

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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THIRTIETH DAY

Bismarck, February 14, 1983

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

The prayer was offered by Rev. Arlington Mitskog, Buxton Lutheran Parish, Buxton.

Heavenly Father, I come to You in the name of Jesus asking that You give wisdom and guidance to all of these people in order that they may make right decisions so that we may lead quiet and peaceable lives, godly and respectful in every way.

I also ask that all of us may have peace in our hearts, "the peace of God which passes all understanding." Jesus, You told us, "Peace I leave with you; My peace I give to you; not as the world gives do I give to you. Let not your hearts be troubled, neither let them be afraid." We need this for our lives, and we want this peace in our hearts. Help us to see that we find this peace in You. In Your name, Jesus. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Holmberg, Leibhan, and Mutch.

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 Twenty-ninth day and finds the same to be correct.

SEN. TWETEN, Chairman

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

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 2205, SB 2371, SB 2384, SB 2402, SB 2437, SB 2448,  
SB 2471, SB 2492

SEN. FRITZELL, Chairman

SEN. DYKSHOORN 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 reengrossed:

SB 2479

SEN. FRITZELL, Chairman

SEN. DYKSHOORN 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:

SCR 4013

SEN. FRITZELL, Chairman

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

#### SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SCR 4013

LEO LEIDHOLM, Secretary

#### 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 2162, SB 2363, SB 2421, SB 2453, SB 2454, SB 2489,  
SCR 4033, SCR 4035

Very respectfully,  
LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the Senate has amended:

HB 1071

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MADAM SPEAKER: I have the honor to return herewith the following which the President has signed:

HCR 3039

Very respectfully,  
LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE  
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 1019, HB 1068, HB 1115, HB 1309, HB 1343, HB 1360,  
HB 1399, HB 1453, HB 1455, HB 1457, HB 1471, HB 1502,  
HB 1588, HB 1631, HB 1707

Very respectfully,  
CHARLES FLEMING, Chief Clerk

HOUSE CHAMBER

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

SB 2186

Very respectfully,  
CHARLES FLEMING, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. LIPS MOVED that the amendments to SB 2003 as recommended by the Committee on Appropriations as printed on pages 716-719 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2021 as recommended by the Committee on Appropriations as printed on page 719 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2027 as recommended by the Committee on Appropriations as printed on page 720 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2033 as recommended by the Committee on Appropriations as printed on pages 720 and 721 of the Senate Journal be adopted, which motion prevailed.

SEN. LIPS MOVED that the amendments to SB 2040 as recommended by the Committee on Appropriations as printed on pages 721 and 722 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to SB 2067 as recommended by the Committee on Judiciary as printed on pages 722-733 of the Senate Journal be adopted, which motion prevailed.

SEN. PETERSON MOVED that the amendments to SB 2074 as recommended by the Committee on Education as printed on page 734 of the Senate Journal be adopted, which motion prevailed. SB 2074 has committee recommendation of DO NOT PASS.

## MOTION

SEN. TODD MOVED that the following amendments to SB 2299 be substituted for those printed on pages 673-676 of the Senate Journal and that the amendments to SB 2299 be adopted, which motion prevailed:

On page 1, line 3, delete the words "; and to provide a penalty"

On page 1, line 8, delete the words "Health care facility" and insert in lieu thereof the word "Facility", and delete the word "long-term" and insert in lieu thereof the words "skilled nursing"

On page 1, line 9, delete the word "health"

On page 1, line 10, delete the word "skilled" and insert in lieu thereof the words "boarding homes"

On page 1, line 11, delete the words "nursing care facility"

On page 1, line 13, delete the words "health care"

On page 1, line 15, delete the words "health care"

On page 1, line 18, after the period insert the following sentence: "This statement must include rights, responsibilities of both the resident and the facility, and rules governing resident conduct and must be provided to the resident or legal guardian prior to or at the time of admission to the facility."

On page 1, line 25, delete the words "health care"

On page 2, line 4, delete the word "grievances" and insert in lieu thereof the word "complaints"

On page 2, line 5, delete the words "health care"

On page 2, line 9, delete the words ", and to join with other residents or" and insert in lieu thereof a period

On page 2, delete lines 10 and 11

On page 2, line 18, delete the words "health care"

- On page 2, line 23, after the word "administrator" insert the words "or manager"
- On page 2, line 24, delete the words "health care"
- On page 2, line 25, delete the words "health care"
- On page 2, line 29, delete the words "health care"
- On page 2, line 34, delete the words "not covered by the basic per diem rates of" and insert in lieu thereof the words "provided and the charges for those services."
- On page 2, delete line 35
- On page 3, line 1, delete the words "Security Act."
- On page 3, line 5, delete the words ", unless otherwise"
- On page 3, line 6, delete the words "indicated by the resident's physician,"
- On page 3, line 9, delete the semicolon
- On page 3, delete lines 12 through 16
- On page 3, line 17, delete the letter "j" and insert in lieu thereof the letter "i"
- On page 3, line 21, delete the letter "k" and insert in lieu thereof the letter "j"
- On page 3, line 23, delete the letter "l" and insert in lieu thereof the letter "k"
- On page 3, line 34, delete the letter "m" and insert in lieu thereof the letter "l", and delete the words "deny transfer or relocation on the" and insert in lieu thereof the words "be transferred or discharged only for (1) medical reasons; (2) the resident's welfare or that of other residents; or (3) nonpayment of one's rent or fees"
- On page 3, delete line 35
- On page 4, delete lines 1 and 2
- On page 4, line 3, delete the word "reasons"
- On page 4, line 5, delete the words "health care"
- On page 4, delete lines 6 through 11

On page 4, line 12, delete the letter "o" and insert in lieu thereof the letter "m", and delete the words "be given reasonable" and insert in lieu thereof the words "receive a thirty-day"

On page 4, line 14, delete the words "a licensed or registered"

On page 4, line 15, delete the words "nurse or"

On page 4, line 16, delete the letter "p" and insert in lieu thereof the letter "n", and delete the word "unremunerated"

On page 4, line 17, delete the words "health care", and after the word "facility" and before the period insert the words ", unless agreed to by the resident or legal guardian and established in the plan of cure as being therapeutic, as deemed by a physician"

On page 4, delete lines 18 through 27

On page 4, line 28, delete the words "with a copy of the statement." and insert in lieu thereof the numeral "2.", and delete the words "health care"

On page 4, line 34, after the word "Act" and before the period insert the words "through the ombudsman program"

On page 5, delete lines 1 through 3

And renumber the lines and pages accordingly

SEN. REITEN MOVED that the amendments to SB 2350 as recommended by the Committee on Industry, Business, and Labor as printed on page 735 of the Senate Journal be adopted, which motion prevailed.

SEN. LEE MOVED that the amendments to SB 2464 as recommended by the Committee on Natural Resources as printed on page 736 of the Senate Journal be adopted, which motion prevailed.

SEN. LEE MOVED that the amendments to SB 2476 as recommended by the Committee on Natural Resources as printed on page 736 of the Senate Journal be adopted, which motion prevailed.

SEN. MUTCH MOVED that the amendments to SB 2487 as recommended by the Committee on Transportation as printed on page 736 of the Senate Journal be adopted, which motion prevailed.

SEN. LODOEN MOVED that the amendments to HB 1121 as recommended by the Committee on State and Federal Government as printed on

page 738 of the Senate Journal be adopted, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to HB 1129 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 738 of the Senate Journal be adopted, which motion prevailed.

SEN. PETERSON MOVED that the amendments to HB 1271 as recommended by the Committee on Education as printed on page 739 of the Senate Journal be adopted, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to HB 1274 as recommended by the Committee on Judiciary as printed on page 740 of the Senate Journal be adopted, which motion prevailed.

SEN. REITEN MOVED that the amendments to HB 1303 as recommended by the Committee on Industry, Business, and Labor as printed on page 740 of the Senate Journal be adopted, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Appropriations to which was referred SB 2009 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, delete the numerals "32,113,641" and insert in lieu thereof the numerals "29,809,040"
- On page 1, line 19, delete the numerals "5,690,687" and insert in lieu thereof the numerals "5,673,955"
- On page 1, line 21, delete the numerals "433,766" and insert in lieu thereof the numerals "413,152"
- On page 1, line 23, delete the numerals "46,011,831" and insert in lieu thereof the numerals "43,669,884"
- On page 1, line 24, delete the numerals "23,974,344" and insert in lieu thereof the numerals "22,925,751"
- On page 1, line 25, delete the numerals "22,037,487" and insert in lieu thereof the numerals "20,744,133"
- On page 1, line 28, delete the numerals "4,587,352" and insert in lieu thereof the numerals "4,273,435"
- On page 2, line 1, delete the numerals "4,587,352" and insert in lieu thereof the numerals "4,273,435"
- On page 2, line 4, delete the numerals "10,004,758" and insert in lieu thereof the numerals "9,369,835"

On page 2, line 9, delete the numerals "13,591,233" and insert in lieu thereof the numerals "12,956,310"

On page 2, line 10, delete the numerals "5,643,685" and insert in lieu thereof the numerals "5,238,858"

On page 2, line 11, delete the numerals "7,947,548" and insert in lieu thereof the numerals "7,717,452"

On page 2, line 12, delete the numerals "34,572,387" and insert in lieu thereof the numerals "32,735,020"

On page 2, line 13, delete the numerals "29,618,029" and insert in lieu thereof the numerals "28,164,609"

On page 2, line 14, delete the numerals "64,190,416" and insert in lieu thereof the numerals "60,899,629"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Subdivision 1

Grafton State School

The salaries and wages line item for the Grafton State School is reduced by \$2,304,601. Of this amount, \$97,222 is a reduction related to changing two FTE physician positions to four FTE nurse practitioner positions, \$63,800 is a reduction for six .5 FTE positions for which funds were previously provided in an amount equal to a full-time position, and \$2,143,579 is a reduction to provide sufficient funds in accordance with legislative salary and fringe benefit guidelines with annual increases of zero and three percent and no additional state contribution for retirement. The operating expenses line item is reduced by \$16,732, including an adjustment of \$7,970 in estimated utility costs relating to natural gas and heating fuel and minor adjustments to other operating expenses. The equipment line item is reduced by \$20,614 to provide the minimum equipment needs to meet Title XIX requirements.

The estimated income line item is decreased by \$1,048,593 to reflect adjustments to Title XIX reimbursement as a result of reduced salary and wages expenditures.

Subdivision 2

Grafton - Deinstitutionalization

The appropriation for Grafton - Deinstitutionalization is reduced by \$313,917 from the general fund. Of this amount, \$124,700 is a reduction to reflect 50 percent of the 191

new positions in the appropriation requiring single hospital insurance plans rather than all having family insurance plans, and \$189,217 is a reduction to provide sufficient funds in accordance with legislative salary and fringe benefit guidelines with annual increases of zero and three percent and no additional state contribution for retirement.

Subdivision 3

San Haven

The salaries and wages line item for San Haven is reduced by \$634,923. Of this amount, \$64,519 is a reduction due to changes in salary information since the budget was submitted, and \$570,404 is a reduction to provide sufficient funds in accordance with legislative salary and fringe benefit guidelines with annual increases of zero and three percent and no additional state contribution to retirement.

The estimated income line item is reduced by \$404,827 to reflect adjustments to Title XIX reimbursement as a result of reduced salary and wages expenditures.

SEN. LIPS, Chairman

SB 2009 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 2030 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 14, delete the numerals "1,462,207" and insert in lieu thereof the numerals "1,390,256"

On page 1, line 16, delete the numerals "96,967" and insert in lieu thereof the numerals "137,417"

On page 1, line 17, delete the numerals "1,844,807" and insert in lieu thereof the numerals "1,813,306"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The salaries and wages line item of the Geological Survey is reduced by \$71,951. This reduction will allow no funds for salary increases the first year of the biennium and funds for a three percent contingent compensation adjustment in the second year. Funds are not provided for additional state contributions to retirement.

The equipment line item is increased by \$40,450 to provide shelving for the new Core and Sample Library.

SEN. LIPS, Chairman

SB 2030 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred SB 2155 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

SB 2155 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 2173 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 numeral "65-05-12," add the numeral "65-05-13,"

On page 1, line 14, delete the word "eighty-seven" and insert in lieu thereof the word "sixty"

On page 1, after line 25, insert the following new section:

"SECTION 2. AMENDMENT. Section 65-05-13 of the 1981 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-05-13. Scheduled injuries - Permanent loss of member - Weekly compensation - Time compensation payable. If the injury causes the loss of a member, the fund shall pay to the impaired employee a weekly compensation equal to ~~forty~~ sixty dollars per week for the following periods:

1. For loss of arm at shoulder ----- 250 weeks.
2. For loss of arm at or above  
elbow ----- 220 weeks.
3. For loss of hand at or above  
wrist ----- 200 weeks.
4. For loss of thumb ----- 65 weeks.
5. For loss of second or distal  
~~phalange~~ phalanx of thumb ----- 28 weeks.
6. For loss of first finger ----- 40 weeks.

7. For loss of middle or second  
~~phalange~~ phalanx of first finger --- 28 weeks.
8. For loss of third or distal  
~~phalange~~ phalanx of first finger --- 22 weeks.
9. For loss of second finger ----- 30 weeks.
10. For loss of middle or second  
~~phalange~~ phalanx of second finger -- 22 weeks.
11. For loss of third or distal  
~~phalange~~ phalanx of second finger -- 14 weeks.
12. For loss of third finger ----- 20 weeks.
13. For loss of middle or second  
~~phalange~~ phalanx of third finger --- 16 weeks.
14. For loss of third or distal  
~~phalange~~ phalanx of third finger ---- 10 weeks.
15. For loss of fourth finger ----- 16 weeks.
16. For loss of middle or second  
~~phalange~~ phalanx of fourth finger -- 12 weeks.
17. For loss of third or distal  
~~phalange~~ phalanx of fourth finger -- 6 weeks.
18. For loss of leg at hip ----- 234 weeks.
19. For loss of leg at or above  
knee ----- 195 weeks.
20. For loss of foot at or above  
ankle ----- 150 weeks.
21. For loss of great toe ----- 30 weeks.
22. For loss of second or distal  
~~phalange~~ phalanx of great toe ----- 18 weeks.
23. For loss of any other toe ----- 12 weeks.
24. For loss of middle or second  
~~phalange~~ phalanx of any other toe -- 10 weeks.
25. For loss of third or distal  
~~phalange~~ phalanx of any other toe -- 7 weeks.
26. For loss of an eye ----- 150 weeks.
27. For loss of hearing in

- one ear ----- 50 weeks
28. For loss of hearing in  
both ears ----- 200 weeks.

The amount paid for the loss of more than one finger of one hand shall not exceed the amount provided in this schedule for the loss of a hand. For the loss of the metacarpal bone, of the palm, together with the corresponding thumb or finger, ten weeks shall be added to the number of weeks of payment. The permanent loss of use of a thumb, finger, toe, arm, hand, foot, leg, or eye shall be considered as the equivalent of the loss of such thumb, finger, toe, arm, hand, foot, leg, or eye, and compensation for partial loss of use of said parts shall be allowed on a percentage basis. Twenty-five percent additional shall be allowed as compensation for the loss of use of the master hand or any member or members thereof. The loss of any part of a ~~phalange~~ phalanx shall be considered equal to the loss of the entire ~~phalange~~ phalanx. If any employee dies from some independent cause, the right of any compensation payable under section 65-05-12 or this section, unpaid at the date of his death, shall survive and pass to his dependent spouse, minor children, parents, or his estate and in that order named.

Recovery under this section shall bar an additional award of permanent impairment for the same injury, as elsewhere provided in this chapter."

On page 2, line 19, after the period insert the words "In no case shall total death benefits exceed seventy-five thousand dollars as a result of any employee's death."

On page 3, line 7, remove the overstrike over the word "~~two~~", delete the word "three", and after the word "thousand" insert the words "five hundred"

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

SB 2173 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation to which was referred SB 2179 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 "new" insert the words "subsection to", after the word "section" insert the following: "57-02-01, three new sections"
- On page 1, line 3, after the second word "to" insert the words "valuation, assessment, and taxation of air carrier transportation property and"
- On page 1, line 6, after the numerals "57-32" and before the period insert the words "; and to amend and reenact subsection 13 of section 57-02-01 and subsections 3 and 4 of section 57-02-27 of the North Dakota Century Code, relating to definition of air carrier transportation property and assessment and taxation of air carrier transportation property"
- On page 1, after line 8, insert the following new sections:

"SECTION 1. A new subsection to section 57-02-01 of the 1981 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

"Air carrier transportation property" means the operating property of each airline whose property is assessed for taxation purposes pursuant to chapters 57-06 and 57-32.

SECTION 2. AMENDMENT. Subsections 3 and 4 of section 57-02-27 of the 1981 Special Supplement to the North Dakota Century Code are hereby amended and reenacted to read as follows:

3. All commercial, air carrier transportation, and railroad property to be valued at ten percent of assessed value.
4. All centrally assessed property, except air carrier transportation and railroad property, to be valued at fourteen percent of assessed value for the 1981 property tax year, thirteen percent of assessed value for the 1982 property tax year, twelve percent of assessed value for the 1983 property tax year, eleven percent of assessed value for the 1984 property tax year, and ten percent of assessed value for all property tax years beginning on or after January 1, 1985."

On page 1, underscore lines 11 through 17

On page 1, after line 17, insert the following new sections:

"SECTION 4. A new section to chapter 57-32 of the North Dakota Century Code is hereby created and enacted to read as follows:

Method of valuation. Aircraft of each air transportation company shall be valued on a fleet by-type basis for all fleet types operating in North Dakota at original cost depreciated on the basis of a twelve year economic life with a residual value of fifteen percent.

SECTION 5. A new section to chapter 57-32 of the North Dakota Century Code is hereby created and enacted to read as follows:

Determination of assessed value. The valuation of aircraft apportioned to this state is the proportion of the total valuation of each aircraft fleet by-type operating in North Dakota determined on the basis of the total of the following percentages for each fleet by-type:

1. Twenty percent of the percentage which the total revenue generated by passengers originating in this state during the preceding calendar year is to the total revenue generated by passengers originating within and without this state during the preceding calendar year.
2. Twenty percent of the percentage which the total tonnage of passengers, mail, express, and freight first received by the air transportation company in this state during the preceding calendar year plus the total tonnage of passengers, mail, express, and freight finally discharged by the air transportation company in this state during the preceding calendar year is of the total of such tonnage first received by the air transportation company or finally discharged by the air transportation company within and without this state during the preceding calendar year.
3. Twenty percent of the percentage which the number of revenue ton miles of passengers, mail, express, and freight flown by the air transportation company in this state during the preceding calendar year is to the total number of such miles flown by the air

transportation company within and without the state during the preceding calendar year.

4. Twenty percent of the percentage which the number of revenue plane miles flown by the air transportation company in this state during the preceding calendar year is to the total number of such miles flown by the air transportation company within and without this state during the preceding calendar year.

5. Twenty percent of the percentage which the total time of the aircraft of the air transportation company in revenue flight in this state during the preceding calendar year is of the total of such time in flight within and without this state during the preceding calendar year."

On page 1, underscore lines 21 through 24

On page 2, underscore lines 1 through 3

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

SB 2179 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 2233 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

SB 2233 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 2333 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

SB 2333 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 rereferred SB 2372 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

SB 2372 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 2440 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. GOODMAN, Chairman

SB 2440 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 rereferred SB 2469 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

SB 2469 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 2477 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. GOODMAN, Chairman

SB 2477 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 SCR 4029 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 15, delete the numerals "18" and insert in lieu thereof the numeral "28"

On page 3, line 10, delete the word "are" and insert in lieu thereof the word "is"

On page 3, line 11, delete the word "are" and insert in lieu thereof the word "is"

On page 3, line 33, after the period insert the following new language: "The director of Indian affairs commission shall send a copy of this resolution to all Indian tribes and affiliated organizations across the state of North Dakota."

SEN. WRIGHT, Chairman

SCR 4029 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1059 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. LODOEN, Chairman

HB 1059 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1095 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. LODOEN, Chairman

HB 1095 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1164 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1164 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1175 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1175 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1214 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1214 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1239 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1239 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government to which was referred HB 1265 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HB 1265 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary to which was referred HB 1291 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1291 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### MOTIONS

SEN. LIPS MOVED that SB 2022 be laid over two legislative days, which motion prevailed.

SEN. LIPS MOVED that SB 2037 be laid over one legislative day, which motion prevailed.

SEN. CHRISTENSEN MOVED that SB 2388 be rereferred to the Committee on Appropriations, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2182: A BILL for an Act to amend and reenact subsections 1 and 2 of section 52-04-06 of the North Dakota Century Code, relating to unemployment compensation contribution rates; to provide an effective date; and to declare an emergency.

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, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; 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; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Leibhan

SB 2182 passed, the title was agreed to, and the emergency clause carried.

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#### RECOGNITION

SEN. NOTHING ANNOUNCED to the Assembly that Mrs. Iris Swedlund, 1983 North Dakota Teacher of the Year, is in the Assembly. Mrs. Swedlund of Velva has fourteen years' experience in teaching business classes. She is a state leader in Future Business Leaders of America and is school and city librarian at Velva. She is married to Tony Swedlund, has two children, and is a graduate of Dickinson State College.

## MOTION

SEN. NETHING MOVED that a committee of two be appointed to escort Mrs. Swedlund to the rostrum, which motion prevailed.

THE PRESIDENT APPOINTED as such committee: Senators Peterson and Berube.

## MOTION

SEN. NETHING MOVED that the remarks of Mrs. Swedlund be printed in the Journal, which motion prevailed.

## REMARKS OF MRS. IRIS SWEDLUND

1983 North Dakota Teacher of the Year

Thank you for having me here today. It was a great honor for me to have been chosen 1983 Teacher of the Year. There were many other people deserving this honor too. I love my job, I try to treat my students the way I was treated when I was a student in Mandan, being "touched and loved." I am a bit nervous here today, but I just want to say again, "Thank You."

## RECOGNITION

SEN. NETHING: Mr. President, ladies and gentlemen of the Senate, a lady is present with us today who is a political figure of North Dakota with a wealth of public service to her credit. She has become a prominent author of political history of North Dakota. She is a former candidate for United States Congress and she has served with distinction several sessions as a member of this State Senate.

## MOTION

SEN. NETHING MOVED that a committee of two be appointed to escort former State Senator Agnes Geelan to the rostrum for a few remarks, which motion prevailed.

THE PRESIDENT APPOINTED as such a committee: Senators Dotzenrod and Tennefos. Mrs. Geelan was escorted to the rostrum and addressed the Senate.

## MOTION

SEN. NETHING MOVED that the remarks of Mrs. Geelan be printed in the Journal, which motion prevailed.

## REMARKS OF AGNES GEELAN

Lt. Governor Sands, Senators and guests: Unlike our distinguished Teacher of the Year, I'll have to talk about ancient history because it's thirty years since I've sat in that back row there in front of one you may remember, Dr. Stucke, and all I could remember is how frightened I was because we had giants in the Senate then too.

I remember the first day when some of those giants got up to speak, I wondered what I was doing in this body. I learned to appreciate the privilege that was mine and we're still sending

giants. This body seems to attract the leaders of North Dakota and we can be grateful for it.

But, coming back today, and watching your proceedings in the papers, I see you have the same problems we had. You're still struggling with the budget, and with taxes, and Senator Berube who happens to be the only one left of the class of 1953. Do you remember, Senator Phillip, how we argued over the oil depletion tax? So, you're still worried about oil.

But coming back I have discovered as I have seen so many times through the years, that you have the same dedication, the same determination to be the very best Senators that the state can have.

So, may I come now and thank you, Lt. Governor Sands and Senators, for the privilege of coming in to say hello, and may I not only wish, but predict for you, a very successful session. Thank you.

#### SECOND READING OF SENATE BILLS

SB 2205: A BILL for an Act to amend and reenact subsection 3 of section 52-04-03, subsection 3 of section 52-06-01, subsections 1, 2, and 8 of section 52-06-02, subsections 1 and 2 of section 52-06-04, sections 52-06-05, and 52-06-06 of the North Dakota Century Code, relating to unemployment compensation tax base, payments to ill or disabled claimants, disqualification from benefits, benefit amounts, benefit duration, and benefit reduction due to receipt of severance pay.

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 34 YEAS, 17 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Groberg; Kilander; Lee; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjelm; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

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

ABSENT AND NOT VOTING: Holmberg; Leibhan

SB 2205 passed and the title was agreed to.

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SB 2286: A BILL for an Act to provide for distribution of a portion of revenues from sales or use tax on heating fuels to the attorney general's operating fund for purposes of natural gas supply and rate litigation from April 1, 1983, through March 31, 1985; and to declare an emergency.

Which has been read and is placed on the calendar without recommendation.

## ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 14 YEAS, 37 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Goodman; Kilander; Lee; Moore; Peterson; Stenehjelm; Tallackson; Tennefos; Todd; Tweten; Vosper; Wright

NAYS: Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Mutch; Naaden; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Streibel; Stromme; Thane; Waldera; Walsh; Wenstrom; Wogsland

ABSENT AND NOT VOTING: Holmberg; Leibhan

SB 2286 was declared lost.

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SB 2371: A BILL for an Act to create and enact a new subsection to section 57-38-01.7 of the North Dakota Century Code, relating to the time allowed for deduction of charitable contributions to nonprofit private institutions of higher education; and to provide an effective date.

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 45 YEAS, 4 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Redlin; Reiten; Satrom; Streibel;

Stromme; Tennefos; Thane; Todd; Tweten; Vosper;  
Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Fritzell; Meyer, D.; Peterson; Stenehjøm

ABSENT AND NOT VOTING: Goodman; Holmberg; Leibhan;  
Tallackson

SB 2371 passed and the title was agreed to.

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SB 2374: A BILL for an Act to amend and reenact section 5-02-05.1 of the North Dakota Century Code, relating to the issuance of special Sunday alcoholic beverage permits.

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 9 YEAS, 41 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Barth; Dykshoorn; Grotberg; Krauter; Lashkowitz;  
Maixner; Meyer, D.; Nething; Todd

NAYS: Adams; Bakewell; Berube; Christensen; David;  
Dotzenrod; Erickson; Fritzell; Goodman; Heigaard;  
Miller Heinrich; Hilken; Kilander; Kusler; Lee; Lips;  
Lodoen; Matchie; Meyer, J.; Moore; Mutch; Naaden;  
Nelson; Olson; Parker; Peterson; Redlin; Reiten;  
Sätrom; Stenehjøm; Streibel; Stromme; Tennefos; Thane;  
Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland;  
Wright

ABSENT AND NOT VOTING: Holmberg; Leibhan; Tallackson

SB 2374 was declared lost.

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SB 2384: A BILL for an Act to amend and reenact sections 10-27-01, 10-28-05, and 10-28-06 of the North Dakota Century Code, relating to admission of foreign nonprofit corporations and public inspection of interrogatories propounded by the secretary of state to nonprofit corporations.

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 47 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Fritzell; Maixner; Olson; Stenehjem

ABSENT AND NOT VOTING: Holmberg; Leibhan

SB 2384 passed and the title was agreed to.

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REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Governor for his approval at the hour of 2:40 p.m., February 14, 1983:

SB 2186

SEN. FRITZELL, Chairman

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

SECOND READING OF SENATE BILLS

SB 2402: A BILL for an Act to create a Racket Influenced Corrupt Organization Act providing definitions, offenses, civil remedies, judicial powers, investigation of records, and confidentiality; to provide penalties; and to provide an expiration date.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Leibhan; Tennefos

SB 2402 passed and the title was agreed to.

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SB 2407: A BILL for an Act to amend and reenact section 61-16-08 of the North Dakota Century Code, relating to the appointment and terms of office of managers of water resource boards.

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, 49 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Vosper

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

ABSENT AND NOT VOTING: Holmberg; Leibhan; Nelson

SB 2407 was declared lost.

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SB 2430: A BILL for an Act to amend and reenact sections 53-02-01 and 53-02-02 of the North Dakota Century Code, relating to dances and public concerts sponsored by churches and schools.

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, 50 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman;

Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Holmberg; Leibhan; Nelson

SB 2430 was declared lost.

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SB 2437: A BILL for an Act to amend and reenact section 57-19-07 of the North Dakota Century Code, providing for a three-year period within which school districts may redeem vouchers from their special reserve funds.

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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Leibhan; Matchie; Nelson; Wright

SB 2437 passed and the title was agreed to.

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MOTION

SEN. OLSON MOVED that SB 2441 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2448: A BILL for an Act to amend and reenact section 6-09-15, 15-62.1-01, 15-62.1-02, 15-62.1-03, 15-62.1-04, 15-62.1-05, 15-62.1-10, 54-17-24, 54-17-25, and 54-17-26 of the North Dakota Century Code, relating to the powers of the Bank of

North Dakota to make loans, the guarantee student loan program, the student loan trusts of the industrial commission, and student loan revenue bonds.

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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Holmberg; Leibhan; Maixner; Nelson

SB 2448 passed and the title was agreed to.

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SB 2471: A BILL for an Act to create and enact two new sections to chapter 52-04 of the North Dakota Century Code, relating to advances from the federal unemployment trust fund; to amend and reenact subsections 1 and 2 of section 52-03-01, section 52-03-02, and subsection 2 of section 52-04-11 of the North Dakota Century Code, relating to the unemployment compensation fund, the state treasurer and the unemployment compensation fund, and interest and penalties; to provide an effective date; and to declare an emergency.

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 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nothing; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos;

Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Holmberg; Leibhan; Maixner; Matchie; Nelson

SB 2471 passed, the title was agreed to, and the emergency clause carried.

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SB 2473: A BILL for an Act to create three new sections to chapter 47-16 of the North Dakota Century Code, relating to a lessor's lien to satisfy unpaid rent, the disposal of property abandoned by a lessee, and the termination of a lease agreement induced by fraudulent misrepresentations; to amend and reenact section 12.1-23-03, subsection 9 of section 12.1-23-10, and sections 32-03-28 and 47-16-13.4 of the North Dakota Century Code, relating to the criminal offense of theft of services, damages for a tenant's willful holding over, and damages for breach of a rental agreement; and to provide a penalty.

Which has been read.

MOTION

SEN. STENEHJEM MOVED that Engrossed SB 2473 be amended as follows:

- On page 1 of the engrossed bill, line 1, delete the word "three" and insert in lieu thereof the word "two"
- On page 1 of the engrossed bill, line 2, delete the words "a lessor's lien to"
- On page 1 of the engrossed bill, line 3, delete the words "satisfy unpaid rent," and delete the second comma
- On page 2 of the engrossed bill, line 2, after the period insert the following sentence: "Notwithstanding section 12.1-23-05, the offense of the theft of services relating to a rented dwelling unit is a class B misdemeanor."
- On page 2 of the engrossed bill, delete lines 21 through 35
- On page 3 of the engrossed bill, delete lines 1 through 11
- And renumber the lines, sections, and pages accordingly

## MOTIONS

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

SEN. REDLIN MOVED that Engrossed SB 2473, as amended, be laid over one legislative day, which motion prevailed.

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SB 2492: A BILL for an Act to create and enact a new chapter to title 21 of the North Dakota Century Code, relating to the registration of public obligations; to amend and reenact subsection 3 of section 41-08-02 of the North Dakota Century Code, relating to the definition of a clearing corporation; and to declare an emergency.

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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; 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: Holmberg; Leibhan; Nelson; Tallackson

SB 2492 passed, the title was agreed to, and the emergency clause carried.

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## SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4001: A concurrent resolution recommending the establishment of an aircraft pool and urging state departments, agencies, and institutions to increase the efficiency of employee travel by utilizing aircraft whenever it is economical.

Which has been read and is placed on the calendar without recommendation.

REQUEST

SEN. REDLIN REQUESTED a recorded roll call vote on the adoption of SCR 4001, which request was granted.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 10 YEAS, 40 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: David; Dykshoorn; Erickson; Kilander; Moore; Stenehjem; Streibel; Tallackson; Tennefos; Todd

NAYS: Adams; Bakewell; Barth; Berube; Christensen; Dotzenrod; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Mutch; Naaden; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stromme; Thane; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Holmberg; Leibhan; Nelson

SCR 4001 was declared lost.

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SCR 4011: A concurrent resolution endorsing Governor Allen I. Olson's position regarding the priorities and uses of the waters of the Missouri River.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4011 was declared adopted on a voice vote.

\*\*\*\*\*

SCR 4032: A concurrent resolution urging the President of the United States to negotiate a long-term grain trade agreement with the Soviet Union.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4032 was declared adopted on a voice vote.

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MOTIONS

SEN. NETHING MOVED that SB 2371, SB 2384, SB 2448, SB 2471, and SB 2492 be reprinted, which motion prevailed.

SEN. NETHING MOVED that HB 1045, HB 1137, and HB 1273 that are on the consent calendar be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4020: A concurrent resolution directing the Legislative Council to study and review the most effective method of providing for water management in North Dakota and the selection of water managers for water management in North Dakota.

SCR 4021: A concurrent resolution directing a Legislative Council study of the implementation of water use fees and the use of those fees to develop water projects.

SCR 4023: A concurrent resolution directing the Legislative Council to study the various methods for development of a program for the financing of water resource programs throughout the state.

SCR 4036: A concurrent resolution directing the Legislative Council to study and review the financing and funding needs for development of North Dakota's water resources, and to study the manner in which the resource trust fund will provide financial assistance for the development of water supply facilities in the state of North Dakota.

Which have been read.

The question being on the final adoption of the resolutions.

So the resolutions were adopted and the titles were agreed to, on a voice vote.

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FIRST READING OF HOUSE BILLS

HB 1189: A BILL for an Act to amend and reenact sections 39-03-04, 39-03.1-07, 39-03.1-09, 39-04-40, 39-04.1-07, 39-05-32, 39-12-01, 39-12-02, 39-12-05.1, 39-12-06, 39-12-07, subsections 1 and 2 of section 39-18-05, sections 39-19-01, 39-19-04, and 49-18-45 of the North Dakota Century Code, relating to the classification of truck regulatory employees, the appointment of highway patrolmen, the highway patrol retirement plans, enforcement of motor vehicle registration, and title registration laws, establishment of the highway patrol as enforcement agency for size, width and height restrictions, issuance of trip permits to oversize vehicles, changing the agency for execution and administration of reciprocal agreements, and enforcement of laws concerning motor carriers.

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

HB 1218: A BILL for an Act to create and enact one new section to chapter 65-05 of the North Dakota Century Code, relating to pneumoconiosis claims; to amend and reenact sections 65-02-09, 65-05-05, and 65-05-19 of the North Dakota Century Code, relating to general information and biennial reports, payments to insured employees including pneumoconiosis claims, and nondependency payments.

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

HB 1367: A BILL for an Act making an appropriation for leafy spurge control.

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

HB 1385: A BILL for an Act to amend and reenact sections 16.1-03-04, 16.1-11-38, 16.1-14-01, 16.1-15-29, 16.1-15-30, 40-21-17, and 58-04-15 of the North Dakota Century Code, relating to the method of determining the winner of an election after a tie vote.

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

HB 1391: A BILL for an Act to amend and reenact sections 39-03-04, 39-03.1-07, 39-03.1-09, 39-04-40, 39-04.1-07, 39-05-32, 39-12-01, 39-12-02, 39-12-05.1, 39-12-06, 39-12-07, subsections 1 and 2 of section 39-18-05, sections 39-19-01, 39-19-04, and 49-18-45 of the North Dakota Century Code, relating to the classification of truck regulatory employees, the appointment of highway patrolmen, the highway patrol retirement plans, enforcement of motor vehicle registration, and title registration laws, establishment of the highway patrol as enforcement agency for size, width and height restrictions, issuance of trip permits to oversize vehicles, changing the agency for execution and administration of reciprocal agreements, and enforcement of laws concerning motor carriers.

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

HB 1425: A BILL for an Act to amend and reenact section 47-16-07.1 of the North Dakota Century Code, relating to rental property security deposits.

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

HB 1448: A BILL for an Act to provide for negotiation and arbitration rights and procedures for public employees, except teachers; and to repeal chapter 34-11 of the North Dakota Century Code, relating to mediation of disputes between public employers and employees.

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

HB 1450: A BILL for an Act to amend and reenact sections 10-15-51, 10-15-52.4, 10-19-10, 10-19-13, 10-19-61, 10-19-64, subsection 1 of section 10-19-66, sections 10-19-68, 10-19-69, 10-19-70, 10-20-04, 10-20-05, 10-21-01, 10-21-02, subsection 4 of section 10-21-03, section 10-21-07, subsection 4 of section 10-21-08, sections 10-21-11, 10-22-05, 10-22-09, 10-22-14, 10-23-01, 10-24-09, 10-24-35, subsection 3 of section 10-24-38, sections 10-25-04, 10-26-05, 10-27-05, 10-27-09, and 10-27-14 of the North Dakota Century Code, relating to eliminating the requirement that corporate reports, amendments, articles, and other filings under the North Dakota Cooperative Association Act, North Dakota Business Corporation Act, and North Dakota Nonprofit Corporation Act be verified.

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

HB 1454: A BILL for an Act to amend and reenact sections 14-06.1-02, 14-06.1-03, 14-06.1-04, 14-06.1-06, 14-06.1-08, 14-06.1-10, 14-06.1-11, 14-06.1-12, 14-06.1-13, 14-06.1-14, and 14-06.1-15 of the North Dakota Century Code, relating to the administration and supervision of the displaced homemaker program; and to provide an appropriation.

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

HB 1458: A BILL for an Act to create and enact section 15-53.1-05.2 of the North Dakota Century Code, relating to public school district annexation; and to amend and reenact sections 15-53.1-01, 15-53.1-05.1, 15-53.1-06, 15-53.1-07, 15-53.1-08, 15-53.1-16, 15-53.1-17, 15-53.1-18, 15-53.1-19, 15-53.1-20, 15-53.1-21, 15-53.1-22, 15-53.1-25, 15-53.1-29, 15-53.1-30, 15-53.1-37, 15-53.1-38, 15-53.1-39, 15-53.1-41, and 15-53.1-42 of the North Dakota Century Code, relating to public school district annexation, reorganization, and dissolution; and to repeal section 15-53.1-10 of the North Dakota Century Code, relating to the state committee for the reorganization of school districts; and to declare an emergency.

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

HB 1467: A BILL for an Act to provide for a presumption of corporate authority in property transfers; to amend and reenact subsection 2 of section 47-19-03 and section 47-19-20 of the North Dakota Century Code, relating to instruments executed on behalf of corporations; and to repeal chapter 10-07 of the North Dakota Century Code, relating to the authority of corporate officers of foreign and domestic corporations to execute instruments on behalf of the corporation.

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

HB 1474: A BILL for an Act to provide for a bill of rights for public employees; and to provide a penalty.

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

HB 1514: A BILL for an Act to amend and reenact subsection 8 of section 10-19-04 of the North Dakota Century Code, relating to the general powers of business corporations.

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

HB 1525: A BILL for an Act to amend and reenact section 49-22-22 of the North Dakota Century Code, relating to the deposit of fees charged by the public service commission under the Energy Conversion and Transmission Facility Siting Act; and to provide an appropriation.

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

HB 1539: A BILL for an Act to amend and reenact section 57-52-04 of the North Dakota Century Code, or in the alternative to amend and reenact section 57-43.2-02 of the North Dakota Century Code as created by House Bill No. 1072, as approved by the forty-eighth legislative assembly; and to amend and reenact section 57-54-08 of the North Dakota Century Code, or in the alternative to amend and reenact section 57-43.1-02 of the North Dakota Century Code as created by House Bill No. 1073, as approved by the forty-eighth legislative assembly, relating to motor fuel taxes; and to provide for distribution of the increased revenue.

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

HB 1553: A BILL for an Act to amend and reenact sections 16.1-01-07, 16.1-04-03, 16.1-06-16, 16.1-11-06, 16.1-11-11, 16.1-11-17, 16.1-11-18, 16.1-11-19, 16.1-11-20, 16.1-12-04, 16.1-12-05, 16.1-12-07, 16.1-12-09, 16.1-13-03, 16.1-15-17, 16.1-15-22, and 16.1-15-35 of the North Dakota Century Code if House Bill No. 1148 is approved by the forty-eighth legislative assembly, relating to filing deadlines for elections.

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

HB 1630: A BILL for an Act to create and enact a new chapter to title 2 of the North Dakota Century Code, relating to aircraft and ultralight vehicle dealer licensing, grounds for denial or revocation of dealer's license, and powers of the aeronautics commission; to provide a penalty; and to provide an effective date.

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

HB 1634: A BILL for an Act to amend and reenact sections 15-40.2-01, 15-40.2-02, 15-40.2-03, and 15-40.2-05 of the

North Dakota Century Code, to permit tuition for kindergarten pupils.

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

**HB 1637:** A BILL for an Act to amend and reenact section 4-13.1-03 of the North Dakota Century Code, relating to the turkey promotion assessment fee.

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

**HB 1685:** A BILL for an Act to create and enact a new subsection to section 57-39.2-04 of the North Dakota Century Code, relating to exemption from the sales tax of gross receipts of park districts or recreation commissions.

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

**HB 1689:** A BILL for an Act to amend and reenact section 10-15-29 of the North Dakota Century Code, relating to officers of a cooperative association.

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

**HB 1690:** A BILL for an Act to amend and reenact subsection 1 of section 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

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

#### MOTIONS

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

**SEN. NETHING MOVED** that at the conclusion of the Thirteenth order of business, and after the reading of SB 2003, SB 2021, SB 2027, SB 2033, SB 2037, SB 2040, SB 2041, SB 2067, SB 2074, SB 2155, SB 2233, SB 2299, SB 2333, SB 2350, SB 2372, SB 2440, SB 2441, SB 2464, SB 2469, SB 2473, SB 2476, SB 2477, SB 2487, HB 1002, HB 1043, HB 1046, HB 1048, HB 1049, HB 1050, HB 1058, HB 1066, HB 1069, HB 1074, HB 1076, HB 1100, HB 1107, HB 1108, HB 1111, HB 1112, HB 1113, HB 1114, HB 1118, HB 1121, HB 1122, HB 1123, HB 1129, HB 1131, HB 1136, HB 1142, HB 1145, HB 1154, HB 1155, HB 1156, HB 1160, HB 1164, HB 1175, HB 1179, HB 1180, HB 1181, HB 1183, HB 1185, HB 1186, HB 1188, HB 1190, HB 1192, HB 1193, HB 1194, HB 1195, HB 1204, HB 1205, HB 1214, HB 1225, HB 1227, HB 1231, HB 1232, HB 1239, HB 1265, HB 1271, HB 1274, HB 1291, HB 1294, HB 1303, HB 1304, HB 1313, HB 1320, HB 1363, HB 1411, HB 1497, HCR 3001, HCR 3003, and HCR 3008, the Senate adjourn and convene at 1:00 p.m., Tuesday, February 15, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary