

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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THIRTY-FIRST DAY

Bismarck, February 17, 1987

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

The prayer was offered by Reverend George Walker, Associate Superintendent of North Central District of Evangelical Free Church, Bismarck.

Our most gracious God and heavenly Father, it is with much praise and thanksgiving that we enter into Your presence in prayer. We thank You that Lt. Governor Meiers is able to be in her place leading our Senate. We ask that You would continue to give her strength and that it might be Your will that healing would be evident for her.

At the beginning of this legislative day, we ask for Your guidance and direction upon the men and women of this Senate who serve You and the people of this great state. As they discuss the issues before them and vote upon them, we pray they will remember the responsibility they have for the good of the people of North Dakota.

So, Lord, we place this Senate in Your hands today. Thank You for hearing our prayer as we pray in the name of Christ. Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators Keller, Lips, W. Meyer, Shea, Tennefos, and Tweten.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Thirtieth Day and finds the same to be correct.

SEN. J. MEYER, Chairman

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

MESSAGE FROM THE HOUSE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1025, HB 1051, HB 1070, HB 1231, HB 1234, HB 1245,  
HB 1259, HB 1301, HB 1321, HB 1364, HB 1481, HB 1532,  
HB 1539, HB 1595, HCR 3005

ROY GILBREATH, Chief Clerk

MESSAGE TO THE HOUSE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SB 2101, SB 2127, SB 2141, SB 2294, SB 2442, SB 2461,  
SB 2482, SB 2486, SB 2490

PERRY GROTEBERG, Secretary

RECOGNITIONS

THE PRESIDENT ANNOUNCED that former Senator John Kusler and his wife Alma were in the chamber and requested that the Senate recognize former Senator and Mrs. Kusler, and former Senator and Mrs. Kusler were thereupon introduced to the Senate.

THE PRESIDENT ANNOUNCED that former Lieutenant Governor Ernest Sands was in the chamber and requested that the Senate recognize former Lieutenant Governor Sands, and former Lieutenant Governor Sands was thereupon introduced to the Senate.

MOTION

SEN. J. MEYER MOVED that SB 2371 be returned to the Senate floor from the Committee on Human Services and Veterans Affairs, which motion prevailed.

REQUEST

SEN. J. MEYER REQUESTED the unanimous consent of the Senate to withdraw SB 2371. There being no objection, it was so ordered by the President.

MOTION

SEN. STENEHJEM MOVED that SB 2401 be returned to the Senate floor from the Committee on Judiciary, which motion prevailed.

REQUEST

SEN. STENEHJEM REQUESTED the unanimous consent of the Senate to withdraw SB 2401. There being no objection, it was so ordered by the President.

MOTION

SEN. WOGSLAND MOVED that SB 2353 be returned to the Senate floor from the Committee on Judiciary, which motion prevailed.

REQUEST

SEN. WOGSLAND REQUESTED the unanimous consent of the Senate to withdraw SB 2353. There being no objection, it was so ordered by the President.

## REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2057 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "of" insert the word "certain"

On page 1, line 11, after the word "who" insert the words "is an unpaid volunteer" and after the comma insert the word "who"

On page 1, line 12, overstrike the comma

On page 1, line 28, after the word "who" insert the words "is an unpaid volunteer" and after the first comma insert the word "who"

And renumber the lines, sections, and pages accordingly  
SEN. LASHKOWITZ, Chairman

SB 2057 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2076 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 17, delete the word "three" and insert in lieu thereof the word "five"

On page 3, line 16, delete the word "three" and insert in lieu thereof the word "five"

And renumber the lines, sections, and pages accordingly  
SEN. SATROM, Chairman

SB 2076 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2174 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 4, delete the words "A board of directors of a health service corporation must"

On page 2, delete lines 5 through 9

On page 2, line 10, delete the word "services." and overstrike the words "Additional qualifications for directors may be"

On page 2, overstrike lines 11 and 12

And renumber the lines, sections, and pages accordingly  
SEN. LANGLEY, Chairman

SB 2174 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2229 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "benefits" insert the words "; and to provide for retroactive application of this Act"

On page 1, line 23, remove the overstrike over the words "~~exceed one hundred~~", immediately after the word "~~seventy-five~~" insert the word "ninety-seven", and remove the overstrike over the word "~~thousand~~"

On page 1, line 24, remove the overstrike over the words "~~dollars as a result of any employee's death~~", and delete the words "be limited."

On page 1, delete line 25

On page 1, line 26, delete the words "the effective date of this Act"

On page 2, after line 9, insert the following new section:

"SECTION 2. RETROACTIVE APPLICATION OF ACT. This Act applies retroactively to cases arising after June 30, 1983."

And renumber the lines, sections, and pages accordingly  
SEN. LANGLEY, Chairman

SB 2229 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2303 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the first word "and"

On page 1, line 5, after the word "services" insert the words "; and to provide an expiration date"

On page 1, delete lines 11 through 19 and insert in lieu thereof the following words:

"The department of human services shall encourage the voluntary reporting of abuse, self-neglect, and exploitation of vulnerable adults. The department of human services may, insofar as staff resources permit, receive and investigate, or cause to be investigated, reports of abuse, neglect, and exploitation of vulnerable adults, and to bring relevant information to the attention of persons or officials empowered to take action to remedy or alleviate such abuse, neglect, or exploitation. The department of human services may provide services through county social service boards or human services centers, insofar as staff resources permit, to prevent, remedy, and alleviate the abuse, neglect, or exploitation of adults who are unable to protect their own interests."

On page 1, after line 26, insert the following section:

"SECTION 3. EXPIRATION DATE. Section 1 of this Act is effective through June 30, 1989, and after that date is ineffective."

And renumber the lines, sections, and pages accordingly

SEN. J. MEYER, Chairman

SB 2303 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2308 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 8, remove the overstrike over the word "~~shall~~" and delete the word "may"

On page 1, line 9, overstrike the words "and care for" and remove the overstrike over the word "~~all~~"

And renumber the lines, sections, and pages accordingly

SEN. J. MEYER, Chairman

SB 2308 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2315 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, after line 5, insert the following new section:

"SECTION 1. Purpose. The purpose of this Act is to describe certain existing rights of persons who are recipients of services for mentally ill individuals pursuant to other provisions of state law. Nothing in this Act shall be construed so as to make persons eligible for services for mentally ill individuals who would not otherwise be eligible for such services pursuant to other provisions of state law within the limits of available appropriations."

On page 1, line 9, delete the word "The" and insert in lieu thereof the words "Persons who are otherwise eligible for services for mentally ill individuals pursuant to state law shall have the following rights:"

On page 1, delete lines 10 and 11

On page 1, line 18, delete the word "A"

On page 1, delete lines 19 through 22

On page 2, delete lines 29 through 34

And renumber the lines, sections, and pages accordingly  
SEN. LASHKOWITZ, Chairman

SB 2315 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2316 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "a" and insert in lieu thereof the word "two" and delete the word "section" and insert in lieu thereof the word "sections"

On page 2, line 23, after the word "encumbrances" insert the words "except agricultural processors or agricultural supplier's liens"

On page 2, after line 23, insert the following new section:

"SECTION 4. A new section to chapter 35-17 of the North Dakota Century Code is hereby created and enacted to read as follows:

Information to be filed by a lienholder with the secretary of state. If the lienholder intends to impose liability for such lien against a livestock buyer, the name of the lienholder must appear on the most current list or lists distributed by the secretary of state pursuant to subsection 4 of section 41-09-46. In order to appear on the list or lists, lienholders must file with the secretary of state a form prescribed by him which contains all of the following information:

1. The name and address of the person for whom the livestock are kept.
2. The county of residence of the person for whom the livestock are kept.
3. The social security number of the person for whom the livestock are being kept.
4. The name and address of the lienholder.
5. A description of the livestock and their amount, if known, subject to the lien."

And renumber the lines, sections, and pages accordingly

SEN. W. MEYER, Chairman

SB 2316 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2337 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 27, after the word "hearing" insert the words ", unless such disclosure is otherwise prohibited by law"

And renumber the lines, sections, and pages accordingly

SEN. J. MEYER, Chairman

SB 2337 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2391 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, after the word "insured" insert the words "except if there is any time period remaining relating to the exclusion of coverage for preexisting conditions as specified in the underlying policy that remaining waiting period for coverage of preexisting conditions shall apply to the new policy unless the policy otherwise provides"

On page 2, line 13, after the word "insured" insert the words "except if there is any time period remaining relating to the exclusion of coverage for preexisting conditions as specified in the underlying policy that remaining waiting period for coverage of preexisting conditions shall apply to the new policy unless the policy otherwise provides"

And renumber the lines, sections, and pages accordingly

SEN. J. MEYER, Chairman

SB 2391 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2413 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, remove the overstrike over the word "five" and delete the word "ten"

On page 1, line 15, after the period insert the words "A basic no-fault insurer authorized to do business in this state may coordinate any benefits it is obligated to pay for medical expenses incurred as a result of accidental bodily injury in excess of five thousand dollars."

And renumber the lines, sections, and pages accordingly

SEN. LANGLEY, Chairman

SB 2413 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2419 has had the same under consideration and recommends by a vote of 6 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 3, delete the word "foreign"

On page 1, line 22, delete the words "employer that is domiciled in a" and insert in lieu thereof the word "person"

On page 1, line 23, delete the words "foreign country and that is primarily"



On page 1, line 26, after the word "state" insert the words "including custom combining, who employs other persons to provide such services"

On page 2, line 1, delete the word "foreign"

On page 2, line 2, delete the word "to employers who have no permanent place of business" and insert in lieu thereof the words "in the same manner to all transient merchants except that persons who"

On page 2, delete line 3

On page 2, line 4, delete the word "providing" and insert in lieu thereof the word "provide" and delete the word "service" and insert in lieu thereof the words "personal services"

On page 2, line 5, delete the words "personal services of workers" and insert in lieu thereof the words "persons employed by them"

On page 2, line 6, delete the word "The" and insert in lieu thereof the words "in this state are subject to the following exceptions:"

On page 2, delete lines 7 and 8

On page 2, line 12, delete the word "employer" and insert in lieu thereof the word "person"

On page 2, line 16, delete the word "employer" and insert in lieu thereof the word "person"

On page 2, line 21, delete the word "an employer" and insert in lieu thereof the words "a person"

On page 2, after line 22, insert the following subsection:

"3. A person governed by this section who is an applicant for a transient merchant's license shall pay to the attorney general an annual license fee of one hundred dollars."

And renumber the lines, sections, and pages accordingly

SEN. LANGLEY, Chairman

SB 2419 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2423 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 15-36-15, 15-36-16, and 15-38-19 of the North Dakota Century Code, relating to the authority of the superintendent of public instruction to suspend, revoke, or annul teachers' certificates, and the certificate proceedings conducted by and the authority of the teachers' professional practices commission.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 15-36-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-36-15. Revocation of teacher's certificates - Grounds - Effect. The superintendent of public instruction ~~shall~~ may suspend for a period of time, or revoke and annul any teacher's certificate granted in this state upon any or all of the following grounds:

1. For any cause which would have authorized or required ~~him~~ the superintendent to refuse to grant the certificate if the facts were known at the time when the certificate was granted.
2. For incompetency, immorality, intemperance, or cruelty of the certificate holder.
3. For the commission, by the ~~The~~ certificate holder, of a crime as defined in the laws of ~~has~~ been convicted or pled guilty or nolo contendere before a court of competent jurisdiction in this or any other state, or of the United States before any federal court, of an offense determined by the superintendent of public instruction to have a direct bearing upon a person's ability to serve the public as a teacher, or the superintendent of public instruction determines, following conviction of any offense, that the person is not sufficiently rehabilitated under section 12.1-33-02.1.
4. For the refusal by the certificate holder to perform his duty as the duties of ~~a~~ teacher or ~~for his~~ the general neglect of the work of the school.
5. For the breach, by the certificate holder, of his ~~a~~ contract with any school district.

6. Serious violation or a series of violations of the professional codes and standards promulgated in accordance with law.

The revocation of a certificate shall terminate the employment of the holder of such certificate in the school in which ~~he the holder~~ is employed when the certificate is revoked, but ~~the teacher holder~~ shall be paid to the time ~~he received the~~ notice of the revocation was received. Appeals from any order of revocation may be taken to the district court of Burleigh County as provided by chapter 28-32.

SECTION 2. AMENDMENT. Section 15-36-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-36-16. Proceedings to suspend, revoke, or annul certificate. The superintendent of public instruction may upon his own motion, or, upon the receipt of a formal complaint by the teachers' professional practices commission alleging grounds for the revocation or suspension for a period of time of any person's teacher's certificate shall make such preliminary investigation as he may deem necessary, and if it shall appear probable that such grounds exist, he shall proceed with to suspend for a period of time, revoke, or annul any person's teacher's certificate as set forth in subsections 1, 2, 4, 5, and 6 of section 15-36-15, shall conduct proceedings in accordance with chapter 28-32. The superintendent of public instruction, upon receipt of a formal complaint which includes a certified copy of a criminal judgment alleging grounds for suspension or revocation of any person's teacher's certificate as set forth in subsection 3 of section 15-36-15, shall conduct proceedings in accordance with chapter 28-32. Upon the completion of such proceedings, if the superintendent of public instruction shall find that grounds for revocation to annul, revoke, or suspension suspend for a period of time do exist, he the superintendent shall issue his an order in the manner provided in chapter 28-32 to annul, revoke, or suspend for a period of time the teacher's certificate of such person as provided in section 15-36-15.

SECTION 3. AMENDMENT. Section 15-38-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-38-19. Complaints against teachers. The commission shall accept and investigate complaints against any member of the teaching profession engaged in teaching ~~in the public schools in regard to alleging a violation or violations of regulations promulgated in accordance with section 15-38-18 or otherwise pertaining to his personal or~~

professional conduct or performance, or such investigation or alleging grounds as set forth in subsections 1, 2, 4, 5, and 6 of section 15-36-15. Such investigations may be made upon ~~the~~ the commission's own motion. Following such investigation the commission may dismiss such complaint as unfounded, issue a written warning and reprimand, or, following an opportunity for such teacher to informally appear before the commission, file a formal complaint with the superintendent of public instruction requesting the suspension for a period of time ~~or~~, revocation or annulment of the ~~teachers' teacher's~~ certificate of the teacher involved and stating the reasons therefor. The commission shall make the results of its investigation fully available to the superintendent of public instruction in such cases. Upon receipt of such formal complaint, the superintendent of public instruction shall proceed as provided in sections 15-36-16 and 15-36-17 and in accordance with section 15-36-15."

And renumber the lines, sections, and pages accordingly

SEN. HEINRICH, Chairman

SB 2423 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2432 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the words "the four" and insert in lieu thereof the word "five"

On page 1, line 4, after the second comma, insert the word and numeral "section 3,"

On page 1, line 5, delete the word "subsection" and insert in lieu thereof the words and numeral "subsections 3 and"

On page 1, line 18, delete the words "- Release - Penalty"

On page 1, line 19, after the word "Any" insert the words "order directing any" and delete the words "support under any order" and insert in lieu thereof the word "money"

On page 1, line 21, after the word "due" insert the words "and unpaid"

On page 3, after line 9, insert the following new section:

"SECTION 3. AMENDMENT. The new section to chapter 14-09 of the North Dakota Century Code as created by section 3 of House Bill No. 1903, as approved by the

fiftieth legislative assembly, is hereby amended and reenacted to read as follows:

Provision of notice of impact of act to obligors. Each ~~decree~~ ~~or~~ judgment or order issued by a court in this state which includes an order for support of minor children must include a statement that a delinquency in payment of the support due will result in an income withholding order being issued in accordance with this Act."

On page 4, line 4, delete the word "Subsection" and insert in lieu thereof the words and numeral "Subsections 3 and"

On page 4, line 7, delete the word "is" and insert in lieu thereof the word "are"

On page 4, after line 8, insert the following subsection:

"3. That the amount to be withheld may not exceed fifty percent of the obligor's disposable income from this income payor, but a payment of an amount less than the ordered amount must be accompanied by a written calculation disclosing any of the obligor's income and disposable income which is payable by the income payor."

And renumber the lines, sections, and pages accordingly

SEN. J. MEYER, Chairman

SB 2432 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2449 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new subdivision to subsection 2 of section 12.1-06.1-01 of the North Dakota Century Code, relating to the definition of a pattern of racketeering activity; and to amend and reenact subsections 1 and 2 of section 12.1-06.1-03, section 12.1-06.1-04, subsections 1, 2, 4, and 5 of section 12.1-06.1-05, subsection 1 of section 12.1-06.1-06, and subsections 1 and 2 of section 12.1-06.1-07 of the North Dakota Century Code, relating to racketeer-influenced and corrupt organizations.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. A new subdivision to subsection 2 of section 12.1-06.1-01 of the North Dakota Century Code is hereby created and enacted to read as follows:

"Pattern of racketeering activity" requires at least two acts of racketeering activity, one of which occurred after the effective date of this Act and the last of which occurred within ten years, excluding any period of imprisonment, after the commission of a prior act of racketeering activity.

SECTION 2. AMENDMENT. Subsections 1 and 2 of section 12.1-06.1-03 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

1. A person is in illegal control of an enterprise if such person, through a pattern of racketeering activity or its proceeds, acquires or maintains, by investment or otherwise, control of any enterprise.
2. A person is illegally conducting an enterprise if the person is employed or associated with any enterprise and conducts or participates in the conduct of that enterprise's affairs through a pattern of racketeering activity.

SECTION 3. AMENDMENT. Section 12.1-06.1-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**12.1-06.1-04. Judicial powers over racketeering criminal cases.**  
During the pendency of any criminal case charging an offense included in the definition of racketeering if it is shown to the satisfaction of the court when ruling upon the application for the order that such racketeering offense has occurred as a part of a pattern of racketeering activity or a violation of section 12.1-06.1-03, the court may, in addition to its other powers, issue an order pursuant to subsections 1 and 2 of section 12.1-06.1-05. Upon conviction of a person for an offense included in the definition of racketeering if it is shown to the satisfaction of the court when ruling upon the application for the order that such racketeering offense has occurred as a part of a pattern of racketeering activity or a violation of section 12.1-06.1-03, the court may, in addition to its other powers, issue an order pursuant to section 12.1-06.1-05.

SECTION 4. AMENDMENT. Subsections 1, 2, 4, and 5 of section 12.1-06.1-05 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

1. A person who sustains injury to person, business, or property by a pattern of racketeering activity or by a violation of section 12.1-06.1-03 may file an action in district court for the recovery of treble damages and the costs of the suit, including reasonable attorney fees. The state may file an action in behalf of those persons injured or to prevent, restrain, or remedy a pattern of racketeering activity or a violation of section 12.1-06.1-03.
2. The district court has jurisdiction to prevent, restrain, and remedy a pattern of racketeering activity or a violation of section 12.1-06.1-03 after making provision for the rights of all innocent persons affected by such violation and after hearing or trial, as appropriate, by issuing appropriate orders.
4. Following a determination of liability orders may include:
  - a. Ordering any person to divest himself of any interests, direct or indirect, in any enterprise.
  - b. Imposing reasonable restrictions on the future activities or investments of any person, including prohibiting any person from engaging in the same type of endeavor as the enterprise engaged in, the activities of which affect the laws of this state, to the extent the constitutions of the United States and this state permit.
  - c. Ordering dissolution or reorganization of any enterprise.
  - d. Ordering the payment of treble damages and appropriate restitution to those persons injured by a pattern of racketeering activity or a violation of section 12.1-06.1-03.
  - e. Ordering the payment of all costs and expenses and reasonable attorneys' fees concerned with the prosecution and investigation of any offense included in the definition of racketeering if upon such application for the order it is shown to the satisfaction of the court that such racketeering offense has occurred as a part of a pattern of racketeering activity or a violation of section 12.1-06.1-03, civil and criminal, incurred by the state or county as

appropriate to be paid to the general fund of the state or county which brings the action.

- f. Forfeiture, pursuant to chapter 32-14, to the state school fund of the state or county as appropriate under section 29-27-02.1, to the extent not already ordered to be paid in other damages:
  - (1) Any property or other interest acquired or maintained by a person in violation of section 12.1-06.1-03.
  - (2) Any interest in, security of, claims against, or property or contractual right of any kind affording a source of influence over any enterprise which a person has established, operated, controlled, conducted, or participated in the conduct of in violation of section 12.1-06.1-03.
  - (3) All proceeds traceable to an offense included in the definition of racketeering and all moneys, negotiable instruments, securities, and other things of value used or intended to be used to facilitate commission of the offense if upon application for the order it is shown to the satisfaction of the court that such racketeering offense has occurred as a part of a pattern of racketeering activity.
- g. Payment to the state school fund of the state or county as appropriate under section 29-27-02.1 of an amount equal to the gain a person has acquired or maintained through an offense included in the definition of racketeering if upon application for the order it is shown to the satisfaction of the court that such racketeering offense has occurred as a part of a pattern of racketeering activity.
- 5. In addition to or in lieu of an action under this section the state may file an action for forfeiture to the state school fund of the state or county as appropriate under section 29-27-02.1, to the extent not already ordered paid pursuant to this section, of:
  - a. Any interest acquired or maintained by a person in violation of section 12.1-06.1-03.



- b. Any interest in, security of, claims against, or property or contractual right of any kind affording a source of influence over any enterprise which a person has established, operated, controlled, conducted, or participated in the conduct of in violation of section 12.1-06.1-03.
- c. All proceeds traceable to an offense included in the definition of racketeering and all moneys, negotiable instruments, securities, and other things of value used or intended to be used to facilitate the commission of the offense if upon application for the order it is shown to the satisfaction of the court that such racketeering offense has occurred as a part of a pattern of racketeering activity.

SECTION 5. AMENDMENT. Subsection 1 of section 12.1-06.1-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. The state, upon filing a civil action under section 12.1-06.1-05 or upon charging an offense included in the definition of racketeering if such offense is committed as a part of a pattern of racketeering activity or a violation of section 12.1-06.1-03, may file a racketeering lien. A filing fee or other charge is not required for filing a racketeering lien.

SECTION 6. AMENDMENT. Subsections 1 and 2 of section 12.1-06.1-07 of the North Dakota Century Code are hereby amended and reenacted to read as follows:

1. A custodian of the records of a financial institution shall, at no expense to the financial institution, produce for inspection or copying the records in the custody of the financial institution when requested to be inspected by the attorney general or a state's attorney authorized by the attorney general, provided the person requesting the information signs and submits a sworn statement to the custodian that the request is made in order to investigate a pattern of racketeering activity or a violation of section 12.1-06.1-03. Records may be removed from the premises of the financial institution only for the purpose of copying the records and must be returned within forty-eight hours. The attorney general or an authorized state's attorney or any peace officer designated by an authorized state's attorney or the attorney general is prohibited

from using or releasing such information except in the proper discharge of official duties. The furnishing of records in compliance with this section by a custodian of records is a bar to civil or criminal liability against the custodian or financial institution in any action brought alleging violation of the confidentiality of the records. The fact that records have been obtained may not be released in any way by the financial institution until ninety days after the release.

2. The attorney general or the authorized state's attorney may petition the district court for enforcement of this section in the event of noncompliance with the request for inspection. Enforcement shall be granted if the request is reasonable and the attorney general or the authorized state's attorney has reasonable grounds to believe the records sought to be inspected are relevant to a civil or criminal investigation of an offense included in the definition a pattern of racketeering activity or a violation of section 12.1-06.1-03."

And renumber the lines, sections, and pages accordingly  
SEN. LASHKOWITZ, Chairman

SB 2449 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2460 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 13, delete the words "and represent all areas of the state"

On page 1, line 15, delete the words "The department may only"

On page 1, delete lines 16 and 17

On page 1, line 18, delete the words "basis for at least ten years."

On page 1, line 23, delete the numerals "85,000" and insert in lieu thereof the numerals "200,000"

And renumber the lines, sections, and pages accordingly  
SEN. J. MEYER, Chairman

SB 2460 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2468 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 6, after the fifth comma insert the numerals "39-20-01,"

On page 3, line 30, remove the overstrike over the word "~~ten~~", delete the word "thirty"

On page 10, after line 17, insert the following new section:

"SECTION 8. AMENDMENT. Section 39-20-01 of the 1985 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-20-01. Implied consent to determine alcoholic and drug content of blood. Any person who operates a motor vehicle on a highway or on public or private areas to which the public has a right of access for vehicular use in this state is deemed to have given consent, and shall consent, subject to the provisions of this chapter, to a chemical test, or tests, of the blood, breath, saliva, or urine for the purpose of determining the alcoholic, other drug, or combination thereof, content of the blood. As used in this chapter the word "drug" means a "~~controlled substance~~" as defined in section 19-03-1-01 any drug or substance or combination of drugs or substances which renders a person incapable of safely driving, and the words "chemical test" or "chemical analysis" mean any test to determine the alcoholic, or other drug, or combination thereof, content of the blood, breath, saliva, or urine, approved by the state toxicologist under this chapter. The test or tests must be administered at the direction of a law enforcement officer only after placing the person, except persons mentioned in section 39-20-03, under arrest and informing that person that the person is or will be charged with the offense of driving or being in actual physical control of a vehicle upon the public highways while under the influence of intoxicating liquor, drugs, or a combination thereof. The arresting officer shall also inform the person charged that refusal of the person to submit to the test determined appropriate will result in a revocation for up to three years of the person's driving privileges. The arresting officer shall determine which of the tests is to be used.

On page 11, line 3, remove the overstrike over the word "~~sworn~~", remove the overstrike over the word "~~show~~" and delete the word "state"

- On page 11, line 4, remove the overstrike over the words "~~had reasonable grounds to believe~~" and delete the word "~~arrested~~"
- On page 11, line 5, remove the overstrike over the words "~~had been driving or was in actual physical control~~"
- On page 11, line 6, remove the overstrike over the words "~~of a motor vehicle while in~~" and delete the words "~~for a~~"
- On page 11, line 7, remove the overstrike over the words "~~that the person was~~"
- On page 11, line 8, remove the overstrike over the words "~~lawfully arrested,~~"
- On page 12, line 1, remove the overstrike over the words "~~had reasonable grounds to believe~~"
- On page 12, line 2, delete the word "~~arrested~~" and remove the overstrike over the words "~~had been driving or was in actual~~"
- On page 12, line 3, remove the overstrike over the words "~~physical control of a motor vehicle while in~~" and delete the words "~~for a~~"
- On page 12, line 5, remove the overstrike over the words "~~that the person was lawfully arrested,~~"
- On page 12, line 30, remove the overstrike over the word "~~showing~~", delete the word "~~stating~~" and remove the overstrike over the word "~~had~~"
- On page 12, line 31, remove the overstrike over the words "~~reasonable grounds to believe~~", delete the word "~~arrested~~", and remove the overstrike over the words "~~had been driving~~"
- On page 12, line 32, remove the overstrike over the words "~~or was in actual physical control of a motor vehicle while in~~" and delete the word "~~for~~"
- On page 13, line 3, remove the overstrike over the word "~~that~~"
- On page 13, line 4, remove the overstrike over the words "~~the person was lawfully arrested if applicable,~~"
- On page 14, line 30, delete the words "If the arresting officer takes the appeal that"
- On page 14, delete lines 31 through 35

On page 15, line 1, delete the words "required to appear in the case."

On page 15, line 22, delete the words "For any violation other"

On page 15, delete lines 23 and 24

On page 15, line 25, delete the letter "a." and overstrike the word "Evidence" and insert immediately thereafter the words "For any violation other than a violation of subdivision a of subsection 1 of section 39-08-01, evidence"

On page 15, delete lines 31 through 34

And renumber the lines, sections, and pages accordingly

SEN. LASHKOWITZ, Chairman

SB 2468 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2480 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

On page 1, after line 6, insert the following new section:

"SECTION 1. LEGISLATIVE INTENT. It is the intent of the legislative assembly to act pursuant to the Bank Holding Company Act of 1956, as amended [ch. 240; 70 Stat. 134; 12 U.S.C. 1842(d)], to authorize charitable trusts that owned one hundred percent of a bank holding company on May 26, 1969, to sell, assign, merge, or transfer the stock or assets of any state or national bank or bank holding company without regard to whether the entity acquiring the stock or assets is located outside this state."

On page 1, after line 16, insert the following new section:

"SECTION 3. Provisions not severable. Notwithstanding North Dakota Century Code section 1-02-20, if any provision of this Act is determined by any court of competent or final jurisdiction to be invalid or unconstitutional, this entire Act is void from the effective date of the final determination."

And renumber the lines, sections, and pages accordingly

SEN. LANGLEY, Chairman

SB 2480 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2520 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, delete lines 14 through 19 and insert in lieu thereof the words "unobligated cash balance not designated for bonded indebtedness shall be a credit for the residents of the annexed school district against taxes levied by the receiving school district in the year or years following the annexation. If a school district is attached to more than one school district, the credit that the residents of the attached school district receive from the receiving school district must be in the same proportion to the remaining unobligated cash balance as the taxable valuation of the property bears to the total taxable valuation of the property in the school district that existed prior to annexation."

And renumber the lines, sections, and pages accordingly  
SEN. HEINRICH, Chairman

SB 2520 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2522 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 3, line 27, delete the words "the 1988 statewide"

On page 4, line 1, delete the words "Any person may register as an elector during the period" and insert in lieu thereof the words "At any time except during the five days immediately preceding any election, a person who is or will be a qualified elector on the day of the next election may register to vote in that precinct. A person may register in person"

On page 4, delete lines 2 through 16

On page 4, after line 23, insert the following subsection:

"2. A person who is a qualified elector may register on election day by appearing in person at the proper polling place and completing the forms for registration prescribed by the secretary of state. Upon receipt of the form, properly filled out and signed by the applicant, the poll clerk shall register the person as a qualified elector in the election register."

On page 9, line 23, after the word "registers" insert the words "and registration forms"

On page 9, line 26, after the word "register" insert the words "and a sufficient number of registration forms"

On page 10, line 2, after the word "registers" insert the words "and registration forms"

On page 12, line 21, after the word "Reports" insert the words ", registration forms,"

On page 12, line 30, after the comma insert the words "the registration forms,"

And renumber the lines, sections, and pages accordingly

SEN. LASHKOWITZ, Chairman

SB 2522 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SCR 4017 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, delete the words "possibility of mandatory" and insert in lieu thereof the words "adequacy of"

On page 2, line 6, after the semicolon insert the word "and"

On page 2, after line 6, insert the following paragraph:

"WHEREAS, it is imperative that the Department of Human Services, county social service boards, juvenile courts, law enforcement agencies, and state's attorneys' offices cooperate and coordinate in their efforts to provide child protective services;"

On page 2, line 10, after the words "study the" insert the word "reporting," and delete the word "and" and insert in lieu thereof a comma

On page 2, line 11, after the word "prosecution" insert the words ", and treatment"

And renumber the lines, sections, and pages accordingly

SEN. J. MEYER, Chairman

SCR 4017 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Judiciary to which was referred SCR 4026 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the words "the state's role in the establishment and maintenance of"

On page 1, delete lines 4 through 6

On page 1, line 7, delete the words "who are not" and insert in lieu thereof the words "to crime should be"

On page 1, delete lines 13 through 22

On page 2, line 1, after the word "the" insert the words "handling and assisting of victims of and witnesses to crimes"

On page 2, delete lines 2 through 5

On page 2, line 6, delete the words "crime in this state"

And renumber the lines, sections, and pages accordingly

SEN. LASHKOWITZ, Chairman

SCR 4026 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Education to which was referred SCR 4032 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. HEINRICH, Chairman

SCR 4032 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Education to which was referred SCR 4033 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. HEINRICH, Chairman

SCR 4033 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

**MADAM PRESIDENT:** Your Committee on Education to which was referred SCR 4034 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. HEINRICH, Chairman



SCR 4034 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2136 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. LANGLEY, Chairman

SB 2136 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was rereferred SB 2149 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. LANGLEY, Chairman

SB 2149 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was rereferred SB 2269 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. J. MEYER, Chairman

SB 2269 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2330 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. J. MEYER, Chairman

SB 2330 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2410 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. LANGLEY, Chairman

SB 2410 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred SB 2438 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. HEINRICH, Chairman

SB 2438 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2502 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. LASHKOWITZ, Chairman

SB 2502 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2532 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SEN. LANGLEY, Chairman

SB 2532 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SCR 4042 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. LANGLEY, Chairman

SCR 4042 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SCR 4045 has had the same under consideration and recommends by a vote of 4 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SEN. D. MEYER, Chairman

SCR 4045 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1190 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. LASHKOWITZ, Chairman

HB 1190 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1226 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. LASHKOWITZ, Chairman

HB 1226 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### CONSIDERATION OF AMENDMENTS

SEN. DOTZENROD MOVED that the amendments to SB 2064 as recommended by the Committee on Political Subdivisions as printed on page 778 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2064 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LASHKOWITZ MOVED that the amendments to SB 2232 as recommended by the Committee on Judiciary as printed on pages 779-780 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2232 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to SB 2349 as recommended by the Committee on Transportation as printed on page 781 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2349 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LASHKOWITZ MOVED that the amendments to SB 2365 as recommended by the Committee on Judiciary as printed on pages 781-782 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2365 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2378 as recommended by the Committee on Industry, Business and Labor as printed on pages 782-784 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2378 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2448 as recommended by the Committee on Education as printed on page 784 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2448 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to SB 2463 as recommended by the Committee on Transportation as printed on page 785 of the

Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2463 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. J. MEYER MOVED that the amendments to SB 2471 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 785-786 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

SB 2471 was rereferred to the Committee on Appropriations.

SEN. SATROM MOVED that the amendments to SB 2476 as recommended by the Committee on Finance and Taxation as printed on pages 786-787 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2476 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2483 as recommended by the Committee on Industry, Business and Labor as printed on pages 787-789 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2483 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2509 as recommended by the Committee on Education as printed on pages 789-790 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2509 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. DOTZENROD MOVED that the amendments to SB 2514 as recommended by the Committee on Political Subdivisions as printed on pages 790-792 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2514 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2515 as recommended by the Committee on Industry, Business and Labor as printed on pages 792-793 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2515 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2521 as recommended by the Committee on Industry, Business and Labor as printed on page 793 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2521 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### RECOGNITION

THE PRESIDENT ANNOUNCED that former Senator Rodney A. Mau and his wife Jerry were in the chamber and requested that the Senate recognize former Senator and Mrs. Mau, and former Senator and Mrs. Mau were thereupon introduced to the Senate.

#### CONSIDERATION OF AMENDMENTS

SEN. DOTZENROD MOVED that the amendments to SB 2526 as recommended by the Committee on Political Subdivisions as printed on pages 793-795 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2526 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to SB 2542 as recommended by the Committee on Transportation as printed on page 795 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2542 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to SCR 4043 as recommended by the Committee on Transportation as printed on page 796 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SCR 4043 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2006 as recommended by the Committee on Appropriations as printed on pages 818-819 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2006 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. HEIGAARD MOVED that SB 2007 be moved to the foot of the Sixth order on the calendar, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2008 as recommended by the Committee on Appropriations as printed on pages

820-821 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2008 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2024 as recommended by the Committee on Appropriations as printed on pages 821-824 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2024 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2026 as recommended by the Committee on Appropriations as printed on page 824 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2026 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2027 as recommended by the Committee on Appropriations as printed on pages 824-825 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2027 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 2:05 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

#### CONSIDERATION OF AMENDMENTS

SEN. AXTMAN MOVED that the amendments to SB 2033 as recommended by the Committee on Agriculture as printed on pages 825-826 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2033 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2068 as recommended by the Committee on Appropriations as printed on pages 826-827 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2068 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2103 as recommended by the Committee on Appropriations as printed on pages 827-828 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2103 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. KRAUTER MOVED that the amendments to SB 2183 as recommended by the Committee on Natural Resources as printed on pages 828-831 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

#### MOTION

SEN. MAIXNER MOVED that the rules be suspended and that SB 2183 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2183: A BILL for an Act to create and enact five new sections to chapter 38-08 of the North Dakota Century Code, relating to the powers, rights, and liabilities of the industrial commission in plugging or replugging abandoned wells and the reclamation of well sites; to amend and reenact sections 38-08-04.4 and 38-08-04.5 of the North Dakota Century Code, relating to the industrial commission entering into contracts for the plugging or replugging of wells and site reclamation and the establishment of an abandoned oil and gas well plugging and site reclamation fund; and to provide an appropriation.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Keller; Meyer, W.; Tennesfos; Waldera

SB 2183 passed and the title was agreed to.

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## MOTION

SEN. MAIXNER MOVED that the minimum number of copies of SB 2183 be reprinted, which motion prevailed.

## REQUEST

SEN. MAIXNER REQUESTED a recorded roll call vote on the motion to reprint the minimum number of copies of SB 2183, which request was granted.

## ROLL CALL

The question being on the motion to reprint the minimum number of copies of SB 2183, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjøm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Keller; Meyer, W.; Tennefos

The motion to reprint SB 2183 prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. KRAUTER MOVED that the amendments to SB 2188 as recommended by the Committee on Natural Resources as printed on page 831 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed on a verification vote.

SB 2188 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2198 as recommended by the Committee on Appropriations as printed on pages 831-832 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2198 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. J. MEYER MOVED that the amendments to SB 2265 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 780-781 of the Senate Journal be adopted, and



when so adopted, recommends the same DO PASS, which motion prevailed.

#### MOTION

SEN. STENEHJEM MOVED that the rules be suspended and that SB 2265 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2265: A BILL for an Act to amend and reenact section 50-24.1-02 of the North Dakota Century Code, relating to eligibility for the medical assistance program.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 45 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Heinrich; Mathern; Maxson; Nelson

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos; Wogsland

SB 2265 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

SEN. HILKEN MOVED that the amendments to SB 2279 as recommended by the Committee on Transportation as printed on page 682 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion failed.

SB 2279 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. KRAUTER MOVED that the amendments to SB 2346 as recommended by the Committee on Natural Resources as printed on pages 652-653 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS.

## REQUEST

SEN. D. MEYER REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2346, which request was granted.

## ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2346, the roll was called and there were 19 YEAS, 31 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Schoenwald; Stromme; Tallackson; Wogsland

NAYS: Adams; Bakewell; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Lips; Lodoen; Maxson; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Satrom; Shea; Stenehjem; Streibel; Thane; Todd; Tweten; Vosper; Waldera; Wright; Yockim

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

The proposed amendments to SB 2346 lost.

## MOTION

SEN. D. MEYER MOVED that the rules be suspended and that SB 2346 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2346: A BILL for an Act to amend and reenact section 38-08-08 of the North Dakota Century Code, relating to the recovery of costs and expenses of drilling and operating a well; and to repeal section 38-08-10 of the North Dakota Century Code, relating to development and operating costs of integrated fractional tracts.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 30 YEAS, 20 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Lips; Lodoen; Maxson; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Shea; Stenehjem; Streibel; Thane; Todd; Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Axtman; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Stromme; Tallackson; Wogsland

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

SB 2346 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

SEN. KRAUTER MOVED that the amendments to SB 2361 as recommended by the Committee on Natural Resources as printed on pages 832-834 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

#### MOTION

SEN. RICHARD MOVED that the rules be suspended and that SB 2361 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2361: A BILL for an Act to amend and reenact subsections 3 and 5 of section 20.1-03-11 of the North Dakota Century Code, relating to licenses issued to landowners to hunt big game.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

SB 2361 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

SEN. DOTZENROD MOVED that the amendments to SB 2387 as recommended by the Committee on Political Subdivisions as printed on pages 834-835 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

## MOTION

SEN. SATROM MOVED that the rules be suspended and that SB 2387 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2387: A BILL for an Act to create and enact a new subsection to section 55-10-08 of the North Dakota Century Code, relating to objections by political subdivisions to state historic site designations by the state historical board.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 36 YEAS, 14 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: David; Heigaard; Heinrich; Hilken; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Mutch; Naaden; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Todd; Waldera; Wogsland; Wright; Yockim

NAYS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Holmberg; Ingstad; Moore; Nalewaja; Nelson; Streibel; Thane; Tweten; Vosper

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

SB 2387 passed and the title was agreed to.

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## CONSIDERATION OF AMENDMENTS

SEN. KRAUTER MOVED that the amendments to SB 2409 as recommended by the Committee on Natural Resources as printed on pages 835-836 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2409 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. J. MEYER MOVED that the amendments to SB 2418 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 836 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

## MOTION

SEN. J. MEYER MOVED that the rules be suspended and that SB 2418 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

## SECOND READING OF SENATE BILL

SB 2418: A BILL for an Act to amend and reenact section 15-10-18.2 of the North Dakota Century Code, relating to the definition of resident veteran.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 24 YEAS, 26 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjelm; Streibel; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

SB 2418 lost.

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## CONSIDERATION OF AMENDMENTS

SEN. KRAUTER MOVED that the amendments to SB 2451 as recommended by the Committee on Natural Resources as printed on pages 836-837 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

## MOTIONS

SEN. RICHARD MOVED that the rules be suspended and that SB 2451 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SEN. MAIXNER MOVED that SB 2451, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

## CONSIDERATION OF AMENDMENTS

SEN. AXTMAN MOVED that the amendments to SB 2469 as recommended by the Committee on Agriculture as printed on pages 837-840 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2469 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. AXTMAN MOVED that the amendments to SB 2507 as recommended by the Committee on Agriculture as printed on pages 840-841 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2507 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2007 as recommended by the Committee on Appropriations as printed on pages 819-820 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2007 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### SECOND READING OF SENATE BILL

SB 2541: A BILL for an Act to amend and reenact section 53-06.1-07.1 of the North Dakota Century Code, relating to age limitation for participation in certain games of chance.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 17 YEAS, 33 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Krauter; Lodoen; Maixner; Mathern; Peterson; Redlin; Satrom; Tallackson; Tweten; Waldera

NAYS: Adams; Axtman; Bakewell; David; Dotzenrod; Kelsh; Langley; Lashkowitz; Lips; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Reiten; Richard; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Thane; Todd; Vosper; Wogsland; Wright; Yockim

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

SB 2541 lost.

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#### MOTIONS

SEN. OLSON MOVED that SB 2009 be further amended as follows:

On page 3 of the engrossed bill, after line 12, insert the following new section:

"SECTION 8. LEGISLATIVE INTENT - BUDGET CONTROL - NINETY-FIVE PERCENT LEVEL OF 1985-87 SPENDING. All state

departments, agencies, and institutions shall take the necessary action to operate during the 1987-89 biennium within a ninety-five percent funding level of their 1985-87 spending levels."

And renumber the lines, sections, and pages accordingly

SEN. OLSON MOVED that the proposed amendments be adopted.

#### REQUEST

SEN. OLSON REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2009, which request was granted.

#### ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2009, the roll was called and there were 24 YEAS, 26 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad; Kelly; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjem; Streibel; Thane; Todd; Vosper; Wright

NAYS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Tweten; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

The proposed amendments to SB 2009 lost.

#### MOTIONS

SEN. HEIGAARD MOVED that the Senate stand in recess until 4:35 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with President Pro Tem Redlin presiding.

SEN. NELSON MOVED that SB 2009 be further amended as follows:

On page 2 of the engrossed bill, line 3, delete the numerals "1,123,026" and insert in lieu thereof the numerals "1,071,798"

On page 2 of the engrossed bill, line 4, delete the numerals "4,903,490" and insert in lieu thereof the numerals "3,784,390"

On page 2 of the engrossed bill, line 5, delete the numerals "489,560" and insert in lieu thereof the numerals "209,000"

On page 2 of the engrossed bill, line 7, delete the numerals "7,216,076" and insert in lieu thereof the numerals "5,765,188"

On page 2 of the engrossed bill, line 9, delete the numerals "8,845,932" and insert in lieu thereof the numerals "7,395,044"

On page 2 of the engrossed bill, line 10, delete the numerals "22,098,861" and insert in lieu thereof the numerals "20,647,973"

On page 3 of the engrossed bill, delete lines 6 through 12

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

##### Roughrider Industries

The funding of \$1,450,888 provided for a license plate manufacturing program is deleted. The total reduction includes \$51,228 in salaries and wages for deletion of a Penitentiary Industries manager, a \$1,119,100 reduction in operating expenses for supplies and related expenses, and a \$280,560 reduction in equipment.

The amendment also deletes Section 7 which appropriates any excess revenue generated by Roughrider Industries during the biennium, and authorizes new industry operations.

#### MOTION

SEN. NELSON MOVED that the proposed amendments be adopted.

#### REQUESTS

SEN. LIPS REQUESTED that the Senate divide the amendments to SB 2009, which request was granted.

DIVISION I includes the entire amendment except page 3 of the engrossed bill, which deletes lines 6 through 12

DIVISION II includes page 3 of the engrossed bill, which deletes lines 6 through 12

SEN. NAADEN REQUESTED a recorded roll call vote on both Division I and Division II of the proposed amendments to SB 2009, which request was granted.

#### ROLL CALL

The question being on the adoption of Division I of the proposed amendments to SB 2009, the roll was called and there were 29 YEAS, 21 NAYS, 3 ABSENT AND NOT VOTING.



YEAS: Adams; Bakewell; David; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Lashkowitz; Lips; Lodoen; Maxson; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjøm; Streibel; Thane; Todd; Tweten; Vosper; Wright

NAYS: Axtman; Dotzenrod; Heigaard; Kelsh; Krauter; Langley; Maixner; Mathern; Meyer, D.; Meyer, J.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Keller; Meyer, W.; Tennefos

Division I of the proposed amendments to SB 2009 was adopted.

#### ROLL CALL

The question being on the adoption of Division II of the proposed amendments to SB 2009, the roll was called and there were 26 YEAS, 23 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Freborg; Holmberg; Ingstad; Kelly; Krauter; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjøm; Streibel; Todd; Tweten; Vosper; Wright; Yockim

NAYS: Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Thane; Waldera; Wogsland

ABSENT AND NOT VOTING: Keller; Meyer, W.; Redlin; Tennefos

Division II of the proposed amendments to SB 2009 was adopted.

#### REQUEST

PRESIDENT PRO TEM REDLIN REQUESTED that the record show he intended to vote "nay" on Division II of the proposed amendments to SB 2009.

#### MOTION

SEN. NAADEN MOVED that SB 2009 be further amended as follows:

On page 1 of the engrossed bill, line 3, after the first word "Dakota" insert the words "; providing legislative intent regarding the sale of roughrider industries' purebred cattle and swine and related assets;"

On page 3 of the engrossed bill, after line 12, insert the following new section:

"SECTION 8. LEGISLATIVE INTENT - SALE OF CATTLE AND SWINE. It is the intent of the legislative assembly that roughrider industries during the 1987-89 biennium sell its purebred cattle herd, swine, and related assets, and discontinue the purebred cattle and swine operations."

And renumber the lines, sections, and pages accordingly

#### STATEMENT OF PURPOSE OF AMENDMENT:

The amendment adds a section which states it is the intent of the 1987 Legislative Assembly that Roughrider Industries sell its purebred cattle herd, swine, and related assets and discontinue these operations.

#### MOTIONS

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

SEN. LIPS MOVED that the rules be suspended and that SB 2009 be placed on the Eleventh order, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILLS

SB 2009: A BILL for an Act making an appropriation for defraying the expenses of the state penitentiary and various divisions thereof of the state of North Dakota and providing for a transfer from the North Dakota state penitentiary land fund.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 42 YEAS, 7 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Naaden; Nalewaja; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Tweten; Vosper; Waldera; Wogsland; Yockim

NAYS: Bakewell; David; Mutch; Nelson; Streibel; Todd; Wright

ABSENT AND NOT VOTING: Keller; Meyer, W.; Olson; Teneffos

SB 2009 passed and the title was agreed to.

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SB 2011: A BILL for an Act making an appropriation for defraying the expenses of the division of emergency management of the state of North Dakota.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 46 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: Bakewell; David; Todd

ABSENT AND NOT VOTING: Keller; Meyer, W.; Olson; Tennefos

SB 2011 passed and the title was agreed to.

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SB 2012: A BILL for an Act making an appropriation for defraying the expenses of the pardon board and the parole and probation office of the state of North Dakota.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 47 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: David

ABSENT AND NOT VOTING: Holmberg; Keller; Meyer, W.;  
Olson; Tennefos

SB 2012 passed and the title was agreed to.

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SB 2013: A BILL for an Act making an appropriation for defraying the expenses of the adjutant general of the state of North Dakota; and providing for an appropriation and transfer of funds from the national guard tuition trust fund; to provide for a transfer of the proceeds from the sale of the Bismarck national guard armory to the general fund; and to amend and reenact section 37-07.1-06.1 of the North Dakota Century Code, relating to the North Dakota national guard tuition trust fund.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Meyer, W.; Olson;  
Tennefos

SB 2013 passed and the title was agreed to.

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#### MOTIONS

SEN. NAADEN MOVED that SB 2014 be further amended as follows:

On page 1 of the reengrossed bill, line 14, delete the numerals "44,309" and insert in lieu thereof the numerals "31,726"

On page 1 of the reengrossed bill, line 16, delete the numerals "106,589" and insert in lieu thereof the numerals "94,006"

And renumber the lines, sections, and pages accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

Civil Air Patrol

The secretary position will not be upgraded to an administrative assistant, resulting in a \$12,583 general fund reduction.

SEN. NAADEN MOVED that the proposed amendments be adopted, which motion lost.

## REQUEST

SEN. NAADEN REQUESTED a verification vote.

The motion to adopt the proposed amendments lost, on a verification vote.

## SECOND READING OF SENATE BILLS

SB 2014: A BILL for an Act making an appropriation for defraying the expenses of the civil air patrol of the state of North Dakota; and providing legislative intent regarding budget control during the 1987-89 biennium.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 38 YEAS, 11 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Nalewaja; Peterson; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Bakewell; David; Freborg; Mutch; Naaden; Nelson; Nothing; Reiten; Streibel; Todd; Vosper

ABSENT AND NOT VOTING: Keller; Meyer, W.; Olson; Tennefos

SB 2014 passed and the title was agreed to.

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SB 2020: A BILL for an Act making an appropriation for the homestead tax credit.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjøm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Meyer, W.; Olson; Tennefos

SB 2020 passed and the title was agreed to.

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SB 2025: A BILL for an Act making an appropriation for defraying the expenses of various agricultural councils and commissions of the state of North Dakota.

Which has been read and has committee recommendation of DO PASS.

## ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjøm; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Meyer, W.; Olson; Tennefos

SB 2025 passed and the title was agreed to.

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SB 2028: A BILL for an Act making an appropriation for defraying the expenses of the parks and recreation department of the

state of North Dakota and providing for a transfer from the snowmobile fund and the trail tax transfer fund.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Keller; Langley; Meyer, W.; Olson; Tennefos

SB 2028 passed and the title was agreed to.

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SB 2190: A BILL for an Act to amend and reenact sections 54-40.1-01, 54-40.1-02, subsection 1 of section 54-40.1-03, and section 54-40.1-05 of the North Dakota Century Code, relating to regional planning and development councils.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 43 YEAS, 5 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Waldera; Wogsland; Wright; Yockim

NAYS: Bakewell; David; Maxson; Naaden; Vosper

ABSENT AND NOT VOTING: Keller; Langley; Meyer, W.; Olson; Tennefos

SB 2190 passed and the title was agreed to.

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SB 2192: A BILL for an Act to create and enact four new sections to chapter 25-16 of the North Dakota Century Code, relating to treatment or care centers for the developmentally disabled; to amend and reenact sections 25-16-01, 25-16-02, 25-16-03, 25-16-03.1, 25-16-04, 25-16-06, 25-16-08, 25-16-09, 25-16-10, and 25-16-12 of the North Dakota Century Code, relating to residential care and services for the developmentally disabled; and to provide a penalty.

Which has been read and has committee recommendation of DO PASS.

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 45 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: David; Naaden; Tweten

ABSENT AND NOT VOTING: Keller; Langley; Meyer, W.; Olson; Tennefos

SB 2192 passed and the title was agreed to.

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#### MOTION

SEN. HEIGAARD MOVED that SB 2259, SB 2380, SB 2389, and SB 2392 be moved to the foot of the calendar, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2191: A BILL for an Act to amend and reenact sections 23-17.2-01, 23-17.2-02, 23-17.2-03, 23-17.2-04, 23-17.2-05, and 23-17.2-09 of the North Dakota Century Code, relating to the certificate of need for expansion of hospital facilities.

Which has been read and has committee recommendation of DO PASS.



## ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 34 YEAS, 15 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Adams; Bakewell; David; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Krauter; Langley; Lashkowitz; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Peterson; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Vosper; Waldera; Wogsland; Yockim

**NAYS:** Axtman; Dotzenrod; Kelly; Lips; Mutch; Naaden; Nalewaja; Nelson; Nething; Reiten; Streibel; Thane; Todd; Tweten; Wright

**ABSENT AND NOT VOTING:** Keller; Meyer, W.; Olson; Tennefos

SB 2191 passed and the title was agreed to.

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## MOTION

**SEN. HEIGAARD MOVED** that SB 2472, which is on the Eleventh order, be rereferred to the Committee on Judiciary, which motion prevailed.

## SENATE RULE 507 AMENDED

**SEN. HEIGAARD MOVED** that the rules be suspended, that Senate Rule 507 be amended, that all bills that were to be reported out of committee on the Thirty-first Day be extended to the Thirty-third Day, which motion prevailed.

## MOTIONS

**SEN. HEIGAARD MOVED** that the absent Senators be excused, which motion prevailed.

**SEN. HEIGAARD MOVED** that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order of business, be on the Thirteenth order of business, and at the conclusion of the Thirteenth order of business, and after the reading of SB 2006, SB 2007, SB 2008, SB 2024, SB 2026, SB 2027, SB 2033, SB 2057, SB 2064, SB 2068, SB 2076, SB 2103, SB 2136, SB 2149, SB 2174, SB 2188, SB 2198, SB 2229, SB 2232, SB 2269, SB 2279, SB 2303, SB 2308, SB 2316, SB 2330, SB 2337, SB 2349, SB 2365, SB 2378, SB 2391, SB 2409, SB 2410, SB 2413, SB 2419, SB 2423, SB 2432, SB 2438, SB 2448, SB 2451, SB 2460, SB 2463, SB 2468, SB 2469, SB 2476, SB 2480, SB 2483, SB 2502, SB 2507, SB 2509, SB 2514, SB 2515, SB 2520, SB 2521, SB 2526, SB 2532, SB 2542, SCR 4017, SCR 4026, SCR 4032, SCR 4033, SCR 4034, SCR 4042, SCR 4043, SCR 4045, HB 1190, HB 1226, and HB 1668, the Senate adjourn and convene at 10:00 a.m., Wednesday, February 18, 1987, which motion prevailed.

## FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Nelson, Naaden, Yockim introduced:

**SCR 4053:** A concurrent resolution directing the Legislative Council to study the appropriation of special funds.  
Was read the first time and referred to the **Committee on State and Federal Government**.

Sens. Mushik, D. Meyer, J. Meyer and Reps. Kelly, Oban, Ulmer introduced:

**SCR 4054:** A concurrent resolution directing the Legislative Council to study the feasibility and desirability of relocating the North Dakota School for the Blind from the city of Grand Forks to the Grafton State School, to determine possible alternative uses of the buildings and facilities located at the School for the Blind, and to examine the role of the School for the Blind in the provision of educational and rehabilitative services to blind and visually impaired persons.

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

## FIRST READING OF HOUSE BILLS

**HB 1268:** A BILL for an Act to amend and reenact section 11-33-20 of the North Dakota Century Code, relating to revocation, by a township, of county zoning authority previously ceded by the township.

Was read the first time and referred to the **Committee on Political Subdivisions**.

**HB 1293:** A BILL for an Act to amend and reenact section 15-12-12 of the North Dakota Century Code, relating to the publication by the county auditor of publications available through North Dakota state university.

Was read the first time and referred to the **Committee on Political Subdivisions**.

**HB 1302:** A BILL for an Act to allow the Bank of North Dakota to make loans to nonprofit corporations for construction, reconstruction, repair, or renovation of facilities under the control of the parks and recreation department.

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

**HB 1323:** A BILL for an Act to create and enact a new subsection to section 39-06-03 of the North Dakota Century Code, relating to persons who may not be issued licenses to operate motor vehicles; and to amend and reenact section 39-07-11 of the North Dakota Century Code, relating to records of conviction to be forwarded to the licensing authority.

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

**HB 1369:** A BILL for an Act to create and enact two new subsections to section 57-02-08 of the North Dakota Century

Code, providing exemptions from property taxes for new single family residential property and condominiums and townhouses which meet certain qualifications; to provide an effective date; and to provide an expiration date.

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

HB 1381: A BILL for an Act to create and enact three new subsections to section 57-38-01 of the North Dakota Century Code and a new section to chapter 57-38 of the North Dakota Century Code, relating to a tax credit for employers who hire developmentally disabled or chronically mentally ill employees; and to provide an effective date.

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

HB 1390: A BILL for an Act to amend and reenact section 32-12.1-05 of the North Dakota Century Code, relating to the purchase of liability insurance by political subdivisions; and to repeal section 32-12.1-06 of the North Dakota Century Code, relating to the certification of political subdivision insurance to the commissioner of insurance.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1489: A BILL for an Act to amend and reenact section 25-03.1-29 of the North Dakota Century Code, relating to anonymity of respondents in mental health commitment hearings.

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

HB 1535: A BILL for an Act to create and enact a new subsection to section 50-01-09 of the North Dakota Century Code, relating to the duties of a county social service board; and to amend and reenact section 14-09-06.3 of the North Dakota Century Code, relating to investigative reports and the assessment of costs in contested child custody proceedings.

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

HB 1547: A BILL for an Act to provide for local funding of victim and witness programs.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1551: A BILL for an Act to amend and reenact section 5-01-07 of the North Dakota Century Code, relating to township beer or liquor licenses.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1613: A BILL for an Act to create and enact a new paragraph to subdivision b of subsection 3 of section 39-06.1-10 of

the North Dakota Century Code, relating to driver's license penalty point assessments for driving without liability insurance after involvement in an accident; and to amend and reenact paragraph 10 of subdivision b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to driver's license penalty point assessments for driving without liability insurance.

Was read the first time and referred to the **Committee on Transportation**.

**HB 1665:** A BILL for an Act to establish a health care data committee as a standing committee of the state health council; and to provide a civil penalty.

Was read the first time and referred to the **Committee on State and Federal Government**.

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

**PERRY GROTBORG, Secretary**