

JOURNAL OF THE SENATE

Fifty-fourth Legislative Assembly

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Bismarck, March 17, 1995

The Senate convened at 10:30 a.m., with President Myrdal presiding.

The prayer was offered by Fr. David McCauley, Church of the Nativity, Fargo.

The roll was called and all members were present except Senators Mushik and Wogsland.

A quorum was declared by the President.

CORRECTION AND REVISION OF THE JOURNAL

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

Page 945, line 26, remove ", HCR 3018"

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

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1077, HB 1136, HB 1195, HB 1206, HB 1238, HB 1251, HB 1277, HB 1299, HB 1302, HB 1321, HB 1324, HB 1327, HB 1338, HB 1340, HB 1361, HB 1365, HB 1370, HB 1377, HB 1384, HB 1393, HB 1397.

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

MADAM PRESIDENT: The Speaker has signed and your signature is respectfully requested on: HB 1058, HB 1183, HB 1239, HB 1417, HB 1425, HB 1440, HB 1450, HB 1451, HB 1458, HB 1484, HCR 3008, HCR 3020, HCR 3022, HCR 3045.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4029, SCR 4030, SCR 4040.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2150, SCR 4010, SCR 4021, SCR 4027, SCR 4031, SCR 4033, SCR 4047, SCR 4050, SCR 4052, SCR 4053.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1086, HB 1099, HB 1173, HB 1175, HB 1187, HB 1196, HB 1247, HB 1263.

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

MR. SPEAKER: The Senate has failed to pass: HB 1241.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1149, HB 1155, HB 1163, HB 1165, HB 1236, HB 1253, HB 1274, HB 1329, HB 1496.

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

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HCR 3011.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2001, SB 2002, SB 2007, SB 2041, SB 2054, SB 2160, SB 2263, SB 2283, SB 2344.

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

MADAM PRESIDENT: The House has failed to pass: SB 2386, SB 2517.

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

MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2402, SB 2475.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2402

Page 1, line 2, after "bidders" insert "; and to declare an emergency"

Page 2, after line 12, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2475

Page 1, line 5, replace "moneys in" with "interest earnings of" and replace "general" with "veterans' postwar trust"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 540 - ADJUTANT GENERAL

HOUSE - This amendment changes the funding source for making bonus payments to eligible veterans from the general fund to the interest earnings of the veterans' postwar trust fund.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2072, SB 2155, SB 2198, SB 2270, SB 2332, SB 2342, SB 2352, SB 2430, SB 2438, SB 2439, SB 2453, SB 2482, SB 2524, SCR 4026.

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2072

Page 6, line 19, after "moose" insert "without charge"

Page 6, line 20, remove "and payment of the fee requirement for a resident big game license"

Page 6, line 23, remove the overstrike over "only upon"

Page 6, line 24, remove the overstrike over "that land."

Page 6, line 26, remove "within the"

Page 6, remove line 27

Page 6, line 28, remove "located."

Page 7, line 20, after "subsection" insert "and who is successful in harvesting a moose"

Page 7, line 23, after the period insert "Notwithstanding this subsection, if a person other than the transferee of license eligibility is unsuccessful in harvesting a moose under this subsection, that person may return the unused license to the department and is eligible to apply for, but not transfer an additional license to hunt moose in future years. A person who receives a second license under this subsection is not eligible to participate in the North Dakota game warden association raffle under section 20.1-08-04.2."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2155

Page 1, line 7, after "deadline" insert ", not to exceed thirty days,"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2198

Page 1, line 2, remove "5-03-03,"

Page 1, line 3, after "pubs" insert "; and to repeal section 5-03-03 of the North Dakota Century Code, relating to bonding of beer or liquor wholesalers"

Page 3, line 17, remove "two to three gallon"

Page 3, line 18, after "containers" insert "that are no larger than three gallons"

Page 3, remove lines 19 through 25

Page 4, after line 4, insert:

"SECTION 5. REPEAL. Section 5-03-03 of the North Dakota Century Code is repealed."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2270

Page 1, line 4, after "43-29-09" insert "and subsection 8 of section 43-29-13"

Page 1, line 6, after "examiners" insert "and persons not considered to be engaging in the practice of veterinary medicine"

Page 3, after line 18, insert:

"SECTION 3. AMENDMENT. Subsection 8 of section 43-29-13 of the North Dakota Century Code is amended and reenacted as follows:

8. Those who render auxiliary or supporting assistance under the responsible supervision of a North Dakota licensed veterinarian, such as veterinary aids, nurses, laboratory technicians, ~~veterinary technicians~~, interns, or other employees of such licensed practitioners."

Page 3, line 22, replace "be" with "have an examination date offered"

Page 3, line 23, remove "examined"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2332

Page 1, line 3, after the second comma insert "and" and remove ", and 16.1-15-44"

Page 1, line 5, after the second comma insert "and" and remove ", and voting"

Page 1, line 6, remove "abstracts"

Page 10, remove lines 21 through 29

Page 11, remove lines 1 through 6

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2342

Page 4, line 14, replace "cestui que trust" with "a third-party beneficiary"

Page 4, line 29, remove "In the absence of an express prohibition in the trust"

Page 5, line 1, replace "instrument, the" with "The"

Page 5, line 11, after "institution" insert "and trust"

Page 5, line 13, after the first "compensation" insert ", and the relationship of ownership"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2352

Page 2, line 26, replace "plaintiff's" with "foreclosing party's"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2430

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact two new subsections to section 25-03.1-40 of the North Dakota Century Code, relating to rights of patients; and to amend and reenact section 25-03.1-24 of the North Dakota Century Code, relating to the right to treat.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 25-03.1-24 of the North Dakota Century Code is amended and reenacted as follows:

25-03.1-24. Right to treat. State hospital or treatment facility personnel ~~shall be able to~~ may treat a patient with prescribed medication or a less restrictive alternative if, in the opinion of a psychiatrist or physician, these treatments are necessary to prevent bodily harm to the patient or others or to prevent imminent deterioration of the respondent's physical or mental condition and there is not time to obtain a court order. ~~Nothing in this~~ This chapter ~~may be deemed to~~ does not prohibit a hospital from rendering emergency medical care without the need for consultation, if in the exercise of sound medical judgment that care is immediately necessary for the well-being of the patient and delay would endanger the life of or adversely and substantially affect the health of the patient.

SECTION 2. Two new subsections to section 25-03.1-40 of the 1993 Supplement to the North Dakota Century Code are created and enacted as follows:

In a manner appropriate to the patient's capabilities, to ongoing participation in the planning of services.

Not to be required to participate in the development of an individual treatment plan."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2438

Page 1, line 13, after the third comma insert "or"

Page 1, line 14, replace "; a home health care pharmacy, or a clinic pharmacy" with "in which a patient's medical records are readily available to the licensed physician and the licensed pharmacist"

Page 1, line 20, replace "filed with" with "approved by"

Page 1, after line 21, insert:

- "3. The agreement must include a provision that requires the licensed pharmacist to immediately notify the licensed physician when the licensed pharmacist initiates or modifies a drug therapy."

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

ReNUMBER accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2439

Page 1, line 6, after "26.1-36-12" insert ", 50-24.1-02.3,"

Page 1, line 7, after "to" insert "pre-need funeral plans and"

Page 2, line 19, remove "to"

Page 2, line 29, replace "employers" with "employees"

Page 3, line 2, remove "to"

Page 3, line 7, after the underscored comma insert "withhold"

Page 3, line 8, remove "must be withheld"

Page 7, after line 29, insert:

"SECTION 7. AMENDMENT. Section 50-24.1-02.3 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

50-24.1-02.3. When pre-need funeral plan not to be considered in eligibility determination. In determining eligibility for medical assistance ~~or fuel assistance~~, the department of human services may not consider as an available resource any prepayments or deposits which total three thousand dollars or less, and the interest accrued thereon, made ~~under a pre-need funeral service contract~~ and maintained by an applicant for or recipient of medical assistance ~~or fuel assistance~~ in a fund, not commingled with any other funds, designated by the applicant or recipient as set aside to pay for the applicant's or recipient's funeral. A pre-need funeral service contract deposit is not a multiple-party account for purposes of chapter 30.1-31. No claim for payment of funeral expenses may be made against the estate of a deceased medical assistance ~~or fuel assistance~~ recipient except to the extent that ~~prepayments or deposits on pre-need funeral service contracts~~ funds maintained in accordance with this section total less than one thousand four hundred dollars."

ReNUMBER accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2453

Page 1, line 20, after "for" insert "a" and remove "or judicial district"

Page 2, remove lines 23 through 28

Page 3, remove lines 1 and 2

ReNUMBER accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2482

Page 1, line 3, replace "medical" with "forensic"

Page 1, line 5, replace "medical" with "forensic"

Page 1, line 10, replace "medical" with "forensic"

Page 1, line 13, replace "medical" with "forensic"

Page 2, line 6, replace "medical" with "forensic"

Page 2, line 7, replace "medical" with "forensic"

Page 2, line 22, replace "medical" with "forensic"

Page 2, line 24, replace "medical" with "forensic"

Page 2, line 25, replace "medical" with "forensic"

Page 3, line 3, replace "medical" with "forensic"

Page 3, line 4, replace "medical" with "forensic"

Page 3, line 12, replace "medical" with "forensic"

Page 3, line 13, replace "medical" with "forensic"

Page 3, line 25, replace the first "medical" with "forensic" and replace the second "medical" with "forensic"

Page 4, line 6, replace "medical" with "forensic"

Page 4, line 8, replace "medical" with "forensic"

Page 4, line 9, replace the first "medical" with "forensic" and replace the second "medical" with "forensic"

Page 4, line 17, replace "medical" with "forensic"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2524

Page 2, line 24, replace "The" with "Fifty percent of the annual gross income from irrigated cropland must be considered additional expense of production and may not be included in computation of the"

Page 2, line 26, remove "must be based on annual gross income produced on nonirrigated"

Page 2, line 27, remove "cropland in the county"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 4026

Page 1, line 22, remove ", including the possibility of"

Page 1, line 23, remove "divestiture of the state's interest in the enterprise"

Renumber accordingly

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

MADAM PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1054, HB 1141, HB 1184, HB 1189, HB 1216.

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

MADAM PRESIDENT: The House does not concur in the Senate amendments to HB 1353 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1353: Reps. Lloyd; Brown; Dobrinski

COMMUNICATION FROM GOVERNOR EDWARD T. SCHAFER

This is to inform you that on March 17, 1995, I signed the following: SB 2373, SB 2379, and SB 2451.

MOTION

SEN. GOETZ MOVED that the rules be suspended and that, after action taken on the Sixth order today, all bills on that order be placed on the Fourteenth order for immediate second reading and final passage, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1027: SEN. WATNE (Judiciary Committee) MOVED that the amendments on SJ pages 973-974 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1027: A BILL for an Act to provide for the sentencing of offenders to the custody of the department of corrections and rehabilitation and to rename the state industrial school the North Dakota youth correctional center; to create and enact a new subsection to section 1-01-49 and a new section to chapter 12-47 of the North Dakota Century Code, relating to the definition of penitentiary and the authority of the warden; to amend and reenact sections 11-15-25, 12-46-01, 12-46-13, 12-46-15, 12-46-17, 12-46-18, 12-47-11, 12-47-12, 12-47-17, 12-47-21, 12-48-01, 12-55-31, 12-59-16, 12.1-32-02, 19-03.1-23, subsection 5 of section 27-20-31, section 27-20-32, subsection 2 of section 27-20-36, subsection 2 of section 27-20-37, and section 44-04-04 of the North Dakota Century Code, relating to commitment of offenders to custody of the department of corrections and rehabilitation; and to repeal chapter 12-51 of the North Dakota Century Code, relating to the Missouri River correctional center.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1027, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1083, as engrossed: SEN. KRAUTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 974 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1083: A BILL for an Act to amend and reenact section 34-14-02 of the North Dakota Century Code, relating to the time of payment of wages by employers.

ROLL CALL

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

read, the roll was called and there were 47 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1083, as amended, passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

HB 1172, as engrossed: SEN. KRAUTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 974 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1172: A BILL for an Act to amend and reenact sections 13-04.1-02, 43-23-05, 43-23-06.1, 43-23-07, subsection 1 of section 43-23-08, sections 43-23-09, 43-23-10, 43-23-12, 43-23-13, and 43-23-13.1 of the North Dakota Century Code, relating to the definition of money broker and mortgage broker exceptions; and to provide an effective date.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1172, as amended, passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that HB 1291, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1309, as engrossed: SEN. MATHERN (Human Services Committee) MOVED that the amendments on SJ pages 975-976 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1309: A BILL for an Act to amend and reenact sections 50-25.1-03 and 50-25.1-13 of the North Dakota Century Code, relating to persons required to report child abuse and neglect; and to provide a penalty.

ROLL CALL

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

read, the roll was called and there were 33 YEAS, 13 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Krauter; Krebsbach; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Malewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; St. Aubyn; Tallackson; Thane; Tomac; Traynor; Watne; Yockim

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

ABSENT AND NOT VOTING: Kringstad; Mushik; Wogsland

Engrossed HB 1309, as amended, passed and the title was agreed to.

MOTION

SEN. G. NELSON MOVED that the Senate reconsider its action whereby Reengrossed HB 1050, as amended, passed.

REQUEST

SEN. MATHERN REQUESTED a recorded roll call vote on the motion to reconsider the action whereby Reengrossed HB 1050, as amended, passed, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby Reengrossed HB 1050, as amended, passed, the roll was called and there were 28 YEAS, 19 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Mushik; Wogsland

So the motion to reconsider the action whereby Reengrossed HB 1050, as amended, passed, prevailed.

REQUEST

SEN. MATHERN REQUESTED a ruling by the President in regard to whether a majority or constitutional majority is necessary to reconsider a bill at this time.

RULING BY THE PRESIDENT

THE PRESIDENT RULED that a majority of the members-elect is required for reconsideration.

Reengrossed HB 1050, as amended, was placed on the Fourteenth order for reconsideration.

MOTION

SEN. ST. AUBYN MOVED that the Senate reconsider its action whereby the amendments to Reengrossed HB 1050, as printed on lines 20-29 of SJ page 971, were adopted.

REQUEST

SEN. KRAUTER REQUESTED a recorded roll call vote on the motion, which request was granted.

ROLL CALL

The question being on the motion to reconsider the action whereby the amendments to Reengrossed HB 1050, as printed on lines 20-29 of SJ page 971, were adopted, the roll was called and there were 27 YEAS, 20 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Mushik; Wogsland

So the motion to reconsider the action whereby the amendments to Reengrossed HB 1050, as printed on lines 20-29 of SJ page 971, were adopted, prevailed.

Reengrossed HB 1050, as amended, was placed on the Fourteenth order for immediate second reading.

SECOND READING OF HOUSE BILL

HB 1050: A BILL for an Act to create and enact two new sections to chapter 23-01, two new sections to chapter 23-17.5, a new chapter to title 26.1, two new sections to chapter 26.1-36, a new chapter to title 32, and two new sections to chapter 50-24.1 of the North Dakota Century Code, relating to the health council, cost and quality review program, modifying preexisting conditions limitations, providing for guaranteed renewal of health insurance products, modified community rating, insurance reimbursement to advanced registered nurse practitioners, establishing a standard benefits package, establishing limits on damages and contingency fees and providing for alternative dispute resolution for medical malpractice claims, and expanding medical assistance; to amend and reenact sections 23-01-02, 23-17.5-01, 23-17.5-02, 23-17.5-03, 23-17.5-04, 23-17.5-07, 23-17.5-08, 23-17.5-10, 23-17.5-11, subdivision a of subsection 1 of section 26.1-08-05, subsection 2 of section 26.1-08-05, subdivision a of subsection 1 of section 26.1-08-06, subsection 2 of section 26.1-08-06, subsection 9 of section 26.1-17-01, subsection 1 of section 26.1-36-04, subdivision e of subsection 2 of section 26.1-36-04, sections 26.1-36-05, 26.1-36-22, subsections 11 and 23 of section 26.1-36.3-01, and subsection 1 of section 26.1-36.3-04 of the North Dakota Century Code, relating to membership of the health council, supervision of health care provider cooperatives, maximum lifetime benefits of a qualified health coverage plan, guaranteed renewal of health insurance products, modified community rating, insurance reimbursement to advanced registered nurse practitioners, and expansion of medical assistance coverage; to repeal section 26.1-17-12.1 of the North Dakota Century Code, relating to insurance reimbursement for nurses; to provide a penalty; to provide an appropriation; to provide for application and retroactive application; to provide for a legislative council study; and to declare an emergency.

ROLL CALL

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

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

NAYS: Yockim

ABSENT AND NOT VOTING: Mushik; Wogsland

Reengrossed HB 1050, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF AMENDMENTS

HB 1334, as engrossed: SEN. WATNE (Political Subdivisions Committee) MOVED that the amendments on SJ page 976 be adopted and then be placed on the Fourteenth order with **DO PASS**.

REQUEST

SEN. NAADEN REQUESTED a verification vote, which request was granted.

The proposed amendments, as printed on SJ page 976, lost on a verification vote. Engrossed 1334 was placed on the Fourteenth order for immediate second reading.

SECOND READING OF HOUSE BILL

HB 1334: A BILL for an Act relating to the killing or injury of certified, law enforcement support dogs; and to provide a penalty.

ROLL CALL

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

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

NAYS: DeMers; LaFountain; Mathern; Nelson, C.; Scherber

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1334 passed and the title was agreed to.

MOTION

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

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

CONSIDERATION OF AMENDMENTS

HB 1487, as engrossed: SEN. LEE (Political Subdivisions Committee) MOVED that the amendments on SJ pages 976-977 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1487: A BILL for an Act relating to lease requirements in and conditions of mobile home parks.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 19 YEAS, 28 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1487, as amended, lost.

SECOND READING OF SENATE BILL

SB 2538: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to medical assistance.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 41 YEAS, 6 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bowman; Mutch; Naaden; Stenehjem, B.; Streibel; Tennefos

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed SB 2538 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4038: A concurrent resolution to create and enact a new section to article IV of the Constitution of North Dakota, relating to a fiscal note requirement for legislative bills having a negative fiscal impact upon cities, counties, or school districts.

ROLL CALL

The question being on the final adoption of the resolution, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 4 YEAS, 43 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Freborg; Kinnoin; Krauter; Nelson, C.

NAYS: Andrist; Bowman; Christmann; DeMers; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Mutch; Naaden; Nalewaja; Nelson, G.;

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

ABSENT AND NOT VOTING: Mushik; Wogsland

SCR 4038 lost.

MOTION

SEN. GOETZ MOVED that SCR 4042, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1045: A BILL for an Act to amend and reenact section 15-65-02 of the North Dakota Century Code, relating to membership of the North Dakota educational telecommunications council.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 35 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: DeMers; Heinrich; Heitkamp; Holmberg; Kelsh; Krauter; Lindaas; Mathern; Nelson, C.; Scherber; Tomac; Yockim

NAYS: Andrist; Bowman; Christmann; Freborg; Goetz; Grindberg; Kinnoin; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Nething; O'Connell; Redlin; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Tennefos; Thane; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1045, as amended, lost.

MOTION

SEN. GOETZ MOVED that HB 1257, HB 1337, and HB 1344, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1036: A BILL for an Act to amend and reenact section 15-36-11 of the North Dakota Century Code, relating to teacher certification; to repeal section 15-36-07 of the North Dakota Century Code, relating to citizenship requirements for teacher certification; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 36 YEAS, 11 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kelsh; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mathern; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Redlin; Robinson; Sand; Scherber; St. Aubyn; Stenehjem, W.; Tallackson; Thane; Tomac; Traynor; Wanzek; Watne; Yockim

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

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1036, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1030: A BILL for an Act to amend and reenact section 50-06-14.3 of the North Dakota Century Code, relating to basic care facility rates.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1030 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1074: A BILL for an Act to amend and reenact sections 50-06-01, 50-06-01.3, 50-06-05.1, 50-06-16, and 50-16-17 of the North Dakota Century Code, relating to the human services advisory board; and to repeal section 50-06-01.6 of the North Dakota Century Code, relating to the creation of and membership of the human services advisory board.

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 31 YEAS, 16 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: DeMers; Heinrich; Heitkamp; Kelsh; Kinnoin; Krauter; LaFountain; Langley; Mathern; Nelson, C.; Redlin; Robinson; Scherber; Tomac; Watne; Yockim

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1074 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1075: A BILL for an Act to amend and reenact section 15-28-03 of the North Dakota Century Code, relating to the terms of office of school board members.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1075 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1117: A BILL for an Act to create and enact a new section to chapter 54-12 of the North Dakota Century Code, relating to authorizing the attorney general to enter into agreements for criminal history record and identification purposes.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1117 lost.

SECOND READING OF HOUSE BILL

HB 1160: A BILL for an Act to repeal section 50-09-02.3 of the North Dakota Century Code, relating to a waiver from the federal government to allow employment incentives for recipients of aid to families with dependent children benefits.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: DeMers; Heinrich; Heitkamp; LaFountain; Nelson, C.; O'Connell; Scherber; Yockim

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1160 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1180: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to the issuance of local permits by a governing body to conduct raffles, sports pools, or bingo.

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 25 YEAS, 21 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bowman; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Krebsbach; Langley; Lee; Lindaas; Lips; Mathern; Nalewaja; Nelson, C.; O'Connell; Robinson; Schobinger; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Tallackson; Thane; Traynor; Urlacher; Watne

NAYS: Andrist; Christmann; Freborg; Goetz; Heinrich; Krauter; Kringstad; LaFountain; Mutch; Naaden; Nelson, G.; Nething; Redlin; Sand; Scherber; Solberg; Streibel; Tennefos; Tomac; Wanzek; Yockim

ABSENT AND NOT VOTING: DeMers; Mushik; Wogsland

HB 1180 passed and the title was agreed to.

MOTION

SEN. GOETZ MOVED that HB 1217, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1218: A BILL for an Act to create and enact a new section to chapter 12.1-32 of the North Dakota Century Code, relating to sentencing of violent offenders; and to amend and reenact sections 12-54.1-01, 12-54.1-03, subsection 12 of section 12.1-32-02, and section 12.1-32-09 of the North Dakota Century Code, relating to sentence reductions for good or meritorious conduct, presentence investigations, and extended sentences for special dangerous or habitual offenders.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1218 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1264: A BILL for an Act to amend and reenact section 6-03-70 of the North Dakota Century Code, relating to the publication of call reports by state banking associations.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO NOT PASS, the roll was called and there were 40 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Andrist; Krauter; Mutch; Nething; Schobinger; Streibel; Thane

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1264 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1269: A BILL for an Act to amend and reenact section 34-06-11 of the North Dakota Century Code, relating to posting of notices by the commissioner of labor.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1269 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1271: A BILL for an Act to amend and reenact subsection 8 of section 6-03-02 of the North Dakota Century Code, relating to fees charged by banks for the use of electronic funds transfer equipment.

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 42 YEAS, 5 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Heinrich; LaFountain; Solberg; Stenehjem, B.; Streibel

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1271 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1279: A BILL for an Act to amend and reenact sections 34-14-11, 34-14-12, and 34-14-13 of the North Dakota Century Code, relating to reciprocal agreements between states for collection of wages and collection actions.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1279 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1287: A BILL for an Act to create and enact a new section to chapter 65-02 of the North Dakota Century Code, relating to requiring a hearing officer of the workers compensation bureau to be a person licensed to practice law in this state.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1287 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1292: A BILL for an Act to amend and reenact subsection 2 of section 11-13-12 of the North Dakota Century Code, relating to recording of instruments transferring property on which taxes are unpaid or delinquent.

ROLL CALL

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

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

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1292 lost.

SECOND READING OF HOUSE BILL

HB 1315: A BILL for an Act to amend and reenact section 51-12-09 of the North Dakota Century Code, relating to representation as to worth or value as false advertising.

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, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Wogsland

Engrossed HB 1315 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1328: A BILL for an Act to create and enact section 10-25-06.1 of the North Dakota Century Code, relating to the merger of North Dakota nonprofit corporations with foreign nonprofit corporations.

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

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

ABSENT AND NOT VOTING: LaFountain; Mushik; Wogsland

HB 1328 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1330: A BILL for an Act to create and enact sections 45-10.1-07.1 and 45-11-03.1 of the North Dakota Century Code, relating to the

registration of a general partner of a limited partnership and registration of a general partner filing a fictitious name certificate.

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

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

ABSENT AND NOT VOTING: LaFountain; Mushik; Wogsland

HB 1330 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1331: A BILL for an Act to amend and reenact sections 47-25-01 and 47-25-02 of the North Dakota Century Code, relating to registration of trade names.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 8 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Christmann; DeMers; Freborg; Goetz; Grindberg; Heinrich; Heitkamp; Holmberg; Kinnoin; Krauter; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lindaas; Lips; Mutch; Nalewaja; Nelson, C.; Nelson, G.; Nething; Redlin; Robinson; Sand; Scherber; Schobinger; Solberg; St. Aubyn; Tallackson; Tennefos; Thane; Tomac; Traynor; Urlacher; Wanzek; Watne

NAYS: Kelsh; Mathern; Naaden; O'Connell; Stenehjem, B.; Stenehjem, W.; Streibel; Yockim

ABSENT AND NOT VOTING: Mushik; Wogsland

HB 1331 passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1332: A BILL for an Act to create and enact a new section to chapter 10-28 of the North Dakota Century Code, relating to annual reports for nonprofit corporations; to amend and reenact sections 10-24-09, 10-27-09, and subsection 15 of section 10-28-01 of the North Dakota Century Code, relating to registered agents of North Dakota nonprofit corporations and change of fees paid by nonprofit corporations for annual reports; and to provide an effective date.

ROLL CALL

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

YEAS: Goetz; Grindberg; Heitkamp; Holmberg; Kinnoin; Krebsbach; Kringstad; LaFountain; Langley; Lee; Lips; Mutch; Nalewaja; Nelson, G.; Redlin; Robinson; Scherber; Schobinger; Solberg; St. Aubyn; Stenehjem, B.;

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

NAYS: Andrist; Bowman; Christmann; DeMers; Freborg; Heinrich; Kelsh; Krauter; Lindaas; Mathern; Naaden; Nelson, C.; O'Connell; Sand; Streibel; Tomac; Yockim

ABSENT AND NOT VOTING: Mushik; Nething; Wogsland

Engrossed HB 1332 passed and the title was agreed to.

MOTION

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

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

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. THANE MOVED that the Senate do not concur in the House amendments to Engrossed SB 2037 as printed on SJ page 931 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2037: Sens. B. Stenehjem, Lee, DeMers.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do not concur in the House amendments to Engrossed SB 2074 as printed on SJ pages 911-912 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2074: Sens. Freborg, Christmann, Yockim.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TENNEFOS MOVED that the Senate do not concur in the House amendments to Engrossed SB 2081 as printed on SJ pages 945-948 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2081: Sens. Tennefos, Christmann, Tomac.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. THANE MOVED that the Senate do not concur in the House amendments to Engrossed SB 2087 as printed on SJ page 856 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2087: Sens. Bowman, Lee, DeMers.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do not concur in the House amendments to Engrossed SB 2088 as printed on SJ pages 871-872 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2088: Sens. Christmann, Kringstad, Heitkamp.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. NUTCH MOVED that the Senate do not concur in the House amendments to Engrossed SB 2133 as printed on SJ page 856 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2133: Sens. Andrist, Sand, Langley.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do not concur in the House amendments to Engrossed SB 2142 as printed on SJ page 817 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2142: Sens. Freborg, Christmann, Krauter.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do not concur in the House amendments to Engrossed SB 2143 as printed on SJ pages 881-882 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2143: Sens. Christmann, Kringstad, Heitkamp.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. URLACHER MOVED that the Senate do not concur in the House amendments to Reengrossed SB 2149 as printed on SJ page 872 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Reengrossed SB 2149: Sens. Lee, Watne, Mathern.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do not concur in the House amendments to SB 2159 as printed on SJ page 804 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2159: Sens. Wanzek, Grindberg, Heinrich.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TENNEFOS MOVED that the Senate do not concur in the House amendments to SB 2207 as printed on SJ page 817 and that a conference committee be appointed to meet with a like committee from the House.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2207: Sens. Teneffos, Christmann, Heitkamp.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. B. STENENJEM MOVED that the Senate do not concur in the House amendments to SB 2247 as printed on SJ page 872 and that a conference committee be

appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2247: Sens. B. Stenehjem, Schobinger, O'Connell.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do not concur in the House amendments to SB 2338 as printed on SJ page 857 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2338: Sens. Traynor, Watne, LaFountain.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. THANE MOVED that the Senate do not concur in the House amendments to SB 2480 as printed on SJ page 846 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2480: Sens. Lee, Bowman, Yockim.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to Engrossed SB 2194 as printed on SJ page 845, which motion prevailed on a voice vote.

Engrossed SB 2194, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2194: A BILL for an Act to amend and reenact subsections 3 and 4 of section 12.1-32-07 of the North Dakota Century Code, relating to community constraints and conditions as intermediate measures to avoid probation revocation; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2194, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KREBSBACH MOVED that the Senate do concur in the House amendments to SB 2220 as printed on SJ page 817, which motion prevailed on a voice vote.

SB 2220, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2220: A BILL for an Act to amend and reenact subsection 7 of section 55-08-05, sections 55-08-06, and 55-08-06.2 of the North Dakota Century Code, relating to motor vehicle and senior citizen passport park entrance fees.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 41 YEAS, 4 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Heitkamp; Krauter; O'Connell; Stenehjem, B.

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

SB 2220, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. B. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2223 as printed on SJ page 804, which motion prevailed on a voice vote.

SB 2223, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2223: A BILL for an Act to amend and reenact subsection 2 of section 39-21-44 of the North Dakota Century Code, relating to the transportation of hazardous materials by fertilizer or agricultural chemical retailers.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

SB 2223, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2267 as printed on SJ page 845, which motion prevailed on a voice vote.

SB 2267, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2267: A BILL for an Act to amend and reenact section 54-55-01 of the

North Dakota Century Code, relating to membership on the commission on uniform state laws; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Thane; Wogsland

SB 2267, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENENJEM MOVED that the Senate do concur in the House amendments to Engrossed SB 2278 as printed on SJ page 857, which motion prevailed on a voice vote.

Engrossed SB 2278, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2278: A BILL for an Act to provide for the care and treatment of persons with intractable pain by the use of controlled substances.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Solberg; Tallackson; Wogsland

Engrossed SB 2278, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KREBSBACH MOVED that the Senate do concur in the House amendments to Engrossed SB 2304 as printed on SJ page 882, which motion prevailed on a voice vote.

Engrossed SB 2304, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2304: A BILL for an Act to provide for a legislative council study of access to certain telecommunications records.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 40 YEAS, 4 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: Solberg; Stenehjem, B.; Streibel; Tennefos

ABSENT AND NOT VOTING: Goetz; Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2304, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to Engrossed SB 2315 as printed on SJ page 845, which motion prevailed on a voice vote.

Engrossed SB 2315, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2315: A BILL for an Act to provide a penalty for hazing.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2315, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to Engrossed SB 2334 as printed on SJ page 846, which motion prevailed on a voice vote.

Engrossed SB 2334, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2334: A BILL for an Act to create and enact a new section to chapter 14-08.1 of the North Dakota Century Code, relating to suspension of an occupational or professional license for nonpayment of child support.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 40 YEAS, 5 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

NAYS: Naaden; Schobinger; Solberg; Streibel; Wanzek

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2334, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. W. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2354 as printed on SJ page 857, which motion prevailed on a voice vote.

SB 2354, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2354: A BILL for an Act to amend and reenact section 16.1-08.1-03.1 of the North Dakota Century Code, relating to campaign contribution statements filed by persons promoting passage or defeat of initiated or referred measures.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

SB 2354, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to Engrossed SB 2360 as printed on SJ page 872, which motion prevailed on a voice vote.

Engrossed SB 2360, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2360: A BILL for an Act to create a new section to chapter 26.1-07 of the North Dakota Century Code, relating to hearing on petition and duties of the insurance commissioner; to amend and reenact sections 26.1-07-01, 26.1-07-02, and 26.1-07-04 of the North Dakota Century Code, relating to consolidation or reinsurance of domestic insurance companies; and to repeal section 26.1-07-05 of the North Dakota Century Code, relating to hearings on petition and duties of the insurance commissioner.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2360, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. THANE MOVED that the Senate do concur in the House amendments to Engrossed SB 2418 as printed on SJ page 804, which motion prevailed on a voice vote.

Engrossed SB 2418, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2418: A BILL for an Act to provide for the transporting of nonresident chemically dependent patients; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Lee; Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2418, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do concur in the House amendments to Engrossed SB 2433 as printed on SJ pages 912-913, which motion prevailed on a voice vote.

Engrossed SB 2433, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2433: A BILL for an Act to amend and reenact section 34-12-03 of the North Dakota Century Code, relating to unfair labor practices.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 31 YEAS, 13 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

NAYS: DeMers; Heinrich; Heitkamp; Krauter; LaFountain; Lindaas; Mathern; Nelson, C.; O'Connell; Robinson; Scherber; Tomac; Yockim

ABSENT AND NOT VOTING: Kelsh; Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2433, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. THANE MOVED that the Senate do concur in the House amendments to Engrossed SB 2461 as printed on SJ page 846, which motion prevailed on a voice vote.

Engrossed SB 2461, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2461: A BILL for an Act to create and enact a new section to chapter 50-24.1 of the North Dakota Century Code, relating to remedies to ensure prompt compliance by nursing facilities with requirements of the medical assistance program.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2461, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. THANE MOVED that the Senate do concur in the House amendments to Engrossed SB 2489 as printed on SJ page 831, which motion prevailed on a voice vote.

Engrossed SB 2489, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2489: A BILL for an Act to create and enact a new section to chapter 25-16 of the North Dakota Century Code, relating to depreciation recapture from treatment or care centers for the developmentally disabled.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2489, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. BOWMAN MOVED that the Senate do concur in the House amendments to SB 2521 as printed on SJ page 817, which motion prevailed on a voice vote.

SB 2521, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2521: A BILL for an Act to provide for landowner immunity from liability for injuries incurred while using a road located on the landowner's property; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

SB 2521, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. FREBORG MOVED that the Senate do concur in the House amendments to Engrossed SCR 4007 as printed on SJ page 934, which motion prevailed on a voice vote.

Engrossed SCR 4007, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4007: A concurrent resolution directing the Legislative Council to study the delivery and effectiveness of, and costs associated with, professional growth and development programs for teachers.

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

Engrossed SCR 4007, as amended, was declared adopted on a voice vote, and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TENNEFOS MOVED that the Senate do concur in the House amendments to SB 2336 as printed on SJ page 965, which motion prevailed on a voice vote.

SB 2336, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2336: A BILL for an Act to amend and reenact section 47-18-05.1 of the North Dakota Century Code, relating to property exempted from a homestead exemption waiver.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 44 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Krauter; Mushik; Nething; Tallackson; Wogsland

SB 2336, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TENNEFOS MOVED that the Senate do concur in the House amendments to Engrossed SB 2416 as printed on SJ page 965, which motion prevailed on a voice vote.

Engrossed SB 2416, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2416: A BILL for an Act to amend and reenact section 57-40.3-05.1 of the North Dakota Century Code, relating to a motor vehicle seller's certificate furnished by a seller to a purchaser; and to provide an effective date.

ROLL CALL

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

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

NAYS: Christmann

ABSENT AND NOT VOTING: Mushik; Nething; Tallackson; Wogsland

Engrossed SB 2416, as amended, passed and the title was agreed to.

SEVENTH ORDER OF BUSINESS

SEN. KRAUTER MOVED that the report of the MINORITY on SCR 4019 be substituted for the report of the MAJORITY, which motion failed.

MOTION

SEN. TRAYNOR (Joint Constitutional Revision Committee) MOVED that the amendments to SCR 4019 on SJ page 918, as recommended by the MAJORITY of the committee be adopted and then be placed on the Eleventh order with DO NOT PASS, which motion prevailed.

Engrossed SCR 4019 was placed on the Eleventh order for immediate second reading.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4019: A concurrent resolution for the amendment of sections 12 and 13 of article V, section 3 of article IX, and section 12 of article X of the Constitution of North Dakota, relating to the office of state treasurer and the department of labor; to repeal section 15 of article XII of the Constitution of North Dakota, relating to the duties of the state treasurer on issuance of legal tender by banks in the state; to provide for application; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended resolution, which has been read, the roll was called and there were 5 YEAS, 39 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Grindberg; Redlin; Solberg; Stenehjem, W.; Yockim

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

ABSENT AND NOT VOTING: Kinnoin; Mushik; Nething; Tallackson; Wogsland

Engrossed SCR 4019 lost.

MOTION

SEN. GOETZ MOVED that HB 1337, which is on the Fourteenth order, be rereferred to the Finance and Taxation Committee, which motion prevailed. Pursuant to Sen. Goetz's motion, HB 1337 was rereferred.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2194, SB 2220, SB 2223, SB 2267, SB 2278, SB 2304, SB 2315, SB 2334, SB 2354, SB 2360, SB 2418, SB 2433, SB 2461, SB 2489.

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

MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2336, SB 2416, SB 2521, SCR 4007.

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2037, SB 2074, SB 2081, SB 2087, SB 2088, SB 2133, and SB 2142 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2037: Sens. B. Stenehjem; Lee; DeMers
 SB 2074: Sens. Freborg; Christmann; Yockim
 SB 2081: Sens. Tennefos; Christmann; Tomac

SB 2087: Sens. Bowman; Lee; DeMers
 SB 2088: Sens. Christmann; Kringstad; Heitkamp
 SB 2133: Sens. Andrist; Sand; Langley
 SB 2142: Sens. Freborg; Christmann; Krauter

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

MR. SPEAKER: The Senate does not concur in the House amendments to SB 2143, SB 2149, SB 2159, SB 2207, SB 2247, SB 2338, and SB 2480 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2143: Sens. Christmann; Kringstad; Heitkamp
 SB 2149: Sens. Lee; Watne; Mathern
 SB 2159: Sens. Wanzek; Grindberg; Heinrich
 SB 2207: Sens. Tennefos; Christmann; Heitkamp
 SB 2247: Sens. B. Stenehjelm; Schobinger; O'Connell
 SB 2338: Sens. Traynor; Watne; LaFountain
 SB 2480: Sens. Lee; Bowman; Yockim

MOTION

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

MOTION

SEN. GOETZ 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 10:30 a.m., Monday, March 20, 1995, which motion prevailed.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3011: A concurrent resolution for the amendment of subsection 1 of section 6 of article VIII and sections 12 and 13 of article IX of the Constitution of North Dakota, relating to the names, locations, and missions of the institutions of higher education.
 Has been heard by the **Joint Constitutional Revision Committee**.

REPORT OF STANDING COMMITTEE

SCR 4064: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, 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 Sixth order on the calendar.

Page 1, line 11, replace "will" with "could"

Page 1, line 17, remove the second "and"

Page 1, line 18, after "council" insert ", and alternative methods for administering the state's educational telecommunications delivery systems"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1031, as engrossed: Human Services Committee (Sen. Thane, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1031 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "or revocation"

Page 1, line 5, remove "or revocation"

Page 1, line 10, remove "or revocation"

Page 1, line 15, remove "or revoke"

Page 1, line 17, remove "or revoke"

Page 1, line 19, remove "or revoked"

Page 1, line 21, after the underscored period insert "Except for statistical purposes, an entry on the driving record or abstract of a suspension under this section after the suspension ceases may not be available to the public other than by order of a court of competent jurisdiction. A suspension under this section is not subject to the financial responsibility reporting requirements."

Page 2, line 19, remove "or revoked"

Page 2, line 21, replace "39-06-06" with "39-06.1-11"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1032, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1032 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and"

Page 1, line 5, after "proceedings" insert "; to provide an effective date; and to declare an emergency"

Page 1, after line 20, insert:

- "3. "Donor" means a woman whose body produced an egg for the purposes of assisted conception, but does not include a woman whose body produces an egg used for the purpose of conceiving a child for that woman.
4. "Gestational carrier" means a woman who enters into an agreement to have an embryo implanted in her and bear the resulting child for intended parents, where the embryo is conceived by using the egg and sperm of the intended parents."

Page 2, line 1, replace "3" with "5"

Page 2, line 4, replace "4" with "6" and after "child" insert "or, if pregnancy resulted from assisted conception, the woman who is the donor but not the woman who is the gestational carrier"

Page 2, line 5, replace "5" with "7"

Page 2, line 9, replace "6" with "8"

Page 2, line 23, after "paternity" insert ", signed by both parents,"

Page 4, line 7, replace "Prior to discharge from the hospital, the" with "The"

Page 6, line 13, replace "due" with ":

a. Due"

Page 6, line 15, after "established" insert "; or

b. Upon a showing that continued enforcement of a judgment based on an acknowledgment of paternity made under this chapter would be manifestly unjust and unconscionable to all parties; that the party seeking relief was prevented

by fraud or fraudulent concealment from discovering the claim for relief; and that the claim is commenced within one year after the claim was discovered or might, in the exercise of diligence, have been discovered"

Page 7, line 18, after "5." insert "A voluntary acknowledgment of paternity executed under this Act.

6."

Page 7, after line 18, insert:

"SECTION 4. EFFECTIVE DATE. Sections 1 and 2 of this Act become effective April 1, 1995, if the fifty-fourth legislative assembly adjourns sine die on or before March 31, 1995, but otherwise become effective July 1, 1995.

SECTION 5. EMERGENCY. This Act is declared to be an emergency measure."

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1041, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1041 was placed on the Sixth order on the calendar for immediate second reading.

Page 1, line 1, after "A Bill" replace the remainder of the of the bill with "for an Act to create and enact a new section to chapter 15-22 of the North Dakota Century Code, relating to the duties of county superintendents of schools.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 15-22 of the North Dakota Century Code is created and enacted as follows:

County superintendents of schools - Assignment of duties. Notwithstanding any other provision of law, a board of county commissioners may by majority vote choose not to employ a county superintendent of schools and may assign, to one or more qualified persons, all statutory duties of county superintendents of schools. The assignment of duties must be set forth in a written plan, and the plan must be approved by a majority of the presidents of school boards whose districts include land in the county. The assignment of duties must be made in accordance with guidelines developed by the superintendent of public instruction. The superintendent of public instruction shall submit such guidelines to the legislative council for approval on or before August 1, 1995."

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1052, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1052 was placed on the Sixth order on the calendar.

Page 3, line 15, replace "two" with "one"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1116, as engrossed: Industry, Business and Labor Committee (Sen. Mutch,

Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1116 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "sections 23-13-03.2, 23-13-03.3," and after "and" insert "section"

Page 1, line 4, remove "unauthorized filling,"

Page 1, remove lines 5 through 6

Page 3, remove lines 1 through 29

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1134: Finance and Taxation Committee (Sen. Tennefos, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1134 was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to provide limitations on production incentives for ethanol plants;"

Page 2, after line 5, insert:

"SECTION 2. Duration and limitation of ethanol plant production incentives. Notwithstanding any other provision of law, an ethanol plant may not receive production incentives except as permitted under this section.

1. An ethanol plant that was in operation before July 1, 1995, may not receive production incentives in the form of direct payments from the state for more than five fiscal years of operation after June 30, 1995. An ethanol plant that begins operation after June 30, 1995, may not receive production incentives in the form of direct payments from the state for more than ten fiscal years of operation. After December 31, 2007, the state may not provide production incentives in the form of direct payments to any ethanol plant.
2. An ethanol plant that produced fewer than fifteen million gallons [56,781,000 liters] of ethanol in the previous fiscal year may receive up to one million dollars in production incentives from the state for production in a fiscal year. An ethanol plant that produced fifteen million gallons [56,781,000 liters] or more of ethanol in the previous fiscal year may receive up to five hundred thousand dollars in production incentives from the state for production in a fiscal year."

Page 2, line 9, replace "1997" with "2000"

Page 2, line 15, replace "1996" with "1999" and replace "2" with "3"

Page 2, line 17, replace "2" with "3"

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1138: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1138 was placed on the Sixth order on the calendar.

Page 1, line 2, after "6-09.4-03" insert ", section 6-09.4-06,"

Page 1, line 3, after "bank" insert ", the lending powers of the municipal bond bank,"

Page 2, after line 25, insert:

"c. The Bank of North Dakota, for purposes of the revolving loan fund program established by chapter 61-28.2.

SECTION 3. AMENDMENT. Section 6-09.4-06 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6-09.4-06. Lending and borrowing powers generally. The bond bank ~~is authorized to~~ may lend money to political subdivisions through the purchase and holding of municipal securities which, in the opinion of the attorney general, are properly eligible for purchase by the bond bank under this chapter and for which the principal amount of any one issue does not exceed two hundred thousand dollars. However, the bond bank may lend money to political subdivisions, through the purchase and holding of securities issued by the political subdivisions without regard to the principal amount of the bonds issued, if the industrial commission approves a resolution that authorizes the bond bank to purchase and hold the securities. The authorizing resolution must state that the industrial commission has determined that private bond markets will not be responsive to the needs of the issuing political subdivision concerning the securities or, if it appears that the securities can be sold through private bond markets without the involvement of the bond bank, the authorizing resolution must state reasons for the bond bank's involvement in the bond issue. The bond bank may hold such municipal securities for any length of time it finds to be necessary. The bond bank, for the purposes authorized by this chapter, ~~is authorized to~~ may issue its bonds payable solely from the revenues available to the bond bank which are authorized or pledged for payment of bond bank obligations, and to otherwise assist political subdivisions as provided in this chapter.

The bond bank may lend money to the Bank of North Dakota under terms and conditions requiring the Bank to use the proceeds to make loans for agricultural improvements that qualify for assistance under the revolving loan fund program established by chapter 61-28.2.

Bonds of the bond bank issued under this chapter are not in any way a debt or liability of the state and do not constitute a loan of the credit of the state or create any debt or debts, liability or liabilities, on behalf of the state, or constitute a pledge of the faith and credit of the state, but all such bonds are payable solely from revenues pledged or available for their payment as authorized in this chapter. Each bond must contain on its face a statement to the effect that the bond bank is obligated to pay such principal or interest, and redemption premium, if any, and that neither the faith and credit nor the taxing power of the state is pledged to the payment of the principal of or the interest on such bonds. Specific funds pledged to fulfill the bond bank's obligations are obligations of the bond bank.

All expenses incurred in carrying out the purposes of this chapter are payable solely from revenues or funds provided or to be provided under this chapter and nothing in this chapter may be construed to authorize the bond bank to incur any indebtedness or liability on behalf of or payable by the state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1151, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1151 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsections 9 and" with "subsection"

Page 1, line 2, after "27-20-02" insert "and section 39-20-01" and replace "definitions" with "definition"

Page 1, line 3, remove "traffic offense,", remove the second comma, and after the first "and" insert "to"

Page 1, line 6, replace "Subsections 9 and" with "Subsection"

Page 1, line 7, replace "are" with "is"

Page 1, remove lines 8 through 16

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1168, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1168 was placed on the Sixth order on the calendar.

Page 10, line 25, remove "economic development, tourism,"

Page 16, line 9, after "~~organizations~~" insert "organization" and remove the overstrike over "~~that~~"

Page 16, line 10, after "~~conform~~" insert "conforms" and remove the overstrike over "~~to the requirements of this chapter~~"

Page 16, line 11, remove "organization" and overstrike "as follows:"

Page 16, overstrike lines 12 through 15

Page 16, line 16, overstrike "safety organization."

Page 16, line 26, remove the overstrike over the period

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1210, as engrossed: Natural Resources Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1210 was placed on the Sixth order on the calendar.

Page 1, line 15, replace "file a plat of the reclaimed site" with "record an accurate plat certified by a registered surveyor showing the location of the well and a notice that an abandoned reserve pit may be on the location"

Page 1, line 17, replace ", together with a description" with ". A plat filed for record in accordance with this section may be recorded without acknowledgment or further proof as required by chapter 47-19 and without the auditor's certificate referred to in section 11-18-02."

Page 1, remove line 18

ReNUMBER accordingly

REPORT OF STANDING COMMITTEE

HB 1214: Political Subdivisions Committee (Sen. Uriacher, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1214 was placed on the Sixth order on the calendar.

Page 9, line 1, overstrike "Outdoor show and carnival" and insert immediately thereafter "Carnivals"

Page 9, line 2, overstrike "outdoor show," and overstrike the second and third commas

Page 9, line 9, overstrike "or"

Page 9, line 10, overstrike "show," and overstrike the second comma

Page 9, line 11, overstrike the period and insert immediately thereafter "or some other civic-sponsored festival or outdoor event; or"

Page 9, after line 11, insert:

"3. The circus or carnival is held outside the boundaries of the county in which the fair or exposition is held."

Page 9, line 12, overstrike "outdoor show," and overstrike the second comma

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1220: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1220 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "to create and enact a new section to chapter 51-14 of the"

Page 1, remove line 2

Page 1, remove lines 17 through 22

Page 2, remove lines 1 through 4

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1225, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1225 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1228: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1228 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1252, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1252 was placed on the Sixth order on the calendar.

Page 2, line 12, remove "objectively viewed"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HB 1256, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1256 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1286, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1286 was placed on the Sixth order on the calendar for immediate second reading.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact section 28-25-11 of the North Dakota Century Code, relating to the suspension of an occupational or professional license for nonpayment of a defaulted state guaranteed student loan.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 28-25-11 of the North Dakota Century Code is amended and reenacted as follows:

28-25-11. Property applied - Wages exempt - Suspension of occupational or professional license for nonpayment of defaulted state guaranteed student loans.

1. The judge may order any property of the judgment debtor not exempt from execution in the hands either of himself the judgment debtor or of any other person or due the judgment debtor to be applied towards the satisfaction of the judgment, except that the earnings of the debtor for his the debtor's personal services at any time within sixty days next preceding the order cannot be so applied when it is made to appear, by the debtor's affidavit or otherwise, that such the earnings are necessary for the use of a family supported wholly or partly by his the debtor's labor.
2. If the debt for which a judgment is entered is for a guaranteed student loan, the court, after considering the factors in subsection 1, shall address and make specific findings on the issue of whether the judgment debtor has an occupational or a professional certificate license or permit issued by or on behalf of the state or any occupational or professional boards, which the judgment debtor is required to obtain before engaging in the judgment debtor's occupation or profession. The court, based on principles of fairness, including consideration of whether the judgment debtor has been unjustly enriched, may suspend a judgment debtor's certificate, license, or permit. Following a decision to suspend a judgment debtor's certificate, license, or permit, the court shall notify the judgment debtor that the decision becomes final thirty days after the notification unless the judgment debtor satisfies the entire outstanding payment due or makes regular payment on the judgment in a manner and at times satisfactory to the court. The court shall notify the proper licensing authority of the court's decision to suspend a judgment debtor's certificate, license, or permit. A certificate, license, or permit suspended by an order issued under this section may be reissued only by order of the court. An appeal by a judgment debtor who has had a certificate, license, or permit suspended under this section is an appeal from the court's order and may not be appealed to the licensing authority."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1290, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1290 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1317, as engrossed: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1317 was placed on the Sixth order on the calendar.

Page 16, line 22, replace "district court" with "state engineer"

Page 18, line 2, after the period insert "A water supply agreement entered by a nonprofit corporation or cooperative association is binding for its term on a successor district organized by the nonprofit corporation or cooperative association, unless otherwise agreed in writing by all parties to the agreement."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1322: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1322 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1339, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1339 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1355, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1355 was placed on the Sixth order on the calendar.

Page 4, after line 21, insert:

"12. An organization shall disburse net proceeds within the period prescribed by rule."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1360, as engrossed: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1360 was placed on the Sixth order on the calendar.

Page 2, line 11, remove the overstrike over "for the", after "three-year" insert "prescribed", and remove the overstrike over "period"

Page 2, line 13, overstrike "for", remove "the prescribed", and overstrike "period"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1362: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1362 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1363, as engrossed: Political Subdivisions Committee (Sen. Urlacher, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1363 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1369, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1369 was placed on the Sixth order on the calendar.

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

Page 1, line 7, replace "Two" with "Three"

Page 1, after line 8, insert:

"Declaration of legislative findings and intent.

1. The legislative assembly finds that products liability reforms enacted in 1979, 1987, and 1993 have provided a needed degree of certainty in the laws governing civil actions against product manufacturers and sellers.
2. In recent years it has become increasingly evident that there are still serious problems with the current civil justice system. As a result, there is an urgent need for additional legislation to establish clear and predictable rules with respect to certain matters relating to products liability actions.
3. The purpose of the following sections is to clarify and improve the method of determining responsibility for the payment of damages in products liability litigation; to restore balance and predictability between the consumer and the manufacturer or seller in product liability litigation; to bring about a more fair and equitable resolution of controversies in products liability litigation; to reenact a statute of repose to provide a reasonable period of time for the commencement of products liability litigation after a manufacturer or seller has parted with possession of its product; to address problems that have been created by judicial interpretation of our previous enactments; to enact, with minor changes, several provisions of former chapter 28-01.1; and to simplify and provide an increased degree of certainty and predictability to our products liability laws."

Page 1, line 10, replace "There" with "Except as provided in subsections 4 and 5, there"

Page 1, after line 22, insert:

- "4. An action to recover damages based on injury allegedly resulting from exposure to asbestos composed of chrysotile, amosite, crocidolite, tremolite, anthrophyllite, actinolite, or any combination thereof, must be commenced within three years after the injured person has been informed of discovery of the injury by competent medical authority and that the injury was caused by exposure to asbestos as described in this subsection, or within three years after the discovery of facts that would reasonably lead to the discovery, whichever is earlier. No action commenced under this subsection based on the doctrine of strict liability in tort may be commenced or maintained against any seller of a product that is alleged

to contain or possess a defective condition unreasonably dangerous to the buyer, user, or consumer unless the seller is also the manufacturer of the product or the manufacturer of the part of the product claimed to be defective.

5. An action to recover damages based on injury to property allegedly resulting from the presence of products containing asbestos fibers of any type must be commenced within six years of the date upon which the owner of that property knew or should have known of facts giving rise to the cause of action."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1373: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1373 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1375, as engrossed: Natural Resources Committee (Sen. Traynor, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1375 was placed on the Sixth order on the calendar.

Page 2, line 4, replace "two" with "one" and remove "fifty"

Page 2, line 5, replace "76.20" with "30.48"

Page 2, line 25, replace "two" with "one"

Page 2, line 26, remove "fifty" and replace "76.20" with "30.48"

Page 2, line 27, remove the fourth underscored comma

Page 2, line 28, after "nonmotorized" insert an underscored comma

Page 3, line 8, replace "two" with "one", remove "fifty", and replace "76.20" with "30.48"

Page 3, line 10, remove the second underscored comma and after "nonmotorized" insert an underscored comma

Page 3, line 27, replace "two" with "one", remove "fifty", and replace "76.20" with "30.48"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1435: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1435 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1441, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1441 was placed on the Sixth order on the calendar for immediate second reading.

Page 1, line 1, replace "a" with "two", replace "section" with "sections", and replace the second "and" with ", a new section to chapter 6-08,"

Page 1, line 2, after "6-08.3" insert ", and chapter 6-08.4"

Page 1, line 4, after the first "sections" insert "6-01-02, 6-01-09," after the first comma insert "6-01-17.1," and after the second comma insert "6-01-18,"

Page 1, line 5, remove "6-03-11," and remove "6-03-14.1,"

Page 1, line 8, remove "subsection 7 of section 6-01-17.1," and after the second comma insert "6-03-14.1,"

Page 1, line 10, remove "6-08.3-07, 6-08.3-08, 6-08.3-09,"

Page 1, replace lines 14 through 19 with:

"SECTION 1. AMENDMENT. Section 6-01-02 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6-01-02. Definitions. As used in this title, unless the context or subject matter otherwise requires:

1. "Association", "banking association", or "state banking association" means any corporation organized under the laws of this state covering state banking associations, and all corporations, limited liability companies, partnerships, firms, or associations whose business in whole or in part consists of the taking of money on deposit, except national banks, trust companies, and the Bank of North Dakota.
2. "Bank" means any national bank, national banking association, corporation, state bank, state banking association, or savings bank, whether organized under the laws of this state or of the United States, engaged in the business of banking.
3. "Bank holding company" means bank holding company as defined in 12 U.S.C. 1841(a)(1).
4. "Banking" means the business of receiving deposits, making loans, discounting commercial paper, issuing drafts, traveler's checks, and similar instruments, handling and making collections, cashing checks and drafts, and buying and selling exchange.
- ~~4-~~ 5. "Banking department" means the state department of banking and financial institutions.
- ~~5-~~ 6. "Banking institution" means any bank, trust company, or bank and trust company organized under the laws of this state.
7. "Branch" means a place of business where deposits are received, checks paid, or money lent as a result of a bank that was merged into another bank pursuant to an interstate merger.
- ~~6-~~ 8. "Commissioner" means the commissioner of banking and financial institutions.
- ~~6-1-~~ 9. "Corporate central credit union" means a credit union operated for the primary purpose of serving corporate accounts. A credit union is deemed to be a corporate central credit union when its total dollar amount of outstanding corporate loans plus corporate share and deposit holdings is equal to or greater than seventy-five percent of its outstanding loans plus share and deposit holdings.
- ~~7-~~ 10. "Credit union" means a cooperative, nonprofit association organized for the purposes of encouraging thrift among its

members, creating a source of credit at a fair and reasonable rate of interest, and providing an opportunity for its members to improve their economic and social condition.

- 7-1- 11. "Financial institution" means any bank, industrial loan company, or savings and loan association organized under the laws of this state or of the United States.
12. "Merger" or "merge" means the merging or consolidation of two or more banks including the purchase of all or substantially all of the assets and assumption of liabilities of a bank, facility, or branch.
- 8- 13. "Mutual investment corporation" or "mutual savings corporation" means a corporation organized to engage in the investment or savings business, but having no capital stock or a nominal capital stock.
- 8-1- 14. "National bank" or "national banking association" means an institution chartered by the comptroller of the currency under the National Bank Act [12 U.S.C. 24].
- 9- 15. "Trust company" means any corporation formed for the purpose of transacting business as an annuity, safe deposit, surety, or trust company.

SECTION 2. AMENDMENT. Section 6-01-09 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6-01-09. Supervision and examination by commissioner of banking and financial institutions. The commissioner shall exercise a constant supervision over the business affairs of all financial corporations and institutions ~~placed~~, out-of-state branches of financial corporations and institutions, and branches of out-of-state state-chartered banks, savings and loan associations, or savings banks within the jurisdiction of the board. Either the commissioner or one or more examiners shall visit each of the state banking associations and other corporations ~~and~~, associations placed, and branches under the commissioner's jurisdiction at least once each thirty months to examine their affairs and ascertain their financial condition. The commissioner shall inspect and verify the assets and liabilities of the institution and branches to ascertain with reasonable certainty that the value of the assets and the amounts of the liabilities are correctly carried on its books. The commissioner shall examine the validity of mortgages held by savings institutions, and shall see that all of the mortgages are properly recorded. The commissioner shall investigate the method of operation and conduct of the corporations and institutions and their systems of accounting to ascertain whether ~~such~~ the methods conform to the law and sound banking usage and principles. The commissioner shall inquire into and report any infringement of the laws governing ~~such~~ those corporations and institutions, and for ~~such~~ that purpose the commissioner may examine the officers, agents, and employees of ~~such~~ the corporations and institutions and all persons doing business therewith. The commissioner may examine, or cause to be examined, or review the books and records of any subsidiary corporation of a bank under the commissioner's supervision and may require the bank to provide information on the holding company that owns the bank. The commissioner shall report the condition of ~~such~~ the corporations and institutions, together with the commissioner's recommendations or suggestions in connection therewith, to the state banking board, and the board may take such action as, ~~in its discretion,~~ the exigencies may demand."

Page 2, line 5, overstrike the comma and replace "depository institution" with "state bank"

Page 2, line 6, remove "established under chapter 6-08.3"

Page 2, line 9, replace "depository institutions" with "state banks including the authority to enter into cooperative fee sharing agreements and assessment of associated travel costs with other state bank supervisors"

Page 2, line 20, overstrike "or" and insert immediately thereafter an underscored comma

Page 2, line 21, after "institution" insert an underscored comma

Page 2, after line 24, insert:

"SECTION 4. AMENDMENT. Section 6-01-17.1 of the 1993 Supplement to the North Dakota Century Code is amended and reenacted as follows:

6-01-17.1. Application fees - Cost of transcript. The following fees must accompany an application presented to the state banking board, state credit union board, or commissioner and must be paid by the commissioner into the financial institutions regulatory fund:

1. For a certificate of authority to organize a banking association, a fee of five thousand dollars, paid by the applicants.
2. A banking association's application for authority to remove its business to some place within the state other than the town in which it is presently located and to change its name, a fee of two thousand five hundred dollars.
3. National bank conversion to a state bank, a fee of two thousand five hundred dollars.
4. Application by two or more banks to merge or consolidate, a fee of one thousand five hundred dollars ~~for each merging bank.~~
5. Application by a person to sell, dispose, or purchase an association, banking institution, or holding company, a fee of five hundred dollars unless a hearing is held before the board in which case the fee is two thousand dollars.
6. A banking association's application to establish and operate a separate facility ~~for drive in and walkup service,~~ a fee of one thousand five hundred dollars.
7. ~~A banking association's application to establish and operate a paying and receiving station, a fee of one thousand five hundred dollars.~~
- 8- A banking association's application to establish customer electronic funds transfer centers, a fee not to exceed five hundred dollars.
- 9- 8. For a certificate of authority to organize an annuity, safe deposit, surety or trust company, a fee of five thousand dollars.
- ~~10-~~ 9. A banking association's application for authority to exercise trust powers, a fee of one thousand five hundred dollars.

- 11- 10. Application to organize a credit union, a fee of three hundred dollars, paid by the applicants.
- 12- 11. Application for a credit union to establish a branch, a fee of three hundred dollars.
- 13- 12. Application by a credit union to expand its field of membership, a fee of one hundred fifty dollars.
- 14- 13. Application by a federal credit union to convert to a state credit union, a fee of three hundred dollars.
- 15- 14. For a certificate of authority to organize a savings and loan association, a fee of five thousand dollars.
- 16- 15. A savings and loan association's application to establish and operate a branch office, a fee of one thousand five hundred dollars.

The commissioner may cause a certified transcript to be prepared for any hearing conducted on an application. The costs for the original and up to six copies of the transcript must be paid by the applicant."

Page 3, line 1, replace "depository institution" with "state bank"

Page 3, line 2, remove "established under chapter 6-08.3"

Page 3, line 14, replace "depository institution" with "state bank"

Page 3, after line 24, insert:

"SECTION 6. AMENDMENT. Section 6-01-18 of the North Dakota Century Code is amended and reenacted as follows:

6-01-18. Reports and examinations of institutions by federal deposit insurance corporation, other state supervisors, or federal reserve system. The commissioner, ~~in the commissioner's discretion,~~ may accept, in lieu of any examination authorized or required by this title to be conducted by the department of any banking institution, the examination that may have been made of ~~such the~~ institution within a reasonable period by the federal deposit insurance corporation, ~~any other state supervisor,~~ or the federal reserve system, if a copy of ~~such the~~ examination is furnished to the commissioner. The commissioner, ~~in the commissioner's discretion,~~ also may accept any report relative to the condition of any banking institution which may have been obtained by ~~said that~~ corporation or system within a reasonable period in lieu of any similar report ~~which that~~ the commissioner is authorized by this title to require of ~~such the~~ institution, if a copy of ~~such the~~ report is furnished to the commissioner. The commissioner may furnish to ~~said the~~ corporation or system, or to any official or examiner ~~thereof~~, a copy or copies of any or all examinations made of any banking institutions and of any or all reports made by them, and may give access to and disclose to ~~said the~~ corporation or system, or any official or examiner ~~thereof~~, any and all information possessed by the office of the commissioner with reference to the conditions or affairs of any ~~such~~ institution insured with the federal deposit insurance corporation. ~~Nothing in this~~ This section ~~may be construed to~~ does not limit the duty of any banking institution in this state, the deposits of which are to any extent insured under the provisions of the federal act creating the federal deposit insurance corporation, or of any amendment of or substitution for ~~the same that act,~~ to comply with the provisions of ~~said that~~ act, its amendments or substitutions, or the requirements of ~~said the~~ corporation relative to examinations and reports, nor ~~to~~ limit the

powers of the commissioner with reference to examinations and reports under this title."

Page 4, remove lines 28 and 29

Page 5, remove lines 1 through 29

Page 6, remove lines 1 through 9

Page 6, line 15, after "affiliate" insert ", subject to any requirements established by the board by rule"

Page 6, line 26, overstrike "for drive-in and walkup service"

Page 7, line 6, after the period insert "Whenever any banking institution that has been granted approval to establish and maintain a facility deems it advisable to discontinue the maintenance of the facility, the banking institution may apply to the state banking board for cancellation and the board may order the cancellation approval within the time the board specifies. The banking institution shall publish notice of the application as required by the board by rule."

Page 7, line 13, after "station" insert ", banking house or office, or drive-in and walkup facility" and replace "the effective date of this Act" with "August 1, 1996."

Page 7, line 15, replace "sections 6-03-13.1 and" with "this chapter"

Page 7, line 16, remove "6-03-13.3" and after the underscored period insert "A facility approved under this section may continue to provide from the facility those services or functions as were permitted to be provided before August 1, 1996."

Page 7, replace lines 19 through 29 with:

"SECTION 11. A new section to chapter 6-03 of the North Dakota Century Code is created and enacted as follows:

Branch conversions. Notwithstanding section 6-03-13.1, any bank organized under chapter 6-02, any national bank doing business in this state, or a bank established in this state by a bank holding company doing business in this state as of January 1, 1995, may convert a branch of a federal savings and loan association located in this state which was in existence as of March 1, 1995, purchased by the bank between January 1, 1995, and August 1, 1996, into a facility of the bank to be maintained at the same branch location if the acquisition and conversion does not violate the deposit limitations provisions contained in sections 13 and 17 of this Act and the acquisition and conversion of the branch is approved by the appropriate regulatory agencies."

Page 8, remove lines 1 and 2

Page 8, after line 20, insert:

"SECTION 13. A new section to chapter 6-08 of the North Dakota Century Code is created and enacted as follows:

Limitation on control of deposits. No financial institution or financial institution holding company may acquire direct or indirect ownership or control of more than twenty-five percent of North Dakota deposits through the direct or indirect acquisition of an interest in, ownership of, or control over another financial institution in this state. No financial institution or financial institution holding company may purchase the assets and assume the liabilities of a banking

house or facility of any financial institution located in this state if the consummation of the acquisition results in the acquiring financial institution or financial institution holding company having direct or indirect interest in, ownership of, or control over more than twenty-five percent of North Dakota deposits. No financial institution may establish a facility outside the corporate city limits of the location of the main banking house or any authorized facility if the financial institution or its financial institution holding company has a direct or indirect interest in, ownership of, or control over more than twenty-five percent of North Dakota deposits. For purposes of this chapter, "North Dakota deposits" means North Dakota deposits as that term is defined in section 6-08.3-01."

Page 9, line 9, remove "Banking institution" means a banking"

Page 9, remove line 10

Page 9, line 11, overstrike "3."

Page 9, line 12, overstrike "4." and remove "Branch" means a domestic branch as defined in section 3 of the"

Page 9, remove line 13

Page 9, line 14, replace "5" with "3"

Page 9, line 16, remove "6."

Page 9, line 23, remove "Consolidation"

Page 9, remove lines 24 through 28

Page 10, remove lines 1 and 2

Page 10, line 3, remove "7."

Page 10, line 4, remove "Default" means default as"

Page 10, remove lines 5 through 15

Page 10, line 16, remove "12.", overstrike the first quotation mark, remove "Home", and overstrike "state" means:"

Page 10, line 17, overstrike "a."

Page 10, line 19, remove "With respect to a state chartered"

Page 10, remove lines 20 and 21

Page 10, line 22, overstrike "b."

Page 10, line 23, remove "With respect to a"

Page 10, remove lines 24 through 29

Page 11, remove lines 1 through 7

Page 11, line 8, remove "13." and overstrike "'Reciprocating state" is a state that authorizes"

Page 11, line 12, remove "a banking institution to establish, maintain, and operate"

Page 11, remove lines 13 through 21

Page 11, line 22, remove "institution whose home state is a state other than this state" and overstrike the period

Page 11, line 23, remove "17.", overstrike the quotation mark, and remove "Out-of-state depository institution"

Page 11, line 24, overstrike "holding company" means a", remove "depository institution", and overstrike the second "holding"

Page 11, line 25, overstrike "company"

Page 12, line 1, remove "whose home state is a state other than North"

Page 12, line 2, remove "Dakota" and overstrike the period and insert immediately thereafter:

4. "Default" means default as defined in section 3 of the Federal Deposit Insurance Act [12 U.S.C. 1813].
5. "Depository institution" means depository institution as defined in section 3 of the Federal Deposit Insurance Act [12 U.S.C. 1813].
6. "Depository institution holding company" means depository institution holding company as defined in section 3 of the Federal Deposit Insurance Act [12 U.S.C. 1813].
7. "Deposit" means deposit as defined in section 3 of the Federal Deposit Insurance Act [12 U.S.C. 1813].
8. "Federal reserve" means the board of governors of the federal reserve system or any successor thereto.
9. "In danger of default" means in danger of default as defined in section 3 of the Federal Deposit Insurance Act [12 U.S.C. 1813].
10. "North Dakota deposits" means all deposits held at branches or offices located in this state of all depository institutions, based upon the public reports most recently filed with the appropriate regulatory agency."

Page 12, replace lines 5 through 14 with:

"Application to acquire a state-chartered bank. An out-of-state bank holding company may acquire a North Dakota state-chartered bank pursuant to the approval process applicable for in-state acquisitions and under the conditions of this chapter. An out-of-state bank holding company shall provide notice to the board at the time an application is filed with the applicable federal regulatory agency to acquire a North Dakota bank."

Page 12, replace lines 17 through 26 with:

"Reporting requirements. An out-of-state bank holding company that filed an application under chapter 6-08.3 which was approved by the board before September 29, 1995, shall comply with the reporting requirements of section 6-08.3-09 for a period of five years from the date that the application was approved or longer if extended by the board due to noncompliance with the requirements of chapter 6-08.3 or order of the board approving the application."

Page 12, line 29, remove "- Community reinvestment considerations"

- Page 13, line 1, replace "Without the prior approval of the board, neither an out-of-state" with "A"
- Page 13, line 2, remove "out-of-state"
- Page 13, line 3, remove "nor a depository institution or depository"
- Page 13, line 4, remove "institution holding company whose home state is North Dakota" and after "may" insert "not"
- Page 13, line 5, after the first underscored comma insert "or" and remove ", or otherwise engage in a"
- Page 13, line 6, remove "consolidation transaction with", after "a" insert "North Dakota", and remove "whose home"
- Page 13, line 7, remove "state is North Dakota"
- Page 13, line 8, after "a" insert "North Dakota" and remove "whose home state is North"
- Page 13, line 9, remove "Dakota"
- Page 13, line 13, replace "twenty-three" with "twenty-five" and replace "before August 1," with an underscored period
- Page 13, remove lines 14 through 25
- Page 13, line 26, replace "3" with "2" and after the second underscored comma insert "or"
- Page 13, line 27, remove "or office of thrift supervision,"
- Page 13, line 28, replace "a consolidation transaction" with "an acquisition or merger" and replace "chapter" with "title"
- Page 14, line 2, remove "consolidation" and after "acquisition" insert "or merger"
- Page 14, line 6, replace "U.S.C." with "12 U.S.C."
- Page 14, line 9, after "a" insert "state-chartered" and remove the overstrike over "bank"
- Page 14, line 10, remove "banking institution"
- Page 14, line 11, replace "depository institution" with "bank"
- Page 14, line 12, remove the overstrike over "does not"
- Page 14, line 13, remove the overstrike over "present any", remove "presents", remove the overstrike over "disapproval", remove "approval", and overstrike "in"
- Page 14, line 14, overstrike "section 6-08.3-03"
- Page 14, line 19, replace "sections" with "section" and remove "and 102"
- Page 14, line 21, overstrike "reciprocal" and remove "and branching"
- Page 14, after line 25, insert:

"SECTION 20. Chapter 6-08.4 of the North Dakota Century Code is created and enacted as follows:

6-08.4-01. Definitions. For the purposes of this chapter, unless the context otherwise requires:

1. "Bank" means insured bank as defined in 12 U.S.C. 1813(h), but the term does not include "foreign bank" as defined in 12 U.S.C. 3101(7), except any foreign bank organized under the laws of a territory of the United States, the deposits of which are insured by the federal deposit insurance corporation.
2. "Home state" means:
 - a. With respect to a national bank, the state in which the main office is located; and
 - b. With respect to a state bank, the state by which the bank is chartered.

6-08.4-02. Interstate mergers. Effective May 31, 1997, the responsible federal regulatory authority may approve a merger transaction under the Federal Deposit Insurance Act [Pub. L. 81-967; 64 Stat. 87; 12 U.S.C. 1811 et seq.] between a North Dakota bank and an out-of-state bank.

6-08.4-03. Authority of state banks to establish interstate branches by merger. Notwithstanding section 6-08.4-02, effective May 31, 1997, a North Dakota state-chartered bank, with approval of the board, may establish, maintain and operate one or more branches in a state other than this state pursuant to an interstate merger in which the North Dakota state-chartered bank is the resulting bank. An application must be filed with the board at the time an application is filed with the responsible federal regulatory authority. The North Dakota state-chartered bank must also comply with section 6-03-11. The board may approve the interstate merger if the board finds that:

1. The proposed interstate merger will not be detrimental to the safety and soundness of the resulting North Dakota state-chartered bank;
2. Any new officers and directors are qualified, and possess experience and financial responsibility to direct and manage the resulting North Dakota state-chartered bank; and
3. The proposed merger is consistent with the convenience and needs of the communities to be served by the resulting bank in this state and is otherwise in the public interest.

6-08.4-04. Interstate merger transactions and branching permitted. Effective May 31, 1997, one or more North Dakota banks may merge with one or more out-of-state banks under this chapter, and an out-of-state bank resulting from an interstate merger may maintain and operate branches of a merged North Dakota bank in this state if the conditions and filing requirements of this title are met.

6-08.4-05. Notice and filing requirements. Any out-of-state bank that will be the resulting bank pursuant to an interstate merger involving a North Dakota bank must notify and submit a copy of its interstate merger application to the board of the proposed merger not later than the date on which it files the application with the responsible federal regulatory authority.

6-08.4-06. Powers.

1. An out-of-state state-chartered bank that establishes and maintains one or more branches in this state under this

chapter may conduct any activities at the branch or branches that are authorized under the laws for North Dakota state banks, except to the extent those activities may be prohibited by the laws, rules, or orders of the home state applicable to the out-of-state state-chartered bank.

2. A North Dakota state-chartered bank may conduct any activities at any branch outside this state which are permissible for an out-of-state state-chartered bank where the branch is located, except to the extent those activities are expressly prohibited by North Dakota law, rule, or order.

6-08.4-07. Enforcement. If the board or commissioner determines that a branch maintained by an out-of-state state-chartered bank is being operated in violation of any provision of North Dakota law, or that the branch is being operated in an unsafe and unsound manner, the board or commissioner has the same authority to take all enforcement actions as if the branch were a North Dakota state-chartered bank."

Page 15, line 16, after "6-03-13.3" insert "and section 11 of this Act"

Page 16, line 1, after "6-03-13.3" insert "and section 11 of this Act"

Page 16, replace lines 6 through 19 with:

SECTION 24. REPEAL. Sections 6-03-14, 6-03-14.1, 6-03-15, 6-03-16, and 6-03-18 of the North Dakota Century Code and sections 6-03-17 and 6-03-19 of the 1993 Supplement to the North Dakota Century Code are repealed.

SECTION 25. REPEAL. Sections 6-08.3-02, 6-08.3-03, 6-08.3-05, 6-08.3-06, 6-08.3-10, 6-08.3-11, 6-08.3-12, and 6-08.3-14 of the 1993 Supplement to the North Dakota Century Code are repealed.

SECTION 26. EFFECTIVE DATE. Sections 8, 14, 15, 16, 18, 19, and 25 of this Act become effective on September 29, 1995; sections 4, 7, 9, 10, 12, 21, and 24 of this Act become effective on August 1, 1996; section 20 of this Act becomes effective on May 31, 1997; and sections 22 and 23 of this Act become effective for taxable years beginning after December 31, 1995."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1459: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). HB 1459 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1463: Human Services Committee (Sen. Thane, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1463 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "section" with "chapter"

Page 2, line 12, insert the following:

6. This section applies only to the willful failure to pay child support after the effective date of this Act.

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1473, as engrossed: Government and Veterans Affairs Committee

(Sen. Krebsbach, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1473 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1489, as engrossed: Government and Veterans Affairs Committee (Sen. Krebsbach, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1489 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1492, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1492 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3011: Joint Constitutional Revision Committee (Sen. Andrist, Chairman) recommends DO NOT PASS (7 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). HCR 3011 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3025: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3025 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HCR 3038, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HCR 3038 was placed on the Sixth order on the calendar.

Page 1, line 1, after "extent" insert "and value"

Page 1, line 5, after "district" insert "and family"

Page 1, after line 9, insert:

"WHEREAS, some school districts are now charging fees for student participation; and"

Page 1, line 17, after "extent" insert "and value"

Page 1, line 21, after "district" insert "and family"

Re-number accordingly

REPORT OF STANDING COMMITTEE

HCR 3039, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends DO PASS (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HCR 3039 was placed on the Fourteenth order on the calendar.

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

William C. Parker, Secretary