

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

* * * * *

TWENTY-FIRST DAY

Bismarck, February 1, 1983

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

The prayer was offered by Senator Rolland Redlin.

Dear God and Father, You have given us a wonderful world to live in. We pray for the wisdom to protect all You have created, for You have given mankind dominion. Help us to realize that we are our brother's keeper and that each person is made in Your image, for You have made of one blood all peoples to dwell on the face of the earth. We pray that as we deliberate, we seek your will, and as we debate we respect each other which reflects respect for You, Our God and Creator. Throughout our efforts we are thankful and praise the name of Your Son, Jesus Christ, who died to make our lives pure, and relieved the guilt of our shortcomings. Amen.

ROLL CALL

The roll was called and all Senators were present.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

MR. PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Twentieth day and finds the same to be correct.

SEN. TWETEN, Chairman

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

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

SB 2095, SB 2189, SB 2335, SB 2368, SCR 4024

Very respectfully,
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2086, SB 2096, SB 2130

Very respectfully,
LEO LEIDHOLM, Secretary

REPORTS OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly engrossed:

SB 2274, SB 2277, SB 2303, SB 2413

SEN. FRITZELL, Chairman

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

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bill and find the same correctly enrolled:

SB 2127

SEN. FRITZELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SB 2127

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the Speaker has signed:

SB 2089, SB 2090

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SB 2017, SB 2103

Very respectfully,
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

HB 1021, HB 1027, HB 1059, HB 1095, HB 1103, HB 1203,
HB 1296, HB 1301, HB 1340, HB 1392, HB 1393, HB 1412,
HB 1439, HB 1485, HB 1515, HB 1524, HB 1561

Very respectfully,
CHARLES FLEMING, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. PETERSON MOVED that the amendments to SB 2088 as recommended by the Committee on Education as printed on pages 405 and 406 of the Senate Journal be adopted, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to SB 2212 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 406-408 of the Senate Journal be adopted, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to SB 2245 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 408 of the Senate Journal be adopted, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2247 as recommended by the Committee on Industry, Business, and Labor as printed on pages 408 and 409 of the Senate Journal be adopted, which motion prevailed.

SEN. LEE MOVED that the amendments to SB 2251 as recommended by the Committee on Natural Resources as printed on page 409 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2267 as recommended by the Committee on Judiciary as printed on page 409 of the Senate Journal be adopted, which motion prevailed.

SEN. GOODMAN MOVED that the amendments to SB 2295 as recommended by the Committee on Finance and Taxation as printed on pages 409 and 410 of the Senate Journal be adopted, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to SB 2306 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 411 of the Senate Journal be adopted, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2325 as recommended by the Committee on Industry, Business, and Labor as printed on page 411 of the Senate Journal be adopted, which motion prevailed. SB 2325 has committee recommendation of DO NOT PASS.

SEN. REITEN MOVED that the amendments to SB 2359 as recommended by the Committee on Industry, Business, and Labor as printed on page 412 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2390 as recommended by the Committee on Judiciary as printed on pages 412 and 413 of the Senate Journal be adopted, which motion prevailed.

SEN. KILANDER MOVED that SB 2395 be rereferred back to the Committee on Industry, Business, and Labor, which motion prevailed.

SEN. REITEN MOVED that the amendments to SB 2399 as recommended by the Committee on Industry, Business, and Labor as printed on page 413 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2422 as recommended by the Committee on Judiciary as printed on pages 414 and 415 of the Senate Journal be adopted, which motion prevailed.

SEN. PETERSON MOVED that the amendments to SB 2427 as recommended by the Committee on Education as printed on page 415 of the Senate Journal be adopted, and that SB 2427 be rereferred to the Committee on Appropriations, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

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

Mr. President, ladies and gentlemen of the Senate: This week the United States Women's Curling Championship is being held in Grafton, North Dakota. The Grafton Curling Club is hosting the Seventh Annual U.S. Annual Women's Curling Championship.

Tonight the Governor will be in Grafton to kick off the opening festivities at 6:30.

Teams from the states of Washington, Ohio, Illinois, Minnesota, Connecticut, Alaska, Wisconsin, and North Dakota will be vying for the U.S. championship.

I'd like to inject a little personal note here, in that my younger sister, Ruth Schwencker, from Chicago is the defending U.S. Women's Curling Association champion. She will again represent the state of Illinois as their women's curling champion in the U.S. playdowns at Grafton this week.

Our North Dakota representative in the U.S. playdowns is the Rolla Curling Club. The members of this team are Janie Kakela, Cooky Bertoch, Jan Lagossee, and Eileen Mickelson.

I want the North Dakota Senate to join with me in congratulations to the Grafton Curling Club in hosting the National Women's Curling Championship. I hope you'll all join me in wishing all the teams well and the best of curling.

If you wish to watch the game of curling in Bismarck, Bismarck has a curling club and you are welcome to stop and watch the activities. It is the Capitol Curling Club and it is on your way to the Kirkwood.

The U.S. Women's Curling Championship is one of three national championships that North Dakota is hosting this year. I have a booklet here, and I invite all the members to stop by my desk and browse through the very colorful booklet for the National Women's Curling playdown. Thank you.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Education to which was referred SB 2073 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. PETERSON, Chairman

SB 2073 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred SB 2154 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 18, remove the overstrike over the word "ef"

On page 1, line 19, overstrike the words "as prescribed by the"

On page 1, line 20, overstrike the words "commission by regulation."

On page 1, line 25, delete the word "The" and insert in lieu thereof the words "five hundred dollars, plus ten dollars for each acre included in the permit application."

On page 1, delete lines 26 through 28

On page 2, delete lines 1 through 3

And renumber the lines and pages accordingly

SEN. LEE, Chairman

SB 2154 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2169 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

SB 2169 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2185 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2185 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2206 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2206 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2213 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2213 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2222 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2222 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2224 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 12, after the first word "a" insert the word "six-hour", and delete the words "offered by a"

On page 1, line 13, delete the words "commercial driver training school licensed under chapter 39-25"

On page 1, line 15, delete the word "instructor" and insert in lieu thereof the word "sponsor"

And renumber the lines accordingly

SEN. REITEN, Chairman

SB 2224 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2266 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

SB 2266 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2268 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 21, after the word "disbursements" insert the words "of an amount in excess of one hundred dollars in the aggregate"

On page 2, line 20, delete the words "been elected" and insert in lieu thereof the words "sought election"

And renumber the lines accordingly

SEN. CHRISTENSEN, Chairman

SB 2268 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2282 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "sections" insert the numerals "4-08-02, 4-08-04," and after the numerals "4-08-15" insert a comma

On page 1, after line 7, insert the following sections:

"SECTION 1. AMENDMENT. Section 4-08-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-08-02. Form of petition. The petition provided for in section 4-08-01 shall be in substantially the following form:

PETITION PROVIDING FOR LEVY FOR COUNTY AGENT WORK
 We, the undersigned, electors
 of _____ County, North Dakota, do hereby
 respectfully petition the honorable board of county
 commissioners that it levy a tax sufficient but not
 to exceed ~~one mill~~ two mills to employ a county agent
 for the purpose of carrying on county agent work in
 cooperation with the agricultural college.

SECTION 2. AMENDMENT. Section 4-08-04 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-08-04. Election held - Candidates presented to county commissioners - Funds available for county agent work. When a majority of the votes are cast for county agent work, the extension division of the agricultural college on the first day of July following the election shall present a candidate or candidates for county agent to the board of county commissioners for its selection and final approval. A sum of not less than two thousand dollars shall be made available for this purpose from county funds, but in no case shall such levy exceed ~~one mill~~ two mills."

And renumber the lines, sections, and pages accordingly

SEN. HOLMBERG, Chairman

SB 2282 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2285 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 21, delete the words "certified or"

On page 1, line 22, after the word "mail" delete the words "posted not later than ninety days after final" and insert in lieu thereof "postage prepaid, in an envelope addressed to the contractor at any place the contractor maintains an office or has a residence and posted within ninety days from the date on which the person completed the contribution giving rise to the claim"

On page 1, line 23, delete the words "acceptance of the project by the department"

And renumber the lines and pages accordingly

SEN. HOLMBERG, Chairman

SB 2285 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred SB 2287 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 9, delete the word "and" and insert in lieu thereof the word "or"

On page 1, line 12, delete the word "three" and insert in lieu thereof the word "eight" and delete the numeral "7.62" and insert in lieu thereof the numeral "20.32"

And renumber the lines accordingly

SEN. MUTCH, Chairman

SB 2287 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred SB 2294 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, delete the word "Lien" and insert in lieu thereof the word "Charge"

On page 1, line 27, delete the words "charges are a lien" and insert in lieu thereof the following: "jurisdiction may certify to the county auditor the amount of the charges imposed under this section. These charges become part of the taxes levied against the land for the ensuing year and must be collected in the same manner as other real estate taxes, and placed to the credit of the jurisdiction entitled to the charges. The taxpayer's right to appeal the assessment is governed by chapter 57-23."

On page 2, delete lines 1 and 2

And renumber the lines and pages accordingly

SEN. MUTCH, Chairman

SB 2294 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2296 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

On page 1, line 26, after the period insert the following sentence: "The removal of the levy is not subject to the requirements of subsection 3."

SEN. HOLMBERG, Chairman

SB 2296 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2320 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, delete the word "sections" and insert in lieu thereof "section", delete the numerals "2-06-14," and delete the second comma

On page 1, line 2, delete the word and numeral "and 57-15-37.1" and after the word "to" insert the word "county"

On page 1, line 3, delete the words "of regional, municipal, county, or township airports and" and insert in lieu thereof the word "for"

On page 1, delete lines 7 through 28

On page 2, delete lines 1 and 2

On page 2, line 7, remove the overstrikes from the word "~~four~~" and delete the word "two"

On page 2, line 9, after the word "city" insert the word "township."

On page 2, delete lines 11 through 21

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

SB 2320 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2326 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 3, delete the word "sirens" and insert in lieu thereof the word "systems"

On page 1, line 10, delete the word "a" and insert in lieu thereof the words "an adequate"

On page 1, line 11, delete the word "siren" and insert in lieu thereof the word "system"

On page 1, line 14, delete the words "installation of such sirens" and insert in lieu thereof the words "these systems"

On page 1, line 16, delete the word "sirens" and insert in lieu thereof the words "warning systems"

And renumber the lines accordingly

SEN. HOLMBERG, Chairman

SB 2326 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred SB 2331 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

SB 2331 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations to which was referred SB 2339 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

SB 2339 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2341 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SB 2341 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred SB 2349 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 6, after the word "penalty" insert the words "; and to declare an emergency"

On page 1, delete lines 25 through 27

On page 1, line 28, delete the words "division requirements for brucellosis vaccinations."

On page 2, line 1, overstrike the words "ten months of age" and insert immediately thereafter the words "the maximum vaccination age as prescribed in the brucellosis eradication uniform methods and rules approved and published by the United States department of agriculture, animal and plant health inspection service,"

On page 2, line 2, after the word "state" insert a comma
 " , "

On page 2, line 8, overstrike the word "recommended"

On page 2, immediately after line 20, insert the following
 new section:

"SECTION 3. EMERGENCY. This Act is hereby
 declared to be an emergency measure and is in effect
 from and after its passage and approval."

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

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

MR. PRESIDENT: Your Committee on Agriculture to which was referred
 SB 2351 has had the same under consideration and recommends that
 the same BE AMENDED AS FOLLOWS and when so amended, recommends
 the same DO PASS and be rereferred to the Committee on
 Appropriations:

On page 1, line 5, delete the words "declare an emergency:
 and insert in lieu thereof the words "provide an
 appropriation"

On page 7, delete lines 33 through 35 and insert in lieu
 thereof the following new section:

"SECTION 15. APPROPRIATION. There is hereby
 appropriated out of any moneys in the barley fund in
 the state treasury, not otherwise appropriated, the
 sum of \$900,000, or so much thereof as may be
 necessary, to the barley council for the purpose of
 carrying out the provisions of this Act for the
 biennium beginning July 1, 1983, and ending June 30,
 1985."

And renumber the lines and pages accordingly
 SEN. VOSPER, Chairman

SB 2351 was placed on the Sixth order of business on the calendar
 for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was
 referred SB 2352 has had the same under consideration and
 recommends that the same BE AMENDED AS FOLLOWS and when so
 amended, recommends the same DO NOT PASS:

On page 1, line 16, after the word "radio" insert the words
 "or television"

On page 1, line 17, delete the second word "the" and insert in lieu thereof the words "cities with populations of under five hundred"

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

And renumber the lines and pages accordingly
SEN. HOLMBERG, Chairman

SB 2352 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2364 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "loans" insert the words
"; and to declare an emergency"

On page 1, immediately after line 14, insert the following new section:

"SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines accordingly
SEN. HOLMBERG, Chairman

SB 2364 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2366 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.
SEN. WRIGHT, Chairman

SB 2366 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2381 has had the same under consideration and recommends that the same DO NOT PASS.
SEN. CHRISTENSEN, Chairman

SB 2381 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2393 has had the same under consideration and recommends that the same DO NOT PASS.
SEN. WRIGHT, Chairman

SB 2393 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2405 has had the same under consideration and recommends that the same DO PASS.

SEN. GOODMAN, Chairman

SB 2405 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2419 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

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

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2445 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "plaintiff" insert the words "; and declaring an emergency"

On page 1, immediately after line 7, insert the following new section:

"SECTION 2. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines and sections accordingly

SEN. CHRISTENSEN, Chairman

SB 2445 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred SB 2446 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

SB 2446 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2466 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

SB 2466 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred SB 2468 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

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

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2482 has had the same under consideration and recommends that the same DO PASS.

SEN. GOODMAN, Chairman

SB 2482 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred SB 2488 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LODOEN, Chairman

SB 2488 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE CONCURRENT MEMORIAL RESOLUTION

Sens. Holmberg, Goodman and Reps. Kuchera, Strinden introduced:

SCMR 1: A concurrent memorial resolution honoring the United States Air Force service personnel who in the performance of their duties lost their lives at the Grand Forks Air Force Base.

SEN. HOLMBERG MOVED that the rules be suspended, that SCMR 1 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Holmberg, Goodman and Reps. Kuchera, Strinden introduced:

SENATE CONCURRENT MEMORIAL RESOLUTION NO. 1

A concurrent memorial resolution honoring the United States Air Force service personnel who in the performance of their duties lost their lives at the Grand Forks Air Force Base.

WHEREAS, many fine young men and women are serving to protect our country as members of the United States Air Force; and

WHEREAS, on January 27, 1983, at the Grand Forks Air Force Base a B-52G Stratofortress aircraft exploded and burst into flames killing five persons and injuring eight others; and

WHEREAS, it is the intention of the Forty-eighth Legislative Assembly, as representative of all North Dakota citizens, to pay special tribute to those brave, courageous, and loyal persons who have made the supreme sacrifice which men and women of their stature have been called throughout our country's history to make for the right to be free;

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

That the Forty-eighth Legislative Assembly hereby pays solemn tribute to the following individuals for their sacrifice in giving their lives to help keep the United States free:

Airman 1st Class Robin D. Rise, Fremont, Nebraska

Airman 1st Class Michael F. McDonald, Bloomington, Illinois

Sr. Airman Robert W. Gray, Sterling, Virginia

Airman 1st Class Anthony M. Salva, Chicago, Illinois

Sr. Airman Scott A. Wicik, Tony, Wisconsin

BE IT FURTHER RESOLVED, that all North Dakota citizens extend their sorrow and deepest sympathy to the parents, spouses, and relatives of these brave people, and express their firm belief that they did not die in vain; and

BE IT FURTHER RESOLVED, that the Secretary of State send enrolled copies of this resolution to the parents and spouses of these persons to whom the people of North Dakota and this country owe so much, to the Commander of Grand Forks Air Force Base, and to the Commander of the 319th Bomb Wing.

SECOND READING OF SENATE CONCURRENT MEMORIAL RESOLUTION

SCMR 1: A concurrent memorial resolution honoring the United States Air Force service personnel who in the performance of their duties lost their lives at the Grand Forks Air Force Base.

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution.

SCMR 1 was declared adopted on a voice vote.

MOTION

SEN. HOLMBERG MOVED that the rules be suspended, that SCMR 1 be messaged to the House immediately, which motion prevailed.

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

SCMR 1

Very respectfully,
LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILL

SB 2163: A BILL for an Act to repeal section 54-14-04.3 of the North Dakota Century Code, relating to severance pay.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 0 YEAS, 53 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: None

SB 2163 was declared lost.

MOTION

SEN. NOTHING MOVED that SB 2178 be referred to the Committee on Appropriations, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2274: A BILL for an Act to amend and reenact section 15-39.1-05 of the North Dakota Century Code, relating to the board of trustees of the teachers' fund for retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2274 passed and the title was agreed to.

SB 2277: A BILL for an Act to amend and reenact section 15-40.1-07 of the North Dakota Century Code, relating to high school per-pupil payments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2277 passed and the title was agreed to.

SB 2301: A BILL for an Act to amend and reenact section 57-39.2-15 of the North Dakota Century Code, relating to length of time for sales tax determination.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 44 YEAS, 7 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Thane; Todd; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: David; Lee; Mutch; Naaden; Nelson; Tennefos; Tweten

ABSENT AND NOT VOTING: Tallackson; Wenstrom

SB 2301 passed and the title was agreed to.

SB 2303: A BILL for an Act to amend and reenact sections 28-14-03.1 and 29-17-12 of the North Dakota Century Code, relating to the size of the jury in civil and criminal cases.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wright

NAYS: Wogsland

ABSENT AND NOT VOTING: Tallackson

SB 2303 passed and the title was agreed to.

SB 2323: A BILL for an Act to amend and reenact section 57-38-29.1 of the North Dakota Century Code, relating to

the energy cost relief credit; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2323 passed and the title was agreed to.

SB 2367: A BILL for an Act to require a felon summoned to court to submit to the sheriff for identification purposes; and to amend and reenact section 12-60-10 of the North Dakota Century Code, relating to records of the bureau of criminal investigation.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2367 passed and the title was agreed to.

SB 2369: A BILL for an Act to amend and reenact section 39-08-08 of the North Dakota Century Code, relating to the duty to report motor vehicle damage to someone else's property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Moore; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell; David; Hilken; Leibhan; Meyer, D.; Naaden

ABSENT AND NOT VOTING: None

SB 2369 passed and the title was agreed to.

SB 2379: A BILL for an Act to amend and reenact sections 16.1-06-10 and 16.1-06-11 of the North Dakota Century Code, relating to the option of voting by paper ballot.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 16 YEAS, 37 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Barth; Dotzenrod; Heigaard; Miller Heinrich; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Mutch; Redlin; Satrom; Tallackson; Wogsland

NAYS: Adams; Bakewell; Berube; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Hilken; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2379 was declared lost.

SB 2383: A BILL for an Act to amend and reenact subsections 3, 5, and 10 of section 16.1-08-01, subsection 3 of section 16.1-08-02, section 16.1-08-04, subsections 2 and 6 of section 16.1-08.1-01, and section 16.1-08.1-02 of the North Dakota Century Code, relating to campaign contributions and campaign contribution statements.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 15 YEAS, 38 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Barth; Grotberg; Heigaard; Miller Heinrich; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, J.; Redlin; Satrom; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Hilken; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2383 was declared lost.

SB 2391: A BILL for an Act to amend and reenact section 6-09.2-08 of the North Dakota Century Code, relating to the disposition of earnings from certain bond funded reserve accounts and debt service accounts held by the economic development commission; and to declare an emergency.

Which has been read.

MOTIONS

SEN. REITEN MOVED that SB 2391 be amended as follows:

On page 2, after line 2, add:

"SECTION 2. EMERGENCY. This Act is hereby declared an emergency measure and is in effect from and after its passage and approval."

SEN. REITEN MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. REITEN MOVED that the rules be suspended, that SB 2391 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

ROLL CALL

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

YEAS: Adams; Bakewell; Christensen; David; Dykshoorn; Erickson; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Moore; Mutch; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Barth; Berube; Fritzell; Meyer, J.; Naaden

ABSENT AND NOT VOTING: Dotzenrod

SB 2391 passed, the title was agreed to, and the emergency clause carried.

SB 2397: A BILL for an Act to amend and reenact section 48-02-06 of the North Dakota Century Code, relating to the award of building construction contracts respectively to the lowest and best general and specific contract bidders.

Which has been read and has committee recommendation of DO NOT PASS.

MOTIONS

SEN. GROTBORG MOVED that SB 2397 be amended as follows:

On page 1, line 12, delete the word "If"

On page 1, line 13, delete the words "has solicited" and insert in place thereof "shall solicit"

On page 1, line 13, delete the words "for a contract"

On page 1, line 15, delete the words "the governing board", and insert in place thereof "and"

On page 1, line 18, after the word "contracts" insert the word "otherwise"

On page 1, line 19, after the "." after the word "specifications", insert the following language:

"The requirement for three separate bids and three separate awards of contracts may be waived when, in the judgment of the governing board, any separate contract would be too minor in scope and monetary value to be justified."

And renumber the lines accordingly.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 21 YEAS, 32 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Grotberg; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Redlin; Stromme; Tallackson; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; Barth; Christensen; David; Dykshoorn; Erickson; Fritzell; Goodman; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Satrom; Stenehjsem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: None

SB 2397 was declared lost.

SB 2403: A BILL for an Act to amend and reenact section 57-38-33 of the North Dakota Century Code, relating to assessment of additional income tax.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 41 YEAS, 12 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Fritzell; Goodman; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Moore; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjsem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Erickson; Grotberg; Lips; Meyer, D.; Meyer, J.; Mutch; Naaden; Nelson; Nething; Olson; Tweten; Vosper

ABSENT AND NOT VOTING: None

SB 2403 passed and the title was agreed to.

SB 2413: A BILL for an Act to amend and reenact section 5-01-06 of the North Dakota Century Code, relating to recovery of damages resulting from intoxication.

Which has been read.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 40 YEAS, 12 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dykshoorn; Erickson; Fritzell; Goodman; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Moore; Naaden; Nelson; Olson; Parker; Redlin; Reiten; Satrom; Stenehjerm; Streibel; Stromme; Tallackson; Todd; Tweten; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; Barth; David; Dotzenrod; Grotberg; Meyer, D.; Mutch; Peterson; Tennefos; Thane; Vosper

ABSENT AND NOT VOTING: Nething

SB 2413 passed and the title was agreed to.

SB 2433: A BILL for an Act to amend and reenact section 39-03.1-21 of the North Dakota Century Code, relating to death benefits for highway patrolmen and retirement benefits for deceased patrolmen's spouses.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 23 YEAS, 29 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Christensen; Dotzenrod; Grotberg; Heigaard; Holmberg; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, J.; Redlin; Reiten; Stenehjerm; Tallackson; Tennefos; Todd; Waldera; Walsh; Wenstrom; Wogsland

NAYS: Adams; Bakewell; David; Dykshoorn; Erickson; Fritzell; Goodman; Miller Heinrich; Hilken; Kilander; Lee; Leibhan; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Satrom; Streibel; Stromme; Thane; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Nething

SB 2433 was declared lost.

SB 2434: A BILL for an Act to amend and reenact section 15-07-20 of the North Dakota Century Code, relating to the leasing of nongrant lands by the board of university and school lands.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 51 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz; Walsh

ABSENT AND NOT VOTING: None

SB 2434 passed and the title was agreed to.

SB 2458: A BILL for an Act to amend and reenact section 54-14-04.3 of the North Dakota Century Code, relating to severance pay for state employees and officers.

Which has been read and has committee recommendation of DO NOT PASS.

MOTIONS

SEN. MATCHIE MOVED that SB 2458 be amended as follows:

On page 2, after line 28, insert the following new subsection:

"4. This section does not apply to elected officers of their appointees."

And renumber the lines accordingly.

SEN. MATCHIE MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. MATCHIE MOVED that the rules be suspended, that SB 2458 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 18 YEAS, 35 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Meyer, J.; Redlin; Satrom; Tallackson; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Holmberg; Kilander; Lee; Leibhan; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2458 was declared lost.

SB 2461: A BILL for an Act to amend and reenact section 15-39.1-26 of the North Dakota Century Code, relating to legal investments for the teachers' fund for retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 44 YEAS, 9 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Moore; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wright

NAYS: Bakewell; Heigaard; Miller Heinrich; Meyer, D.;
Meyer, J.; Mutch; Stromme; Tennefos; Wogsland

ABSENT AND NOT VOTING: None

SB 2461 passed and the title was agreed to.

SB 2462: A BILL for an Act to create and enact a new section to chapter 16.1-06 of the North Dakota Century Code, relating to the duties of the secretary of state; and to amend and reenact subsection 2 of section 16.1-01-01 of the North Dakota Century Code, relating to the duties of the secretary of state.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 23 YEAS, 30 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Barth; Berube; Dykshoorn; Grotberg; Heigaard;
Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz;
Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Redlin;
Satrom; Stromme; Tallackson; Waldera; Walsh; Wogsland;
Wright

NAYS: Adams; Bakewell; Christensen; David; Dotzenrod;
Erickson; Fritzell; Goodman; Holmberg; Kilander; Lee;
Leibhan; Lips; Moore; Mutch; Naaden; Nelson; Nething;
Olson; Parker; Peterson; Reiten; Stenehjem; Streibel;
Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom

ABSENT AND NOT VOTING: None

SB 2462 was declared lost.

SB 2467: A BILL for an Act to repeal chapter 15-20.3 of the North Dakota Century Code, relating to the postsecondary educational commission.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 1 YEA, 51 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Thane

NAYS: Adams; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjøm; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Bakewell

SB 2467 was declared lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4016: A concurrent resolution urging Congress to repeal the withholding at the source provision of the Tax Equity and Fiscal Responsibility Tax Act of 1982.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4016 was declared adopted on a voice vote.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MR. PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SCMR 1

Very respectfully,
CHARLES FLEMING, Chief Clerk

ANNOUNCEMENT

SEN. NOTHING ANNOUNCED there will be a joint session in the House at 11:30 a.m. tomorrow, concerning the Governor's revenue forecast and suggested budget changes.

FIRST READING OF HOUSE BILLS

HB 1052: A BILL for an Act to amend and reenact section 57-02-27.2 of the North Dakota Century Code, relating to the assessment of agricultural land; and to provide an effective date.

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

HB 1129: A BILL for an Act to amend and reenact section 14-15-16 of the North Dakota Century Code, relating to the issuance

of a certified copy of a decree of adoption and the release of identifying information regarding an adult sibling.

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

HB 1131: A BILL for an Act to amend and reenact sections 11-13-12, 11-13-13, and 11-18-02 of the North Dakota Century Code, relating to the prohibition against recording certain instruments prior to the payment of delinquent taxes assessed against the property described in those instruments.

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

HB 1183: A BILL for an Act to amend and reenact sections 39-24-09.1, 39-24-10, and 39-24-11 of the North Dakota Century Code, relating to the operation and enforcement of snowmobile laws; and to provide a penalty.

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

HB 1184: A BILL for an Act to amend and reenact sections 15-40.1-07 and 15-40.1-08, subsection 1 of section 15-40.2-03, sections 15-40.2-08, 15-40.2-09, and 15-40.2-10 of the North Dakota Century Code, relating to high school per-pupil payments, elementary per-pupil payments, tuition payments, residency determination in child placement cases by a three-member committee, attendance in public schools or institutions of bordering states, and reciprocal master agreements for pupil attendance in other states.

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

HB 1196: A BILL for an Act to amend and reenact subsections 1 and 2 of section 38-08.1-03.1 of the North Dakota Century Code, relating to the surety bond for geophysical exploration.

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

HB 1213: A BILL for an Act to create and enact four new sections to chapter 60-02 of the North Dakota Century Code, relating to bonds, insurance cancellation, license revocation and suspension, and credit-sale contracts of public grain warehousemen; to amend and reenact sections 60-02-01, 60-02-03, 60-02-07, 60-02-09, 60-02-10, 60-02-11, 60-02-12, 60-02-13, 60-02-14, 60-02-16, 60-02-24, 60-02-25, 60-02-30, 60-02-31, 60-02-32, 60-02-35, 60-02-36, 60-02-39, 60-02-40, and 60-02-41 of the North Dakota Century Code, relating to the license and operation of public grain warehouses; and to repeal sections 60-02-06, 60-02-08, 60-02-15, and 60-02-19 of the North Dakota Century Code, relating to track buyers and to rules and warehouse receipts for public grain warehousemen.

Was read the first time and referred to the Committee on Industry, Business, and Labor.

HB 1215: A BILL for an Act to create and enact three new sections to chapter 60-03 of the North Dakota Century Code, relating to duties of the public service commission, credit-sale contracts, and complaint procedures against roving grain or hay buyers; to amend and reenact sections 60-03-01, 60-03-02, 60-03-03, 60-03-04, 60-03-06, and 60-03-08 of the North Dakota Century Code, relating to the licensing, bonding, and regulation of roving grain or hay buyers; and to repeal sections 60-03-07 and 60-03-09 of the North Dakota Century Code, relating to rules and the revocation procedure governing roving grain or hay buyers; and to provide a penalty.

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

HB 1216: A BILL for an Act to create and enact a new section to chapter 60-04, and section 60-04-03.1 of the North Dakota Century Code, relating to possession of grain of an insolvent warehouseman and establishment of a trust fund; and to amend and reenact sections 60-04-01, 60-04-02, 60-04-03, 60-04-04, 60-04-05, 60-04-06, 60-04-07, 60-04-08, 60-04-09, and 60-04-10 of the North Dakota Century Code, relating to insolvent warehousemen and the marshaling of the trust assets of an insolvent grain warehouseman.

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

HB 1219: A BILL for an Act to create and enact a new subsection to section 55-02-01.2 of the North Dakota Century Code, relating to duties of the superintendent of the state historical board; to amend and reenact sections 55-01-02 and 55-01-06, subsections 4, 5, and 7 of section 55-02-01.2, sections 55-02-03 and 55-02-04 of the North Dakota Century Code, relating to duties of the state historical board and duties of the superintendent; and to provide an appropriation.

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

HB 1228: A BILL for an Act to amend and reenact subsection 3 of section 39-06-17 of the North Dakota Century Code, relating to restrictions upon the use of drivers' licenses issued to individuals less than sixteen years of age.

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

HB 1269: A BILL for an Act to amend and reenact section 15-40.1-08 of the North Dakota Century Code, relating to the elementary school per-pupil payments under the foundation program.

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

HB 1298: A BILL for an Act to amend and reenact section 24-08-03 of the North Dakota Century Code, relating to posting of signs on certain bridges by county commissioners.

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

HB 1322: A BILL for an Act to amend and reenact section 26-03-49 of the North Dakota Century Code, relating to the inception and expiration of policies of insurance.

Was read the first time and referred to the **Committee on Industry, Business, and Labor**.

HB 1350: A BILL for an Act to amend and reenact subsection 1 of section 57-39.2-02.1 and subsection 22 of section 57-39.2-04 of the North Dakota Century Code, relating to sales tax exemptions for hotel or motel room and tourist court accommodations.

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

HB 1353: A BILL for an Act to amend and reenact section 49-22-19 of the North Dakota Century Code, relating to judicial review of the issuance of a certificate of corridor compatibility by the public service commission.

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

HB 1372: A BILL for an Act to amend and reenact subsections 2 and 6 of section 57-38-04 of the North Dakota Century Code, relating to computation and limitation of credit for taxes paid to another state; to repeal sections 57-38-01.5, 57-38-01.6, 57-38-01.9, 57-38-01.10, 57-38-01.11, and 57-38-52 of the North Dakota Century Code, relating to income tax; and to provide an effective date.

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

HB 1378: A BILL for an Act to amend and reenact section 32-23-06 of the North Dakota Century Code, relating to the rendering of declaratory judgments.

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

HB 1386: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, to permit the award of cash prizes not exceeding three hundred dollars in raffles.

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

HB 1388: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, permitting prize winners in raffles to be determined by spinning a wheel.

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

HB 1419: A BILL for an Act to create and enact a new section to chapter 57-51 of the North Dakota Century Code, relating to the taxation of oil recovered from tank bottoms, pit oil, and salt water.

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

HB 1542: A BILL for an Act to amend and reenact section 27-20-23 of the North Dakota Century Code, relating to the service of juvenile summons.

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

MOTION

SEN. NETHING MOVED that at the conclusion of the Thirteenth order of business and after the reading of SB 2032, SB 2068, SB 2088, SB 2169, SB 2185, SB 2206, SB 2212, SB 2213, SB 2222, SB 2245, SB 2247, SB 2251, SB 2266, SB 2267, SB 2295, SB 2306, SB 2325, SB 2331, SB 2339, SB 2341, SB 2342, SB 2348, SB 2359, SB 2381, SB 2390, SB 2393, SB 2399, SB 2405, SB 2419, SB 2422, SB 2446, SB 2466, SB 2468, SB 2482, and SB 2488, the Senate adjourn and convene at 1:00 p.m., Wednesday, February 2, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary