

JOURNAL OF THE SENATE

Forty-eighth Legislative Assembly

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THIRTY-SIXTH DAY

Bismarck, February 24, 1983

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

The prayer was offered by Rev. George Neubert, Bismarck Baptist Church.

Our Father, Who art in heaven, we come into Your holy presence and thank You for Your many blessings You have bestowed upon our state and nation. We ask Your wisdom and guidance upon this body today as they guide the affairs of our state. You have reminded us that "Righteousness exalts a nation, but sin is a reproach to any people," and so in these very difficult times, we ask Your wisdom, foresight, and compassion in the making of new laws and changing old laws.

We ask these things in the name of Jesus Christ, Our Lord and Savior. Amen.

ROLL CALL

The roll was called and all members were present, except Senator Nething.

Senator Nething is attending the Canadian-Provincial and United States leadership symposium in Santa Barbara, California.

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 Thirty-fifth day and finds the same to be correct.

SEN. TWETEN, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

SCR 4039

SEN. FRITZELL, Chairman

SEN. MOORE 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:

SCR 4037, SCR 4038, SCR 4039

Very respectfully,  
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1045, HB 1090, HB 1137, HB 1139, HB 1141, HB 1196,  
HB 1261, HB 1268, HB 1273, HB 1281, HB 1298, HB 1375,  
HB 1472, HB 1578

Very respectfully,  
LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

SEN. MUTCH MOVED that the amendments to HB 1427 as recommended by the Committee on Transportation as printed on page 1070 of the Senate Journal be adopted, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4040: A concurrent resolution directing the Legislative Council to study preference laws for North Dakota contractors in regard to bids and sales for public contracts.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4040 was declared adopted on a voice vote.

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SCR 4042: A concurrent resolution directing the Legislative Council to study financial incentives provided by the state for development of the agriculturally derived fuel industry.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4042 was declared adopted on a voice vote.

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SCR 4044: A concurrent resolution directing the Legislative Council to study the feasibility of constructing apartment facilities on or near the Capitol grounds to be occupied and rented by legislators during Legislative Assembly sessions and to determine alternative uses for those facilities during those periods when the Legislative Assembly is not in session.

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

The question being on the final adoption of the resolution.

SCR 4044 was declared lost on a voice vote.

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SCR 4046: A concurrent resolution directing the Legislative Council to study assessment and taxation of property and levy limitations imposed on political subdivisions.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4046 was declared adopted on a division vote.

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SCR 4049: A concurrent resolution directing the Legislative Council to study the feasibility of replacing the current system of distributing state aid to school districts under the foundation program with a classroom unit system.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4049 was declared adopted on a voice vote.

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SCR 4050: A concurrent resolution directing the Legislative Council to study the investment, lending, and bonding programs of the Industrial Commission of North Dakota, Bank of North Dakota, State Department of Agriculture, Economic Development Commission, Board of University and School Lands, State Investment Board, and other appropriate agencies.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4050 was declared adopted on a voice vote.

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SECOND READING OF SENATE CONCURRENT RESOLUTIONS  
ON CONSENT CALENDAR

SCR 4043: A concurrent resolution directing a Legislative Council study of the financial management and administrative services of state government including the functions and services of the State Treasurer, Office of Management and Budget, State Tax Commissioner, Bank of North Dakota, State Auditor, and Director of Institutions.

SCR 4047: A concurrent resolution directing the Legislative Council to study the legislative process with emphasis on the use of time during legislative sessions and during the interim between sessions.

Which have been read.

ROLL CALL

The question being on the final adoption of the resolutions, 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; Fritzell; Goodman; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz; Moore; Tallackson; Walsh

ABSENT AND NOT VOTING: Grotberg; Nothing

The resolutions were declared adopted.

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SECOND READING OF HOUSE BILLS ON CONSENT CALENDAR

HB 1310: A BILL for an Act to amend and reenact subsection 3 of section 57-39.2-01 of the North Dakota Century Code, relating to definition of "retail sale" for sales tax purposes.

HB 1515: A BILL for an Act to amend and reenact section 31-09-03 of the North Dakota Century Code, relating to use of a transcript from an electronic court reporting system as evidence; and to declare an emergency.

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.

Which have been read.

#### ROLL CALL

The question being on the final passage of the bills, the roll was called and there were 48 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

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

NAYS: Lashkowitz

ABSENT AND NOT VOTING: Goodman; Grotberg; Nething; Satrom

The bills passed, the titles were agreed to, and the emergency clause carried on HB 1515.

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#### REPORTS OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Delayed Bills has examined a resolution relating to the number of years a two-thirds vote of the Legislative Assembly is required to amend or repeal certain measures, and a resolution relating to the United States Customs Service station, and have approved their introduction by a unanimous vote.

SEN. NELSON, Chairman

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

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Holmberg introduced:

(Approved by the Committee on Delayed Bills)

SCR 4051: A concurrent resolution for the amendment of section 8 of article III of the Constitution of the State of North Dakota, relating to the number of years a two-thirds vote of the Legislative Assembly is required to amend or repeal certain initiated or referred measures.

Was read the first time and referred to the Joint Committee on Constitutional Revision.

Sen. Adams and Rep. O. Hanson introduced:  
(Approved by the Committee on Delayed Bills)

SCR 4052: A concurrent resolution urging the United States Commissioner of Customs to keep the United States Customs Service station at Dunseith, North Dakota, open 24 hours a day.

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

MOTIONS

SEN. LIPS MOVED that HB 1003 be placed at the foot of the calendar, which motion prevailed.

SEN. PARKER MOVED that HB 1313 be placed directly behind HB 1304 on the calendar, which motion prevailed.

SEN. LEE MOVED that HB 1551 be returned to the Senate floor from the Committee on Natural Resources, which motion prevailed.

SEN. LEE MOVED that HB 1551 be rereferred to the Committee on Agriculture, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1064: A BILL for an Act relating to extending state immunity from federal antitrust law to cities and city governing bodies exercising powers delegated to them by state law; 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; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Grotberg; Holmberg; Nething

HB 1064 passed, the title was agreed to, and the emergency clause carried.

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HB 1065: A BILL for an Act to create and enact a new chapter to title 54 of the North Dakota Century Code, relating to an information management program for the review of state forms; and to amend and reenact section 46-01-01 and subsection 5 of section 46-01-02 of the North Dakota Century Code, relating to the purchase of state printing and the legal publications handbook advisory committee.

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; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Holmberg; Lips; Nething

HB 1065 passed and the title was agreed to.

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HB 1110: A BILL for an Act to create and enact a new section to chapter 15-39.2 of the North Dakota Century Code, relating to college teachers retired under the provisions of chapter 15-39 of the North Dakota Century Code purchasing military service credit as provided in section 15-39.1-24 of the North Dakota Century Code; 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, 1 NAY, 3 ABSENT AND NOT VOTING.

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

Satrom; Stenehjøm; Streibel; Stromme; Tallackson;  
Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh;  
Wenstrom; Wogsland; Wright

NAYS: Maixner

ABSENT AND NOT VOTING: Goodman; Holmberg; Nething

HB 1110 passed, the title was agreed to, and the emergency clause carried.

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HB 1130: A BILL for an Act to amend and reenact section 23-01-02.1 of the North Dakota Century Code, relating to confidential information received by hospital utilization committees and internal hospital quality assurance review committees.

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

NAYS: None

ABSENT AND NOT VOTING: Goodman; Holmberg; Krauter;  
Nething

HB 1130 passed and the title was agreed to.

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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.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Groberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Holmberg; Nething

HB 1216 passed and the title was agreed to.

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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.

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; Groberg; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Heigaard; Holmberg;  
Nething

HB 1219 passed and the title was agreed to.

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HB 1220: A BILL for an Act to create and enact two new sections to chapter 55-03 of the North Dakota Century Code, relating to the protection of cultural resources; and to amend and reenact sections 55-03-01, 55-03-02, 55-03-03, 55-03-04, and 55-03-05 of the North Dakota Century Code, relating to the protection of cultural resources.

Which has been read.

#### MOTION

SEN. D. MEYER MOVED that HB 1220 be amended as follows:

On page 2 of the reengrossed bill, line 33, delete the word "Nonprofit" and insert in lieu thereof the sentence: "A permittee submitting a report on behalf of a nonprofit corporation formed under chapters 10-24 through 10-28 does not have to pay the fee for filing the report."

On page 2 of the reengrossed bill, delete lines 34 and 35

And renumber the lines and pages accordingly

#### MOTIONS

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

SEN. D. MEYER MOVED that the rules be suspended, that HB 1220 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1220: A BILL for an Act to create and enact two new sections to chapter 55-03 of the North Dakota Century Code, relating to the protection of cultural resources; and to amend and reenact sections 55-03-01, 55-03-02, 55-03-03, 55-03-04, and 55-03-05 of the North Dakota Century Code, relating to the protection of cultural resources.

#### ROLL CALL

The question being on the final passage of the bill as amended, the roll was called and there were 49 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Barth; Berube; Christensen; David;  
Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg;  
Heigaard; Miller Heinrich; Hilken; Kilander; Krauter;  
Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen;

Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch;  
 Naaden; Nelson; Olson; Parker; Peterson; Redlin;  
 Reiten; Satrom; Stenehjem; Streibel; Stromme;  
 Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;  
 Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell

ABSENT AND NOT VOTING: Goodman; Holmberg; Nothing

HB 1220 passed and the title was agreed to.

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#### RECOGNITION

SEN. NELSON MOVED that a committee of two be appointed to escort Consul-General Gert J. Grobler to the rostrum, which motion prevailed.

THE PRESIDENT APPOINTED as such committee, Senators Reiten and Heigaard.

Consul-General Grobler was escorted to the rostrum and addressed the Assembly.

SEN. NELSON MOVED that the remarks of Consul-General Grobler be printed in the Journal, which motion prevailed.

PRESIDENT SANDS: Gert J. Grobler was born in Benoni, Transvaal, South Africa, on 11 April 1947.

In the period 1965 to 1969, he obtained BA and BA (Honours) degrees at the University of the Orange Free State, Bloemfontein, and the University of South Africa, Pretoria. In 1969, he taught at St. Andrew's College, Bloemfontein.

He joined the South African Foreign Service in 1970, and after an initial training period he was transferred to Hamburg, West Germany, as South African Vice-Consul in April 1971. He served in Hamburg and Bonn until January 1974, whereupon he was transferred to the South African Legation in Helsinki, Finland, where he served as acting Head of Mission.

In January 1975, he returned to South Africa as Counsellor on the Africa Desk of the Department of Foreign Affairs, Pretoria, until he was transferred to Chicago in May 1977, to open a new South African Consulate-General.

He initially served as Deputy Consul-General until he was promoted to Consul-General with effect 1 March 1981.

REMARKS OF CONSUL-GENERAL  
GERT J. GROBLER

Thank you very much, Mr. Chairman and distinguished members of the Senate. It is indeed a great honor to be with you today in this magnificent setting and I can assure you that it was with deep appreciation that I received the news that I would have the opportunity of addressing you briefly today and to tell you something about my country, the Republic of South Africa, which is situated thousands of miles away on the southern tip of the African continent.

I'm sure a lot of you have heard of krugerrands, perhaps of Gary Player, but I would like to tell you just a few things about my country and the link that we have with your fair state.

My colleagues and I arrived in Bismarck on Tuesday, and the North Dakota Economic Development Commission have made superb arrangements for us and we've had a wonderful visit. I must say, the arrangements, right down to the weather, has just been wonderful. Having traveled to a great number of U.S. states the last few weeks, many of which were plagued by serious financial problems, it was refreshing to me and my colleagues to arrive in North Dakota and to find a state with incredibly abundant natural resources; to find the energy and the drive and the commitment and the overwhelming hospitality of your people. You have vast agricultural potential, but, at the same time, a diversified economic base. What's more, you have effective, dynamic leadership and a pro-business government which encourages free enterprise. Considering these factors, it is no wonder that a healthy business climate and an environment conducive to business exists in your fair state. I can assure you this is a message which I, as well as my colleagues, will spread wherever we go.

We were deeply impressed with your energy development achievements, in particular with the contribution you have made and continue to make to free the United States from foreign energy dependence. We have visited your impressive coal gasification plant near Beulah and we are particularly pleased that our country, the Republic of South Africa, played and continues to play a role in your project, a project which North Dakota can be justly proud of. Our synfuel project in South Africa named SASOL was founded in 1950, and ranks as a world leader in the gasification of coal and the liquification of coal. SASOL has for many years been operating the only commercially viable oil-from-coal plant in the world and still does.

My country has realized very early the crucial role of energy in the economy and that the adequate supply of energy will be of major world concern in future years. We therefore took and continue to take positive and meaningful steps toward energy self-sufficiency in South Africa.

Despite the sense of complacency which currently exists worldwide regarding energy resources, and especially regarding synfuels, we

believe that there is no reason for such complacency because as we have seen in the past, and if we recall 1973 and 1979, no guarantee exists regarding long-term future security of the supply of oil for any country. South Africa has been fortunate in that we rely on indigenous coal for more than eighty percent of our energy needs and the development of our oil-from-coal industry is moving this figure towards ninety percent.

We believe that it is imperative we should take steps to plan for a secure energy future not only in the short term, but also or particularly, in the long term. Such a plan or strategy must necessarily take economic parameters into account but economics cannot and should not be the one and only criterion. The basic objective of our energy policy must ensure that the energy economy develops in the national interest over the long term.

Over the past decade we have launched the construction of two further SASOL synfuel projects at a cost of plus-minus seven billion dollars. These synfuel projects also provide a number of important byproducts which has further enhanced our economy. My government is therefore currently encouraging private industry to participate in future synfuel projects and projects ranging from methanol plants to advanced oil-from-coal schemes are also being considered.

And certainly your energy achievements have been noted in South Africa and your pioneering role in synfuels in the United States is certainly highly regarded by my government and my country. South Africa is also fortunate that we have vast reserves of easily mined and, therefore, relatively inexpensive coal. After the United States, the Soviet Union, China, and Poland, South Africa ranks as the world's fifth largest producer of coal. South Africa is the third largest exporter of coal in the world after the United States and Australia and the forecast is that coal exports in the next decade or so will amount to eighty million metric tons valued at approximately 4.5 billion dollars at present prices. No wonder it is often referred to as our "black gold".

We also have vast quantities of uranium reserves and, by and large, South Africa, like North Dakota, is a net exporter of energy.

Apart from energy, South Africa is the largest producer of gold, platinum, vanadium, and chrome ore in the world. South Africa is a major source of production and major supplier to the United States and your allies in Western Europe of chromium, platinum, manganese, vanadium, and a number of other strategic minerals. In each case, South Africa provides a major part of the noncommunist world production. South Africa supplies the United States, Western Europe and Japan with more than half of all imports of these strategic minerals, minerals which are crucial to your defense and industrial requirements. Noting that the Soviet Union and South Africa, between them, possessed a

preponderance of the world's strategic mineral resources, Congressman James Santini, the former Chairman of the United States House of Representatives, Subcommittee on Mines and Mining, recently said that the United States, Western Europe, and Japan would be in a crisis if the Soviets were to gain control of South Africa's minerals.

South Africa has a well-diversified, well-managed and a free enterprise orientated economy. We play a major role in Africa in producing food, technical goods, technical assistance to the rest of Africa and, although there are political problems which at the present moment preclude South Africa from playing its full role in the economic upliftment of the rest of Africa, this will come about.

We are extremely pleased to have been here. The prime purpose of our visit was to come and forge closer trade and commercial links with your state and it is interesting to note that over the next couple of years it is predicted South Africa will have to import vast quantities of wheat and we certainly hope at that time we will be able to come back to North Dakota and to pursue our discussion with you.

I would, in conclusion, like to thank the North Dakota Commission for Economic Development for their wonderful arrangements as I said earlier on. We were overwhelmed by their hospitality and we hope to come back and I would just once again like to thank you for this honor to address the Senate. Thank you very much.

#### SECOND READING OF A HOUSE BILL

HB 1223: A BILL for an Act to create and enact subsection 12 of section 63-01.1-02 of the North Dakota Century Code, relating to the definition of township road; and to amend and reenact subsection 4 of section 63-01.1-05, subsection 1 of section 63-01.1-06, subsection 3 of section 63-01.1-06.2, subsection 3 of section 63-01.1-06.5, subsection 5 of section 63-01.1-08, and section 63-01.1-09 of the North Dakota Century Code, relating to noxious weed control.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson;

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

NAYS: None

ABSENT AND NOT VOTING: Goodman; Leibhan; Nething; Redlin

HB 1223 passed and the title was agreed to.

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#### SECOND READING OF HOUSE BILLS

HB 1225: A BILL for an Act to authorize the commissioner of insurance to determine jurisdiction of providers of health care benefits.

Which has been read.

#### MOTIONS

SEN. REITEN MOVED that the Senate reconsider the action by which the amendments to HB 1225 as printed on page 702 of the Senate Journal were adopted, which motion prevailed.

SEN. REITEN MOVED that HB 1225 be amended as follows:

On page 1, line 7, after the word "entity" insert the words "other than an insurance company duly licensed in this or another state,"

And renumber the lines and pages accordingly

#### MOTIONS

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

SEN. REITEN MOVED that the rules be suspended, that HB 1225 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

HB 1225: A BILL for an Act to authorize the commissioner of insurance to determine jurisdiction of providers of health care benefits.

#### 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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Reiten;

Satrom; Stenehjøm; Streibel; Stromme; Tallackson;  
Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh;  
Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman; Nething; Redlin

HB 1225 passed and the title was agreed to.

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HB 1227: A BILL for an Act to create and enact section 26-17.1-13.1 of the North Dakota Century Code, relating to renewal of appointments and annual fees; and to amend and reenact sections 26-17.1-06, 26-17.1-07, 26-17.1-12, 26-17.1-13, 26-17.1-14, 26-17.1-15, 26-17.1-18, 26-17.1-20, 26-17.1-28, 26-17.1-31, 26-17.1-32, 26-17.1-33, 26-17.1-35, 26-17.1-41, and 26-17.1-42 of the North Dakota Century Code, relating to the qualifications and procedures for the licensing of insurance agents, insurance brokers, surplus lines insurance brokers, insurance consultants, and limited insurance representatives; and to provide a penalty.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjøm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman; Mutch; Nething

HB 1227 passed and the title was agreed to.

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HB 1231: A BILL for an Act to amend and reenact section 11-18-05 of the North Dakota Century Code, relating to fees of the register of deeds' office.

Which has been read.

## ROLL CALL

The question being on the final passage of the bill, 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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Leibhan; Nothing

HB 1231 passed and the title was agreed to.

\*\*\*\*\*

HB 1232: A BILL for an Act to amend and reenact sections 26-09.2-04, 26-09.2-05, and 26-09.2-11 of the North Dakota Century Code, relating to requirements for the utilization of surplus lines insurance.

Which has been read.

## ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Barth; Goodman; Leibhan; Nothing

HB 1232 passed and the title was agreed to.

\*\*\*\*\*

HB 1239: A BILL for an Act to create and enact section 12-48-06.1 of the North Dakota Century Code, authorizing the governor to appoint a penitentiary industry advisory

committee; and to amend and reenact section 12-48-06 of the North Dakota Century Code, providing for the disposition of the penitentiary farming, ranching, industry, and inmate hobby products.

Which has been read.

#### ROLL CALL

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

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

NAYS: Miller Heinrich; Kilander; Peterson; Stromme; Tennefos

ABSENT AND NOT VOTING: Goodman; Leibhan; Nething

HB 1239 passed and the title was agreed to.

\*\*\*\*\*

HB 1265: A BILL for an Act to amend and reenact subsection 6 of section 37-17.1-05 of the North Dakota Century Code, relating to the governor and disaster emergencies.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 45 YEAS, 1 NAY, 7 ABSENT AND NOT VOTING.

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

NAYS: Mutch

ABSENT AND NOT VOTING: Dotzenrod; Goodman; Kilander; Leibhan; Nething; Parker; Vosper

HB 1265 passed and the title was agreed to.

\*\*\*\*\*

HB 1271: A BILL for an Act to amend and reenact section 15-28-01 of the North Dakota Century Code, relating to decreasing the size of a school board.

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, 1 NAY, 2 ABSENT AND NOT VOTING.

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

NAYS: Lashkowitz

ABSENT AND NOT VOTING: Goodman; Nothing

HB 1271 passed and the title was agreed to.

\*\*\*\*\*

HB 1274: A BILL for an Act to create and enact a new section to chapter 14-09 of the North Dakota Century Code, relating to grandparental rights of visitation to unmarried minors; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Nothing

HB 1274 passed, the title was agreed to, and the emergency clause carried.

\*\*\*\*\*

HB 1283: A BILL for an Act to amend and reenact sections 14-09-06.1 and 14-09-06.2 of the North Dakota Century Code, relating to the custodial preferences of a child fourteen years of age and older.

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 3 YEAS, 47 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Fritzell; Holmberg; Todd

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

ABSENT AND NOT VOTING: Bakewell; Goodman; Nothing

HB 1283 was declared lost.

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#### MOTION

SEN. NELSON MOVED that at the conclusion of the Fifth order of business, the Senate stand in recess for fifteen minutes, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Transportation to which was referred SCR 4041 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

SCR 4041 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred SCR 4045 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

SCR 4045 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 SCR 4048 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

SCR 4048 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 HB 1044 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 2 of the engrossed bill, line 9, after the word "institutions" insert the words "that have not been examined for three years before the assessment date or"

On page 2 of the engrossed bill, line 11, delete the word "shall" and insert in lieu thereof the word "do"

And renumber the lines accordingly

SEN. REITEN, Chairman

HB 1044 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 HB 1055 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 4, line 6, after the word "sections" insert the following: "6-05-08 and"

And renumber the lines accordingly

SEN. REITEN, Chairman

HB 1055 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 HB 1056 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 19, line 3, overstrike the words "Affidavit of prejudice" and insert immediately thereafter the words "Demand for change of judge"
- On page 19, line 7, overstrike the words "an affidavit of prejudice" and insert immediately thereafter the words "a demand for change of judge"
- On page 19, line 8, overstrike the numeral "28" and insert immediately thereafter the numeral "29"
- On page 19, line 9, overstrike the word "Civil" and insert immediately thereafter the word "Criminal"
- On page 19, line 12, overstrike the word "affidavit" and insert immediately thereafter the word "demand"
- On page 19, line 13, overstrike the words "an affidavit of prejudice" and insert immediately thereafter the words "a demand for change of judge"
- On page 19, line 14, overstrike the numeral "28" and insert immediately thereafter the numeral "29", and overstrike the word "Civil" and insert immediately thereafter the word "Criminal"

And renumber the lines accordingly

SEN. CHRISTENSEN, Chairman

HB 1056 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 HB 1097 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1097 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1332 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. HOLMBERG, Chairman

HB 1332 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1344 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

HB 1344 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1360 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. LEE, Chairman

HB 1360 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 1378 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 period, delete the words "However, an action brought by or against an insurance" and insert in lieu thereof the words "However, the court shall render or enter a declaratory judgment or decree in an action brought by or against an insurance company to determine liability of the insurance company to the insured to defend, or duty to defend, although the insured's liability for the loss may not have been determined."

On page 1, delete lines 13 through 15

And renumber the lines accordingly

SEN. CHRISTENSEN, Chairman

HB 1378 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 HB 1391 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. HOLMBERG, Chairman

HB 1391 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1434 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1434 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1446 has had the same under consideration and

recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. HOLMBERG, Chairman

HB 1446 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation to which was referred HB 1453 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1453 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HB 1456 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HB 1456 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HB 1465 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HB 1465 was placed on the Fourteenth 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 HB 1469 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. WRIGHT, Chairman

HB 1469 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HB 1485 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HB 1485 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business, and Labor to which was referred HB 1522 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 11, overstrike the word "thirty-"

On page 1, line 12, overstrike the word "five" and insert immediately thereafter the word "twenty"

And renumber the lines accordingly

SEN. REITEN, Chairman

HB 1522 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 HB 1560 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, after the period, insert the words "The court may, or on demand of the defendant shall, appoint a competent appraiser to appraise the property of the defendant which is subject to the writ."

On page 1, line 20, remove the overstrike over the overstruck words "~~Copies of the~~"

On page 1, line 21, remove the overstrike over the overstruck words and after the word "appraisal" insert the words ", if any,"

On page 1, line 22, remove the overstrike over the overstruck word "~~defendant.~~"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

HB 1560 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 HB 1561 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

HB 1561 was placed on the Fourteenth 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 HB 1624 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. WRIGHT, Chairman

HB 1624 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1631 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

HB 1631 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture to which was referred HB 1637 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. VOSPER, Chairman

HB 1637 was rereferred to the Committee on Appropriations.

MR. PRESIDENT: Your Committee on Natural Resources to which was referred HB 1700 has had the same under consideration and recommends that the same DO PASS.

SEN. LEE, Chairman

HB 1700 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

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

#### MOTION

SEN. NELSON MOVED that SB 2073 be reprinted, which motion prevailed.

#### APPOINTMENT OF COMMITTEE ON THE MEMORIAL SERVICE

SEN. NELSON MOVED that a committee of three be appointed to serve as a Committee on the Memorial Service, which motion prevailed.

THE PRESIDENT ANNOUNCED the appointment of the following committee:

Sen. Kilander, Chairman  
 Sen. Christensen  
 Sen. Berube

#### SECOND READING OF HOUSE BILLS

HB 1287: A BILL for an Act to create and enact a new section to chapter 54-52 of the North Dakota Century Code, relating to the purchase of service under the public employees retirement system.

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 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Goodman; Maixner; Nothing; Thane; Tweten; Wright

HB 1287 passed and the title was agreed to.

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HB 1288: A BILL for an Act to provide a referendum on the dairy products promotion assessment; and to amend and reenact section 4-27-01, subsection 4 of section 4-27-02, subsection 1 of section 4-27-03, section 4-27-04, subsections 3 and 7 of section 4-27-05, sections 4-27-06, 4-27-07, 4-27-08, 4-27-09, and 4-27-11 of the North Dakota Century Code, relating to the promotion and sale of state dairy products, the state dairy promotion commission, the commission's purposes, the collection and disbursement of commission funds, the assessments on milk and a referendum regarding that assessment, and administration.

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, 2 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Berube; Lips

ABSENT AND NOT VOTING: Goodman; Holmberg; Nething;  
Tweten

HB 1288 passed and the title was agreed to.

\*\*\*\*\*

HB 1291: A BILL for an Act to amend and reenact subsection 3 of section 14-17-11 of the North Dakota Century Code, relating to evidence concerning paternity.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Goodman; Nething; Tweten

HB 1291 passed and the title was agreed to.

\*\*\*\*\*

HB 1292: A BILL for an Act to amend and reenact section 1-03-01 of the North Dakota Century Code, providing an extra holiday.

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 21 YEAS, 30 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Fritzell; Heigaard; Miller Heinrich; Hilken; Holmberg; Kusler; Lashkowitz; Lips; Maixner; Matchie; Meyer, J.; Olson; Reiten; Satrom; Stenehjem; Tallackson; Thane; Todd; Waldera; Wogsland

NAYS: Adams; Bakewell; Barth; Berube; Christensen; David; Dykshoorn; Erickson; Goodman; Grotberg; Kilander; Krauter; Lee; Leibhan; Lodoen; Meyer, D.; Moore; Mutch;

Naaden; Nelson; Parker; Peterson; Redlin; Streibel;  
Stromme; Tennefos; Vosper; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: Nething; Tweten

HB 1292 was declared lost.

\*\*\*\*\*

HB 1294: A BILL for an Act to amend and reenact section 43-07-12  
of the North Dakota Century Code, relating to bids on  
contracts for public projects.

Which has been read.

ROLL CALL

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

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

NAYS: Grotberg; Lashkowitz; Tallackson; Walsh

ABSENT AND NOT VOTING: Berube; Christensen; Nething;  
Tweten

HB 1294 passed and the title was agreed to.

\*\*\*\*\*

HB 1301: A BILL for an Act to create and enact a new section to  
chapter 54-02 of the North Dakota Century Code, relating to  
the establishment of milk as the official state beverage.

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, 4 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Berube; David; Dotzenrod;  
Dykshoorn; Erickson; Fritzell; Goodman; Grotberg;  
Heigaard; Hilken; Kilander; Krauter; Kusler;  
Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner;  
Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker;  
Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel;

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

NAYS: Miller Heinrich; Holmberg; Matchie; Meyer, D.

ABSENT AND NOT VOTING: Christensen; Nething; Tallackson;  
Tweten; Wright

HB 1301 passed and the title was agreed to.

\*\*\*\*\*

HB 1303: A BILL for an Act to amend and reenact section 10-21-13 of the North Dakota Century Code, relating to involuntary dissolution of corporations for failure to commence business and issue shares within five years after the date of the issuance of its certificate of incorporation or certificate of organization.

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 46 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Meyer, D.; Naaden; Stenehjem

ABSENT AND NOT VOTING: Goodman; Nething; Tweten; Wright

HB 1303 passed and the title was agreed to.

\*\*\*\*\*

HB 1304: A BILL for an Act to amend and reenact section 6-05-15.1 of the North Dakota Century Code, relating to the investment of trust funds and commingling of funds.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Nething; Tweten; Wright

HB 1304 passed and the title was agreed to.

\*\*\*\*\*

HB 1313: A BILL for an Act to amend and reenact section 6-05-15 of the North Dakota Century Code, relating to the investment of trust funds.

Which has been read.

MOTION

SEN. TENNEFOS MOVED that HB 1313 be amended as follows:

On page 1, line 26 of the bill, delete "mutual funds"

MOTION

SEN. TENNEFOS MOVED that the proposed amendment be adopted, which motion lost.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 5 NAYS, 2 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; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz; Leibhan; Mutch; Naaden; Tennefos

ABSENT AND NOT VOTING: Nething; Tweten

HB 1313 passed and the title was agreed to.

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HB 1307: A BILL for an Act to require that certain information be provided with any payment made to a royalty owner for the purchase of oil or gas produced from a royalty owner's interest in land in this state; to provide a penalty; 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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; 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; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Nething; Tweten

HB 1307 passed, the title was agreed to, and the emergency clause carried.

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HB 1309: A BILL for an Act to amend and reenact sections 50-06.2-01, 50-06.2-02, 50-06.2-03, 50-06.2-04, and 50-06.2-05 of the North Dakota Century Code, relating to comprehensive human service programs and to provide funding for programs to prevent or reduce institutional care.

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; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Nething; Tweten

HB 1309 passed and the title was agreed to.

\*\*\*\*\*

HB 1314: A BILL for an Act to provide state funding for community alternatives to institutional care on behalf of elderly and disabled persons.

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; 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: Nething

HB 1314 passed and the title was agreed to.

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HB 1320: A BILL for an Act to provide for immunity from liability for provision of assistance during a hazardous materials discharge.

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; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Nething; Satrom

HB 1320 passed and the title was agreed to.

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HB 1321: A BILL for an Act to amend and reenact subsection 2 of section 26-28-04, and subsection 2 of section 26-29-04 of the North Dakota Century Code, or in the alternative to amend and reenact subsection 2 of section 26.1-25-04 of the North Dakota Century Code as created by House Bill No. 1054, as approved by the forty-eighth legislative assembly, relating to insurance rate filings made by insurance rating organizations.

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; 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: Nething

HB 1321 passed and the title was agreed to.

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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.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 29 YEAS, 21 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Barth; Christensen; Dotzenrod; Erickson; Heigaard; Miller Heinrich; Hilken; Holmberg; Krauter; Kusler; Lashkowitz; Lodoen; Moore; Mutch;

Peterson; Redlin; Reiten; Satrom; Streibel; Stromme; Tallackson; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Berube; David; Dykshoorn; Fritzell; Grotberg; Kilander; Lee; Leibhan; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Nelson; Olson; Parker; Stenehjem; Tennefos; Thane; Tweten; Vosper

ABSENT AND NOT VOTING: Goodman; Naaden; Nothing

HB 1322 passed and the title was agreed to.

\*\*\*\*\*

HB 1340: A BILL for an Act to amend and reenact section 27-07.1-07 of the North Dakota Century Code, relating to magistrates in county courts; 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 47 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Grotberg; Lashkowitz; Stromme

ABSENT AND NOT VOTING: Goodman; Nothing; Reiten

HB 1340 passed, the title was agreed to, and the emergency clause carried.

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HB 1361: A BILL for an Act to amend and reenact section 55-08-04 of the North Dakota Century Code, relating to employees as peace officers.

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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Nothing

HB 1361 passed and the title was agreed to.

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HB 1363: A BILL for an Act to create and enact a new section to chapter 39-19 of the North Dakota Century Code, relating to the highway commissioner's authority to enter into agreements with adjacent states for the occupation and operation of ports of entry, the collection of fees, taxes, and the enforcement of vehicle size and weight limits.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 49 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Grotberg; Meyer, D.

ABSENT AND NOT VOTING: Goodman; Nothing

HB 1363 passed and the title was agreed to.

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HB 1364: A BILL for an Act to amend and reenact sections 14-08.1-01 and 14-08.1-02 of the North Dakota Century Code, relating to the enforcement of child support obligations.

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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Nothing

HB 1364 passed and the title was agreed to.

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HB 1377: A BILL for an Act to amend and reenact section 4-30-36 of the North Dakota Century Code, relating to the minimum standards for grade A milk.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, 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; Grotberg; Heigaard; Miller Heinrich; Hilken; Holmberg; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; 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: Goodman; Naaden; Nothing

HB 1377 passed and the title was agreed to.

\*\*\*\*\*

HB 1380: A BILL for an Act to amend and reenact section 43-33-11 of the North Dakota Century Code, relating to fees and continuing education requirements for annual renewals of

license for hearing aid dealers and fitters and the effect of failure to renew in a timely manner.

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

ABSENT AND NOT VOTING: Goodman; Leibhan; Nething

HB 1380 was declared lost.

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HB 1381: A BILL for an Act to amend and reenact section 28-04-01 of the North Dakota Century Code, relating to venue of actions for the foreclosure of mortgages upon real property where the mortgaged premises is situated in more than one county.

Which has been read.

#### ROLL CALL

The question being on the final passage of the bill, 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; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Leibhan; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; 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: Goodman; Holmberg; Nething

HB 1381 passed and the title was agreed to.

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HB 1382: A BILL for an Act to amend and reenact section 32-19-08 of the North Dakota Century Code, relating to by whom and where mortgaged premises under a judgment of foreclosure must be sold and the notice for and manner prescribed for the sale.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 49 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING.

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

NAYS: Lashkowitz

ABSENT AND NOT VOTING: Goodman; Holmberg; Nothing

HB 1382 passed and the title was agreed to.

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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.

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 8 YEAS, 43 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Bakewell; Barth; Leibhan; Maixner; Matchie; Meyer, D.; Stromme; Tallackson

NAYS: Adams; Berube; Christensen; David; Dotzenrod; Dykshoorn; Erickson; Fritzell; Goodman; Grotberg; Heigaard; Miller Heinrich; Hilken; Kilander; Krauter; Kusler; Lashkowitz; Lee; Lips; Lodoen; Meyer, J.; Moore; Mutch; Naaden; Nelson; Olson; Parker; Peterson;

Redlin; Reiten; Satrom; Stenehjem; Streibel; Tennefos;  
Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom;  
Wogsland; Wright

ABSENT AND NOT VOTING: Holmberg; Nething

HB 1388 was declared lost.

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MOTIONS

SEN. MUTCH MOVED that HB 1583 be referred back to the Committee on Industry, Business, and Labor, which motion prevailed.

SEN. ADAMS MOVED that the absent Senator be excused, which motion prevailed.

SEN. NELSON MOVED that after the reading of SCR 4041, SCR 4045, SCR 4048, HB 1097, HB 1332, HB 1344, HB 1360, HB 1391, HB 1427, HB 1434, HB 1446, HB 1453, HB 1456, HB 1465, HB 1469, HB 1485, HB 1561, HB 1624, HB 1631, and HB 1700, the Senate adjourn and convene at 12:30 p.m., Friday, February 25, 1983, which motion prevailed.

LEO LEIDHOLM, Secretary