

JOURNAL OF THE SENATE

Fifty-third Legislative Assembly

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Bismarck, February 26, 1993

The Senate convened at 12:30 p.m., with President Myrdal presiding.

The prayer was offered by Rev. Rex Wilson, First Baptist Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. LANGLEY MOVED that the Senate do concur in the House amendments to Engrossed SB 2104 as printed on SJ page 696 be adopted, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2104: A BILL for an Act to amend and reenact sections 47-30.1-03.1, 47-30.1-10, and subsection 1 of section 47-30.1-19 of the North Dakota Century Code, relating to abandoned property, and to declare an emergency.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Uriacher; Wogsland; Yockim

SB 2104 passed, the title was agreed to, and the emergency clause was declared carried.

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MOTION

SEN. MATHERN MOVED that the rules be suspended and that SB 2104 be messaged to the House immediately, which motion prevailed.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2104.

CONSIDERATION OF AMENDMENTS

SCR 4051: SEN. EVANSON (Education Committee) MOVED that the amendments on SJ page 759 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SCR 4053: SEN. SCHERBER (Education Committee) MOVED that the amendments on SJ page 759 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

**SECOND READING OF HOUSE BILL**

**HB 1034:** A BILL for an Act to amend and reenact subsection 1 of section 57-15-17 of the North Dakota Century Code, relating to the use of school building funds for certain insurance premiums.

**ROLL CALL**

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

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Redlin; Robinson; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

**NAYS:** O'Connell; Sand

HB 1034 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1053:** A BILL for an Act to amend and reenact sections 61-04-05 and 61-04-06 of the North Dakota Century Code, relating to water permit applications.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1053 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1059:** A BILL for an Act to amend and reenact section 53-08-05 of the North Dakota Century Code, relating to liability of owners of land used for recreational purposes.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1059 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1074:** A BILL for an Act to amend and reenact subsections 6 and 10 of section 15-39.1-04 and section 15-39.1-24 of the North Dakota Century Code, relating to definitions and purchase of additional credit under the teachers' fund for retirement; and to repeal section 15-39.1-09.1 of the North Dakota Century Code, relating to participation of nonpublic schoolteachers in the teachers' fund for retirement.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1074 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

**HB 1095:** A BILL for an Act to create and enact a new section to chapter 25-04 of the North Dakota Century Code, relating to claims for repayment of the cost of care at the developmental center at Grafton.

**ROLL CALL**

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

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Solberg; Stenehjem, B.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

**NAYS:** Schoenwald; Stenehjem, W.

HB 1095 passed and the title was agreed to.

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

**MADAM PRESIDENT:** The House has passed unchanged: SB 2031, SB 2044, SB 2057, SB 2087, SB 2094, SB 2113, SB 2118, SB 2126, SB 2127, SB 2140, SB 2141, SB 2151, SB 2158, SB 2160, SB 2169, SB 2179.

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

**MADAM PRESIDENT:** The House has amended and subsequently passed: SB 2051, SB 2122, SB 2123, SB 2131, SB 2133, SB 2176, SB 2189.

**HOUSE AMENDMENTS TO SENATE BILL NO. 2051**

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

Page 4, after line 4, insert:

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

Re-number accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2122**

Page 1, line 13, remove the overstrike over "~~. If the~~"

Page 1, remove the overstrike over line 14

Page 1, line 15, remove the overstrike over "~~reduced by one-half~~"

Re-number accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2123**

Page 1, line 13, after "if" insert "If" and remove the overstrike over "~~the person provides proof of~~"

Page 1, line 14, remove the overstrike over "~~registration since the violation, the fee may be reduced by one-half.~~"

Re-number accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2131**

Page 1, line 8, remove "and is being"

Page 1, remove lines 9 through 11

Page 1, line 12, remove "the motor vehicle."

Re-number accordingly

**HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2133**

Page 3, line 22, replace "fifteen" with "twenty"

Re-number accordingly

**HOUSE AMENDMENTS TO SENATE BILL NO. 2176**

Page 1, line 3, after "funds" insert "for certain insurance premiums"

Page 1, line 10, overstrike "shall" and insert immediately thereafter "must"

Page 1, line 12, overstrike "shall" and insert immediately thereafter "must"

Page 1, line 16, overstrike "shall" and insert immediately thereafter "may only", overstrike "solely and exclusively", and overstrike "any of"

Page 2, after line 11, insert:

"(6) The payment of premiums for fire and allied lines, liability, and multiple peril insurance on any building and its use, occupancy, fixtures, and contents."

Page 2, line 12, after "The" insert "custodian of the", overstrike "shall be paid" and insert immediately thereafter "may pay", and overstrike "by the custodian thereof" and insert immediately thereafter "the funds"

Page 2, line 14, overstrike ", and the" and insert immediately thereafter "The"

Renumber accordingly

**PROPOSED AMENDMENTS TO SENATE BILL NO. 2189**

Page 1, line 4, replace "; and to amend and reenact subsection 3 of section 57-36-26," with a period

Page 1, remove lines 5 through 7

Page 1, remove the underscore under lines 11 through 19

Page 1, remove the underscore under line 22

Page 2, remove the underscore under lines 1 through 29

Page 3, remove the underscore under lines 1 through 27

Page 4, remove lines 1 through 13

Page 4, remove the underscore under lines 16 through 24

Page 4, remove the underscore under lines 27 through 29

Page 5, remove the underscore under lines 1 through 29

Page 6, remove the underscore under lines 1 through 25

Page 6, remove lines 26 through 29

Page 7, remove lines 1 through 15

Page 7, remove the underscore under lines 18 through 26

Page 7, remove the underscore under line 29

Page 8, remove the underscore under lines 1 through 29

Page 9, remove the underscore under lines 1 through 27

Page 9, remove lines 28 and 29

Page 10, remove lines 1 through 10

Renumber accordingly

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

MADAM PRESIDENT: The House has failed to pass: SB 2258.

**SECOND READING OF HOUSE BILL**

HB 1098: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 39-08-01, sections 39-20-03.1, 39-20-03.2, 39-20-04.1, 39-20-05, subsection 4 of section 39-20-07, and sections 39-20-09 and 65-01-11 of the North Dakota Century Code, relating to alcohol concentration of motor vehicle operators and statutory references to the director of the department of transportation.

**ROLL CALL**

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

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter;

Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

**NAYS:** Holmberg; Maxson

HB 1098 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1117:** A BILL for an Act to amend and reenact section 19-13.1-06 of the North Dakota Century Code, relating to commercial feed tonnage reports.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1117 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1130:** A BILL for an Act to amend and reenact subdivision e of subsection 13 of section 38-14.1-24 to the North Dakota Century Code, relating to the distance from a permitted area within which an owner or resident of a structure may request a preblasting survey of such structure to be submitted to the public service commission.

#### ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1130 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILL

**HB 1146:** A BILL for an Act to amend and reenact section 61-06-12 of the North Dakota Century Code, relating to filing names for irrigation district elections.

#### ROLL CALL

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

has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1146 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

HB 1159: A BILL for an Act to amend and reenact subdivision a of subsection 6 of section 15-27.2-04 and section 15-27.4-03 of the North Dakota Century Code, relating to a credit to owners of property in annexed or dissolved school districts for an unobligated cash balance in excess of ten thousand dollars not designated for indebtedness.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1159 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

HB 1244: A BILL for an Act to amend and reenact section 11-15-08 of the North Dakota Century Code, relating to commissions collected by a sheriff.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1244 passed and the title was agreed to.

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**SECOND READING OF HOUSE BILL**

HB 1288: A BILL for an Act to amend and reenact section 63-05-02 of the North Dakota Century Code, relating to the cutting of weeds and grasses along county and township highways.

**ROLL CALL**

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

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Stenehjem, B.; Stenehjem, W.; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

**NAYS:** Mutch; Solberg; Streibel

HB 1288 passed and the title was agreed to.

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**MOTION**

**SEN. MATHERN MOVED** that HB 1324, which is on the Fourteenth order, be rereferred to the **Transportation Committee**, which motion prevailed. Pursuant to Sen. Mathern's motion, HB 1324 was rereferred.

**SECOND READING OF HOUSE BILL**

**HB 1358:** A BILL for an Act to amend and reenact section 48-05-11 of the North Dakota Century Code, relating to guaranteed energy savings contracts.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

HB 1358 passed and the title was agreed to.

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**SIGNING OF BILLS AND RESOLUTIONS**

The President signed the following enrolled bill: SB 2104.

**MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)**

**MR. SPEAKER:** The President has signed and your signature is respectfully requested on: SB 2104.

**SECOND READING OF HOUSE BILL**

**HB 1388:** A BILL for an Act to amend and reenact section 5-02-05 of the North Dakota Century Code, relating to the dispensing of alcoholic beverages on certain days.

**ROLL CALL**

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 23 YEAS, 26 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

**YEAS:** Andrist; DeMers; Dotzenrod; Grindberg; Heinrich; Holmberg; Kelly; Kelsh; Kinnoin; Krebsbach; Lindgren; Lips; Maxson; Mushik; Nalewaja;



Nething; Schoenwald; Stenehjem, B.; Stenehjem, W.; Tallackson; Traynor; Wogsland; Yockim

**NAYS:** Bowman; Evanson; Freborg; Goetz; Graba; Jerome; Keller; Krauter; Langley; Lindaas; Marks; Mathern; Mutch; Naaden; Nelson; O'Connell; Redlin; Robinson; Sand; Scherber; Solberg; Streibel; Tennefos; Thane; Tomac; Urlacher

HB 1388 lost.

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#### SECOND READING OF HOUSE BILL

**HB 1385:** A BILL for an Act to create and enact a new section to chapter 48-01 of the North Dakota Century Code, relating to the definition of contractors for public improvements.

#### ROLL CALL

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

**YEAS:** Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

**NAYS:** Andrist; Sand

HB 1385 passed and the title was agreed to.

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#### MOTION

**SEN. MATHERN MOVED** that SB 2222, SB 2231, and SB 2351 be reprinted, which motion prevailed.

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

**MADAM PRESIDENT:** The House respectfully requests the return of: SB 2258.

#### MOTION

**SEN. MATHERN MOVED** that SB 2258 be returned to the House, which motion prevailed.

#### MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

**MR. SPEAKER:** The Senate accedes to the House request for the return of: SB 2258.

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

**MADAM PRESIDENT:** The Speaker has signed: SB 2104.

#### MOTION

**SEN. MATHERN MOVED** that the Senate be on the Fifth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, March 1, 1993, which motion prevailed.

#### DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bill was delivered to the Governor for his approval at the hour of 2:04 p.m., February 26, 1993: SB 2104.

#### REPORT OF STANDING COMMITTEE

**SCR 4047:** Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS

and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4047 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

SCR 4055: Human Services Committee (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4055 was placed on the Sixth order on the calendar.

Page 1, line 22, after the semicolon insert "and"

Page 1, after line 22, insert:

"WHEREAS, the Governor's Commission on Children and Adolescents at Risk studied services to children and has written the Children and Adolescents at Risk report;"

Page 2, line 3, after "study" insert ", using the Children and Adolescents at Risk report as a guide,"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

SCR 4056: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4056 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

SCR 4063: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4063 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

SCR 4064: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4064 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

SCR 4065: Political Subdivisions Committee (Sen. Graba, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4065 was placed on the Tenth order on the calendar.

**REPORT OF STANDING COMMITTEE**

SCR 4067: Human Services Committee (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4067 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "mothers" with "parents"

Page 1, line 21, replace "mothers" with "parents"

Renumber accordingly

**REPORT OF STANDING COMMITTEE**

SCR 4070: Political Subdivisions Committee (Sen. Graba, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4070 was placed on the Tenth order on the calendar.

## REPORT OF STANDING COMMITTEE

SCR 4071: Political Subdivisions Committee (Sen. Graba, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4071 was placed on the Tenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1035: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1035 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1036: Appropriations Committee (Sen. Tallackson, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1036 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1037: Appropriations Committee (Sen. Tallackson, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1037 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1072: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1072 was placed on the Sixth order on the calendar.

Page 13, line 20, after "member" insert "or a beneficiary"

Renumber accordingly

## REPORT OF STANDING COMMITTEE

HB 1076: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1076 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1083, as engrossed: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1083 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1093, as engrossed: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1093 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1101: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1101 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1132: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1132 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1143: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1143 was placed on the Fourteenth order on the calendar.

## REPORT OF STANDING COMMITTEE

HB 1145: Natural Resources Committee (Sen. Keller, Chairman) recommends DO

PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1145 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1148: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1148 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1157: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1157 was placed on the Sixth order on the calendar.

Page 1, line 13, after the underscored period insert "A corporation registered with the secretary of state is not subject to this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1182: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1182 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "five" with "four"

Page 1, line 3, remove "assaults on dairy inspectors,"

Page 25, line 28, replace "The" with "Upon notification, the"

Page 26, remove lines 8 through 14

Page 27, line 8, replace "37" with "36"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1188: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1188 was placed on the Sixth order on the calendar.

Page 1, line 10, replace "1996" with "2000"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1243: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1243 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1256: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1256 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1263: Natural Resources Committee (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1263 was placed on the Sixth order on the calendar.

Page 1, line 17, remove "two"

Page 1, line 18, remove "percent and not", overstrike "more than", and replace "five" with "two"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1308: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1308 was placed on the Sixth order on the calendar.

Page 1, line 9, remove "earning or"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1314: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1314 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1355: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1355 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1379: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1379 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1380: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1380 was placed on the Sixth order on the calendar.

Page 2, line 5, after "person" insert "or unremarried surviving spouse"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1390: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO NOT PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1390 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1408: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1408 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1409: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1409 was placed on the Fourteenth order on the calendar.

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

CAROL SIEGERT, Secretary