08.3-02, 6-08.3-03, 6-08.3-04, 6-08.3-05, 6-08.3-06, 6-08.3-10, 6-08.3-11, 6-08.3-12, 6-08.3-13, and 6-08.3-14 of the North Dakota Century Code, relating to reciprocal interstate banking; 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 22 YEAS, 26 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Heitkamp; Kelsh; Kinnoin; Krauter; Kringstad; LaFountain; Langley; Lindaas; Mathern; Mushik; O'Connell; Redlin; Robinson; Sand; Tomac; Urlacher; Wogsland; Yockim

NAYS: DeMers; Goetz; Grindberg; Heinrich; Holmberg; Krebsbach; Lee; Lips; Mutch; Naaden; Nalawaja; Nelson, C.; Nelson, G.; Nething; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Wanzen; Watne

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2434 lost.

CONSIDERATION OF AMENDMENTS

SB 2425: SEN. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ page 629 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2425: A BILL for an Act to amend and reenact sections 40-21-02 and 40-21-07 of the North Dakota Century Code, relating to biennial city elections and allowing cities of one hundred or less population to be exempt from having joint elections with counties; and to repeal section 40-21-03 of the North Dakota Century Code, relating to biennial municipal elections in council cities.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: DeMers

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2425 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that SB 2428 be moved to the bottom of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2443: SEN. TRAYNOR (Judiciary Committee) MOVED that the amendments on SJ pages 629-630 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2443: A BILL for an Act to create and enact four new sections to chapter 28-33 of the North Dakota Century Code, relating to interpreters for deaf persons, legislative intent, and confidentiality; to amend and reenact section 28-33-01, subsection 2 of section 28-33-02, and section 28-33-08 of the North Dakota Century Code, relating to definitions, interpreter required, and coordination of interpreter requests; to repeal sections 28-33-05 and 28-33-06 of the North Dakota Century Code, relating to compensation and privileged communications; and to provide an effective date.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Naaden; Tallackson

Engrossed SB 2443 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2453: SEN. WATNE (Judiciary Committee) MOVED that the amendments on SJ pages 630-631 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2453: A BILL for an Act to amend and reenact section 16.1-12-02.2 of the North Dakota Century Code, relating to certificates of candidacy by write-in candidates.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 3 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Christmann; O'Connell; Tomac

ABSENT AND NOT VOTING: Naaden; Tallackson

Engrossed SB 2453 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2455: SEN. WATNE (Judiciary Committee) MOVED that the amendments on SJ page 631 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2455: A BILL for an Act to amend and reenact section 16.1-01-07, subsections 1 and 2 of section 16.1-01-09, sections 16.1-01-10, 16.1-06-09, and 44-08-21 of the North Dakota Century Code, relating to initiative, referendum, and recall petitions; and to repeal section 16.1-06-09.1 of the North Dakota Century Code, relating to statements of intent on constitutional amendments.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 2 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Heinrich; O'Connell

ABSENT AND NOT VOTING: LaFountain; Tallackson

Engrossed SB 2455 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2458: SEN. GRINDBERG (Education Committee) MOVED that the amendments on SJ page 631 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2458: A BILL for an Act to amend and reenact section 15-47-25 of the North Dakota Century Code, relating to the destruction of school property.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzenk; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: LaFountain; Mutch; Tallackson

Engrossed SB 2458 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2463, as engrossed: SEN. TRAYNOR (Appropriations Committee) MOVED that the amendments on SJ pages 631-632 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2463: A BILL for an Act to provide a directive concerning the impending flood disaster in the Devils Lake basin and a statement of the legislative assembly concerning water development in North Dakota; to provide an appropriation; and to declare an emergency.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzenk; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: LaFountain; Tallackson

Reengrossed SB 2463 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. GOETZ MOVED that the Senate stand in recess until 3:20 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Myrdal presiding.

CONSIDERATION OF AMENDMENTS

SB 2477: SEN. MATHERN (Political Subdivisions Committee) MOVED that the amendments on SJ page 632 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2477: A BILL for an Act to create and enact two new subsections to

section 23-05-02 of the North Dakota Century Code, relating to the powers and duties of county boards of health.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: LaFountain; Mutch; Tallackson

Engrossed SB 2477 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2483: SEN. THANE (Human Services Committee) MOVED that the amendments on SJ pages 632-640 be adopted and then be placed on the Eleventh order with **DO NOT PASS**.

REQUEST

SEN. MATHERN REQUESTED that the Senate divide the amendments to SB 2483, which request was granted.

DIVISION A

Sections 1 and 2

DIVISION B

Sections 3, 4, and 5

Renumber and correct the title accordingly

ANNOUNCEMENT

PRESIDENT MYRDAL ANNOUNCED a recorded roll call vote on Divisions A and B of the proposed amendments to SB 2483, which request was granted.

ROLL CALL

The question being on the adoption of Division A of the proposed amendments to SB 2483, the roll was called and there were 35 YEAS, 13 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Freborg; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Tomac; Urlacher; Wanzek; Wogsland; Yockim

NAYS: Bowman; Christmann; Goetz; Krebsbach; Mutch; Naaden; Nelson, G.; Nething; Solberg; Streibel; Tennefos; Traynor; Watne

ABSENT AND NOT VOTING: Tallackson

Division A of the proposed amendments to SB 2483 was adopted.

ROLL CALL

The question being on the adoption of Division B of the proposed amendments to SB 2483, the roll was called and there were 5 YEAS, 43 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Lee; Lips; Stenehjem, B.; Thane; Yockim

NAYS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Streibel; Tennefos; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Tallackson

Division B of the proposed amendments to SB 2483 failed.

SECOND READING OF SENATE BILL

SB 2483: A BILL for an Act to create and enact a new section to chapter 12.1-32 and chapter 25-03.3 of the North Dakota Century Code, relating to mandatory sentencing to sexual offender treatment programs; and to provide a penalty.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 21 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Freborg; Heinrich; Kelsh; Kinnoin; Krauter; LaFountain; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Sand; Scherber; Tomac; Watne; Wogsland; Yockim

NAYS: Bowman; Christmann; DeMers; Goetz; Grindberg; Heitkamp; Holmberg; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2483 lost.

CONSIDERATION OF AMENDMENTS

SB 2499: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 640-642 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2499: A BILL for an Act to create and enact a new chapter to title 23 of the North Dakota Century Code, relating to health provider cooperatives.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn;

Stenehjerm, B.; Stenehjerm, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2499 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2505: SEN. BOWMAN (Agriculture Committee) MOVED that the amendments on SJ pages 642-644 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2505: A BILL for an Act to amend and reenact subsection 1 of section 4-13.2-03, section 4-13.2-04, subsection 43 of section 20.1-01-02, sections 36-01-00.1, 36-01-03, 36-01-04, 36-01-05, 36-01-06, 36-01-07, 36-01-08, 36-01-10, 36-01-12.1, 36-01-13, 36-01-15, 36-01-17, 36-01-18, 36-01-19, 36-01-29, 36-01-30, 36-05-03, 36-05-09, 36-05-10, 36-05-13, 36-07-01, 36-07-02, 36-07-03, 36-07-09, 36-07-10, 36-14-03, 36-14-05, 36-14-06, 36-14-07, 36-14-09, 36-14-10, 36-14-12, 36-14-15, subsection 1 of section 36-14-19, sections 36-14.1-01, 36-14.1-02, 36-14.1-03, 36-14.1-04, 36-14.1-05, 36-14.1-07, 36-15-09, 36-15-14, 36-15-19, 36-21.1-01, subsection 2 of section 36-21.1-06, sections 36-21.1-11, and 36-21.1-12 of the North Dakota Century Code, relating to transferring certain responsibility from the board of animal health to the commissioner of agriculture; to repeal section 36-01-11 of the North Dakota Century Code, relating to reports by the board of animal health to the office of management and budget and the governor; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 33 YEAS, 14 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Krebsbach; Kringstad; Langley; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjerm, B.; Stenehjerm, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne; Yockim

NAYS: Heinrich; Heitkamp; Kelsh; Krauter; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Wogsland

ABSENT AND NOT VOTING: LaFountain; Tallackson

Engrossed SB 2505 passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

SB 2506: SEN. STREIBEL (Appropriations Committee) MOVED that the amendments on SJ page 644 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2506: A BILL for an Act to amend and reenact sections 25-01.3-02 and 25-01.3-06 of the North Dakota Century Code, relating to the members of the committee on protection and advocacy and the authority of the project; to repeal section 25-01.3-03 of the North Dakota Century Code, relating to the director of the protection and advocacy project; to

provide for application of this Act; to provide an effective date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 25 YEAS, 23 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Lee; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek

NAYS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lindaas; Lips; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2506 passed, the title was agreed to, but the emergency clause lost for lack of a constitutional majority.

REQUEST

SEN. KREBSBACH REQUESTED that the Journal reflect that she intended to vote YEA on Engrossed SB 2506, which request was granted.

CONSIDERATION OF AMENDMENTS

SB 2014: SEN. STREIBEL (Appropriations Committee) MOVED that the amendments on SJ page 596 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2014: A BILL for an Act to provide an appropriation for defraying the expenses of the committee on protection and advocacy.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 31 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne

NAYS: DeMers; Heinrich; Heitkamp; Kelsh; Krauter; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Wogsland; Yockim

ABSENT AND NOT VOTING: LaFountain; Tallackson

Engrossed SB 2014 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2507: SEN. SCHERBER (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 644-645 be adopted and then be placed on the Eleventh order with **DO PASS**, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2507: A BILL for an Act to provide jobs development goals.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Kringstad; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Urlacher; Wanzek; Wogsland; Yockim

NAYS: Christmann; Krebsbach; Traynor; Watne

ABSENT AND NOT VOTING: LaFountain; Tallackson

Engrossed SB 2507 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2517: SEN. HEINRICH (Education Committee) MOVED that the amendments on SJ page 645 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2517: A BILL for an Act to amend and reenact sections 15-45-02 and 15-47-01 of the North Dakota Century Code, relating to the age of admission to kindergarten and grade one.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 4 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lindaas; Lips; Mathern; Mushik; Mutch; Nalewaja; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Lee; Naaden; Nelson, C.; Sand

ABSENT AND NOT VOTING: LaFountain; Tallackson

Engrossed SB 2517 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2536: SEN. C. NELSON (Judiciary Committee) MOVED that the amendments on SJ pages 645-646 be adopted and then be placed on the Eleventh order with DO NOT PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2536: A BILL for an Act to create and enact a new section to chapter 16.1-10 of the North Dakota Century Code, relating to political persuasion telephone calls.

ROLL CALL

The question being on the final passage of the amended bill, which has been

read, the roll was called and there were 7 YEAS, 39 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; O'Connell; Tomac

NAYS: Andrist; Bowman; DeMers; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Christmann; Stenehjem, B.; Tallackson

Engrossed SB 2536 lost.

CONSIDERATION OF AMENDMENTS

SCR 4043: SEN. W. STENEHJEM (Judiciary Committee) MOVED that the amendments on SJ page 646 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4043: A concurrent resolution urging the North Dakota Congressional Delegation to address issues related to Indian casino gaming.

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

Engrossed SCR 4043 was declared adopted on a voice vote, and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2038: SEN. MATHERN (Appropriations Committee) MOVED that the amendments on SJ page 610 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2038: A BILL for an Act to provide for the establishment of community visitation centers and a program to provide support services for children victims and witnesses of domestic violence; to create and enact two new sections to chapter 27-20 of the North Dakota Century Code, relating to juvenile courts, sharing of information among public agencies, and the penalty for failing to participate in court-ordered treatment; to amend and reenact section 27-20-48 and subsection 3 of section 50-25.1-11 of the North Dakota Century Code, relating to guardians ad litem and the availability of information; to provide a penalty; and to provide and appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 36 YEAS, 9 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Wanzek; Wogsland; Yockim

NAYS: Bowman; Christmann; Mutch; Naaden; O'Connell; Solberg; Stenehjem, B.; Streibel; Tennefos

ABSENT AND NOT VOTING: Freborg; Heinrich; Tallackson; Watne

Engrossed SB 2038 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that SB 2044 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2335, as engrossed: SEN. MATHERN (Appropriations Committee) MOVED that the amendments on SJ pages 621-622 had previously been adopted and that Engrossed SB 2335 be moved directly to the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. MATHERN MOVED that Engrossed SB 2335 be returned to the Sixth order because it was not amended as previously supposed, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2335: A BILL for an Act to amend and reenact section 50-24.1-02.2 of the North Dakota Century Code, relating to a community spouse asset allowance; and to provide an appropriation.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Reengrossed SB 2335 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that SB 2013, SB 2428, and SB 2094 be placed at the top of the calendar, which motion prevailed.

MOTION

SEN. GOETZ MOVED that the Senate stand in recess for fifteen minutes, which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Myrdal presiding.

CONSIDERATION OF AMENDMENTS

SB 2013: SEN. HOLMBERG (Appropriations Committee) MOVED that the amendments on SJ pages 587-595 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2013: A BILL for an Act to provide an appropriation for defraying the expenses of the department of public instruction, the school for the deaf, the school for the blind, and the state library; and to amend and

reenact section 15-21-02 of the North Dakota Century Code, relating to the salary of the superintendent of public instruction.

MOTION

SEN. WOGSLAND MOVED that Engrossed SB 2013 be amended as follows:

Page 1, line 22, replace "407,040,662" with "428,040,662"

Page 2, line 11, replace "672,779,041" with "693,779,041"

Page 2, line 13, replace "480,299,317" with "501,299,317"

Page 3, line 15, replace "489,072,557" with "510,072,557"

Page 3, line 17, replace "684,120,208" with "705,120,208"

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 201 - DEPARTMENT OF PUBLIC INSTRUCTION

SENATE - This amendment increases the grant - foundation aid and transportation line item by \$21,000,000 from the state general fund to increase foundation aid payments.

REQUEST

SEN. WOGSLAND REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2013, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed SB 2013, the roll was called and there were 20 YEAS, 28 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; LaFountain; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Sand; Scherber; Tomac; Wogsland; Yockim

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Tallackson

The proposed amendments to Engrossed SB 2013 failed.

REQUEST

SEN. SAND REQUESTED that the Journal reflect that he intended to vote NAY on the proposed amendment to Engrossed SB 2013, which request was granted.

ROLL CALL

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

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2013 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2428, as engrossed: SEN. NAADEN (Appropriations Committee) MOVED that the amendments on SJ page 629 be adopted and then be placed on the Eleventh order with **DO PASS**.

REQUEST

SEN. KRAUTER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed SB 2428, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2428, the roll was called and there were 21 YEAS, 27 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Christmann; Freborg; Goetz; Grindberg; Holmberg; Kringstad; Lee; Lips; Naaden; Nalewaja; Nelson, G.; Sand; Schobinger; Solberg; St. Aubyn; Stenehjøm, B.; Stenehjøm, W.; Thane; Wanzek; Watne

NAYS: Bowman; DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; LaFountain; Langley; Lindaas; Mathern; Mushik; Mutch; Nelson, C.; Nething; O'Connell; Redlin; Robinson; Scherber; Streibel; Tennefos; Tomac; Traynor; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

The motion to adopt the amendments to Engrossed SB 2428 failed to pass.

MOTION

SEN. TENNEFOS MOVED that the Senate reconsider its action whereby the amendments to Engrossed SB 2428 lost, which motion prevailed on a verification vote.

REQUEST

SEN. WOGSLAND REQUESTED a recorded roll call vote on the motion to adopt the amendments to Engrossed SB 2428 which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to Engrossed SB 2428, the roll was called and there were 23 YEAS, 25 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjøm, B.; Stenehjøm, W.; Streibel; Tennefos; Thane; Traynor

NAYS: Andrist; Bowman; DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Kringstad; LaFountain; Langley; Lindaas; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

So the motion to adopt the amendments to Engrossed SB 2428 failed to pass.

POINT OF PERSONAL PRIVILEGE

SEN. NETHING: Madam President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

REMARKS OF SENATOR NETHING

Madam President: I voted on this amendment and I voted no, but I fully intended to vote yes as I did in committee for the reasons I stated. Page 9 of my bill book had the appropriation in it, and I thought I was voting to take that off but the blank pages in between had the amendment. I did not turn my page and I am embarrassed about it, but I did want to have my intent in the record.

SECOND READING OF SENATE BILL

SB 2428: A BILL for an Act to create and enact three new sections to chapter 19-20.2 of the North Dakota Century Code, relating to definitions, pressure relief valves, and prohibited activities involving anhydrous ammonia tanks; to amend and reenact sections 19-20.2-01, 19-20.2-02, 19-20.2-03, 19-20.2-04, 19-20.2-05, 19-20.2-06, 19-20.2-07, 19-20.2-08, 19-20.2-09, and 19-20.2-10 of the North Dakota Century Code, relating to anhydrous ammonia storage facilities; to provide a penalty; and to provide an appropriation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 42 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Holmberg; Mutch; Nething; Streibel; Tennefos

ABSENT AND NOT VOTING: Krebsbach; Tallackson

Engrossed SB 2428 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SB 2094: SEN. TRAYNOR (Judiciary Committee) MOVED that the amendments on SJ pages 614-617 be adopted and then be placed on the Eleventh order with **DO NOT PASS**, which motion prevailed.

MOTION

SEN. W. STENEHJEM MOVED that SB 2094 be placed on the calendar following SB 2496, which motion prevailed.

MOTION

SEN. HOLMBERG MOVED that the Senate reconsider its action whereby SB 2308 failed to pass.

POINT OF ORDER

SEN. WOGSLAND stated that an action to reconsider a bill should take a two-thirds majority.

REQUEST

SEN. G. NELSON REQUESTED a ruling by the chair, which request was granted.

RULING BY THE PRESIDENT

PRESIDENT MYRDAL RULED that according to Senate Rule 345, notice of intent to reconsider must be given on the thirty-third day, therefore the motion to reconsider was in order.

ROLL CALL

The question being on the motion to reconsider the action whereby

Reengrossed SB 2308 failed to pass, the roll was called and there were 28 YEAS, 20 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Kringstad; Lee; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

NAYS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; LaFountain; Langley; Lindaas; Lips; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Tomac; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

The motion to reconsider the action whereby Reengrossed SB 2308 failed to pass prevailed.

SECOND READING OF SENATE BILL

SB 2308: A BILL for an Act to require school principals to provide parents with access to or copies of various documents.

MOTION

SEN. B. STENEHJEM MOVED that Reengrossed SB 2308 be amended as follows, which motion prevailed on a verification vote.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act relating to the national assessment of educational progress.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. National assessment of educational progress - Parental review. The superintendent of public instruction may not conduct assessments of student achievement in accordance with the national assessment of educational progress or permit the administration of any test in accordance with the national assessment of educational progress unless the parent or legal guardian of any student participating in the assessment or test is permitted to review all assessment or test questions at the student's school within thirty days from the date the assessment or test is administered or to receive a copy of all assessment or test questions within thirty days from the date the assessment or test is administered."

Renumber accordingly

SB 2308: A BILL for an Act relating to the national assessment of educational progress.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 26 YEAS, 22 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Holmberg; Krebsbach; Lee; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Traynor; Urlacher; Wanzek; Watne

NAYS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; Kringstad; LaFountain; Langley; Lindaas; Lips; Mathern; Mushik; Nelson, C.; O'Connell; Redlin; Robinson; Scherber; Thane; Tomac; Wogsland; Yockim

ABSENT AND NOT VOTING: Tallackson

Reengrossed SB 2308 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2041: A BILL for an Act to create and enact a new subsection to section 54-07-01 of the North Dakota Century Code, relating to the duty of the governor to report on the status of children and families in the state; and to amend and reenact sections 54-56-03 and 54-56-04 of the North Dakota Century Code, relating to the duties and powers of the children's services coordinating committee.

MOTION

SEN. DEMERS MOVED that Engrossed SB 2041 be amended as follows, which motion prevailed.

Page 2, line 18, overstrike "Each corporation"

Page 2, line 20, remove "or organization shall:"

Page 2, line 27, remove "regional and tribal committees" and overstrike the period

Re-number accordingly

ROLL CALL

The question being on the passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 40 YEAS, 8 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Stenehjerm, W.; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Bowman; Christmann; Mutch; Naaden; Solberg; Stenehjerm, B.; Streibel; Tennefos

ABSENT AND NOT VOTING: Tallackson

Reengrossed SB 2041 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2386: A BILL for an Act to provide a limitation on the duration of production incentives for an ethanol plant; to amend and reenact sections 39-04-19 and 57-43.1-03.1 of the North Dakota Century Code, relating to motor vehicle registration fees and reductions of refunds of motor vehicle fuels taxes for fuel used for agricultural purposes; to provide an appropriation; and to provide an effective date and an expiration date.

MOTION

SEN. G. NELSON MOVED that the question be put at 8:08 p.m., which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 34 YEAS, 14 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; Langley; Lindaas; Lips; Mathern; Mushik;

Naaden; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Stenehjem, W.; Streibel; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Bowman; Christmann; DeMers; Freborg; Heinrich; LaFountain; Lee; Mutch; Nalewaja; Nelson, C.; Nelson, G.; Solberg; Stenehjem, B.; Tennefos

ABSENT AND NOT VOTING: Tallackson

Engrossed SB 2386 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4031: A concurrent resolution urging the Governor to declare an emergency concerning the impending flood disaster in the Devils Lake basin and to recognize the impending flood disaster facing property owners adjacent to Devils Lake.

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

Engrossed SCR 4031 was declared adopted on a voice vote, and the title was agreed to.

MOTION

SEN. GOETZ MOVED that SB 2081 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2192: A BILL for an Act to amend and reenact sections 32-03.1-06, 43-12.1-01, 43-12.1-02, 43-12.1-03, 43-12.1-04, 43-12.1-05, 43-12.1-06, 43-12.1-08, 43-12.1-09, 43-12.1-10, 43-12.1-11, 43-12.1-12, 43-12.1-13, 43-12.1-14, 43-12.1-15, and 43-17-02 of the North Dakota Century Code, relating to the practice of nursing; and to repeal sections 43-12-26.1, 43-12-27, 43-12.1-08.1, 43-12.1-13.1, 43-12.1-13.2, and 43-12.1-14.1 of the North Dakota Century Code, relating to definitions applicable to and duties of the board of nursing, the practice of nursing, and the disciplining of persons assisting nurses.

MOTION

SEN. G. NELSON MOVED that the question be put at 8:31 p.m., which motion prevailed.

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 32 YEAS, 15 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; Christmann; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mushik; Nalewaja; Nelson, C.; Redlin; Robinson; Scherber; Schobinger; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Tomac; Traynor; Watne; Wogsland; Yockim

NAYS: Andrist; Freborg; Kelsh; Kinnoin; Mutch; Naaden; Nelson, G.; Nething; O'Connell; Sand; Solberg; Streibel; Tennefos; Urlacher; Wanzek

ABSENT AND NOT VOTING: Langley; Tallackson

Reengrossed SB 2192 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2211: A BILL for an Act to create and enact a new section to chapter 15-47 and a new subsection to section 54-44.3-20 of the North Dakota Century Code, relating to teachers employed by the state industrial school, school for the deaf, and school for the blind; and to amend and reenact sections 15-47-26, 15-47-27, and 15-47-27.1 of the North Dakota Century Code, relating to the definitions of teacher, renewal of teacher contracts, evaluation of first-year teachers, and nonrenewal of teacher contracts.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Langley; Tallackson; Yockim

Engrossed SB 2211 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2251: A BILL for an Act to amend and reenact section 14-02.4-10 of the North Dakota Century Code, relating to when physical and medical examinations of employees are discriminatory practices.

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 46 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland

ABSENT AND NOT VOTING: Langley; Tallackson; Yockim

Engrossed SB 2251 passed and the title was agreed to.

MOTION

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

MOTION

SEN. GOETZ MOVED that the Senate stand adjourned until 8:00 a.m., Friday, February 17, 1995, which motion prevailed.

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

William C. Parker, Secretary