

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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NINTH DAY

The Senate convened at 12:30 p.m., with President Meiers presiding. Bismarck, January 18, 1985

The prayer was offered by Reverend Paul Long, First Church of the Nazarene, Bismarck.

Our Father, we unite our hearts in prayer this day, thanking You for the privilege each has been given to serve in his or her area of responsibility.

Bless the members of this body as they think together, whether it be in this chamber, in committee rooms, or offices. Help them to withstand the strains and tensions of solving problems and making decisions of meetings and conferences and the seeming endless demands that can be placed upon them. May they frequently seek Your wisdom and direction.

Be with the members of their families during this special time of the year. May they sense Your loving concern and providential care.

All these things we ask in the name of Christ, Your Son, Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators Kusler and Tallackson.

A quorum was declared by the President.

REVISION AND CORRECTION OF THE JOURNAL

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

SEN. DAVID, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

SB 2048, SB 2070, SB 2151, SB 2191, SB 2193, SB 2207
 SEN. BAKEWELL, Chairman

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

CONSIDERATION OF AMENDMENTS

SEN. CHRISTENSEN MOVED that the amendments to SB 2086 as recommended by the Committee on Judiciary as printed on pages 191-192 of the Senate Journal be adopted, which motion prevailed.

SEN. LODOEN MOVED that the amendments to SB 2150 as recommended by the Committee on State and Federal Government as printed on page 193 of the Senate Journal be adopted, which motion prevailed.

MOTION

SEN. W. MEYER MOVED that SB 2103 be returned to the Senate floor from the Committee on Agriculture, which motion prevailed.

REQUEST

SEN. W. MEYER REQUESTED the unanimous consent of the Senate to withdraw SB 2103. There being no objection, it was so ordered by the President.

SECOND READING OF SENATE BILLS

SB 2045: A BILL for an Act to create and enact a new section to chapter 36-04 and a new section to chapter 36-05 of the North Dakota Century Code, relating to requiring livestock dealers and livestock auction markets to file releases of financial records.

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; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Kusler; Tallackson; Wenstrom

SB 2045 passed and the title was agreed to.

SB 2046: A BILL for an Act to amend and reenact section 36-04-05 of the North Dakota Century Code, relating to bond requirements for livestock dealers.

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; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Kusler; Tallackson; Wenstrom

SB 2046 passed and the title was agreed to.

SB 2047: A BILL for an Act to amend and reenact sections 36-21-16 and 36-21-18 of the North Dakota Century Code, relating to the authority of the public service commission and to filing evidence of solvency and title to livestock remaining in an auction market or seller until settlement is made.

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; Berube; Christensen; David; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Tallackson

SB 2047 passed and the title was agreed to.

SB 2070: A BILL for an Act to amend and reenact section 16.1-15-15 of the North Dakota Century Code, relating to the composition of the county canvassing 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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2070 passed and the title was agreed to.

MOTION

SEN. NETHING MOVED that the discussion regarding the tally of the votes be referred to the Rules Committee, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2149: A BILL for an Act to amend and reenact sections 49-18-13, 49-18-21, 49-18-23, and 49-18-39.1 of the North Dakota Century Code, relating to notice of opportunity for hearing on application for a certificate of public convenience and necessity, notice of opportunity for hearing for a contract motor carrier permit, issuance of a contract carrier permit, and motor vehicle leases.

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; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2149 passed and the title was agreed to.

SB 2151: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to reversion of unclaimed retirement moneys under the teachers' fund for retirement.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2151 passed and the title was agreed to.

SB 2191: A BILL for an Act to create and enact a new subsection to section 6-09.4-10, relating to the requirements of the reserve fund for the North Dakota municipal bond bank; to amend and reenact subsection 2 of section 6-09.4-10 of the North Dakota Century Code, relating to the requirements of

the reserve fund for the North Dakota municipal bond bank; 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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2191 passed, the title was agreed to, and the emergency clause carried.

SB 2193: A BILL for an Act to amend and reenact section 6-09-02 of the North Dakota Century Code, relating to the operation and business of the Bank of North Dakota.

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; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Tennefos

ABSENT AND NOT VOTING: Krauter; Tallackson

SB 2193 passed and the title was agreed to.

SB 2196: A BILL for an Act to provide for the purchase of stock in an export trading company by the Bank of North Dakota.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Lashkowitz; Mutch; Tennefos; Thane

ABSENT AND NOT VOTING: Tallackson

SB 2196 passed and the title was agreed to.

SB 2207: A BILL for an Act to create and enact a new subsection to section 6-09-35 of the North Dakota Century Code, relating to the confidentiality of Bank records.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2207 passed and the title was agreed to.

SB 2213: A BILL for an Act to amend and reenact section 39-25-05 of the North Dakota Century Code, relating to the expiration and renewal of commercial driver training school licenses and fees.

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, 2 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Bakewell; Christensen

ABSENT AND NOT VOTING: Tallackson

SB 2213 passed and the title was agreed to.

SB 2228: A BILL for an Act to create a new subsection to section 61-03-05 of the North Dakota Century Code, relating to the fees of the state engineer.

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; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2228 passed and the title was agreed to.

SB 2232: A BILL for an Act to amend and reenact sections 23-09-03, 23-09-05, 23-09-06, and 23-09-07 of the North Dakota Century Code, relating to fire protection measures in hotels, motels, roominghouses, and lodginghouses; and to repeal section 23-09-04 of the North Dakota Century Code, relating to fire escapes in hotels and lodginghouses.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Meyer, D.; Mutch; Nelson; Tennefos

ABSENT AND NOT VOTING: Tallackson

SB 2232 passed and the title was agreed to.

SB 2234: A BILL for an Act to amend and reenact sections 61-20-01, 61-20-02, and 61-20-03 of the North Dakota Century Code, relating to artesian wells.

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; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore;

Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Tallackson

SB 2234 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4007: A concurrent resolution expressing support of the state of North Dakota for a regional airport authority serving the areas of Moorhead, Minnesota, and Fargo, North Dakota, and of East Grand Forks, Minnesota, and Grand Forks, North Dakota, and urging the Minnesota Legislature to enact legislation authorizing creation of regional airport authorities serving those two pairs of cities.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4007 was declared adopted on a voice vote.

SCR 4008: A concurrent resolution expressing support of the state of North Dakota for establishing regional airport authorities serving the areas along the border between North Dakota and South Dakota, and urging the South Dakota Legislature to enact legislation authorizing creation of regional airport authorities serving border cities.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4008 was declared adopted on a voice vote.

SCR 4009: A concurrent resolution expressing support of the state of North Dakota for establishing regional airport authorities serving the areas along the border between North Dakota and Montana, and urging the Montana Legislature to enact legislation authorizing creation of regional airport authorities serving border cities.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4009 was declared adopted on a voice vote.

MOTION

SEN. ADAMS MOVED that SB 2006 be returned to the Senate floor from the Committee on Industry, Business and Labor, which motion prevailed.

REQUEST

SEN. ADAMS REQUESTED the unanimous consent of the Senate to withdraw SB 2006. There being no objection, it was so ordered by the President.

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

SB 2067, SB 2071, SB 2072, SB 2081, SB 2082, SB 2132,
SB 2158, SB 2209, SB 2241, SCR 4019

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

HB 1045, HB 1058, HB 1059, HB 1063, HB 1068, HB 1107,
HB 1124, HB 1125, HB 1131, HB 1137, HB 1139, HB 1164,
HB 1178, HB 1214, HCR 3013

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCMR 2

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HCMR 2

LEO LEIDHOLM, Secretary

MESSAGE TO THE HOUSE
SENATE CHAMBER

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

HCMR 2

LEO LEIDHOLM, Secretary

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2043 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, line 1, after the word "application" delete the words "until the livestock sanitary board has certified that"

On page 2, delete line 2

On page 2, line 3, delete the word "requirements" and insert in lieu thereof the words "without written permission from the executive officer of the livestock sanitary board"

And renumber the lines and pages accordingly

SEN. VOSPER, Chairman

SB 2043 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2044 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 8, delete lines 3 through 28

And renumber the lines accordingly

SEN. VOSPER, Chairman

SB 2044 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2097 has had the same under consideration and recommends that the same DO PASS.

SEN. MOORE, Chairman

SB 2097 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2100 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 "to" insert the words "create and enact a new subsection to section 4-27-06 of the North Dakota Century Code, relating to assessments charged milk producers; to"

On page 1, line 3, after the word "Act" insert the words "; to repeal subsection 1 of section 4-27-06 of the North Dakota

Century Code, relating to assessments charged milk producers; and to provide an effective date"

On page 1, after line 13, insert the following new sections:

"SECTION 2. A new subsection to section 4-27-06 of the 1983 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

There is hereby levied an assessment of one-half of one percent of the gross receipts of all milk or some product therefrom produced in this state.

SECTION 3. REPEAL. Subsection 1 of section 4-27-06 of the 1983 Supplement to the North Dakota Century Code is hereby repealed.

SECTION 4. EFFECTIVE DATE. Sections 2 and 3 of this Act become effective upon certification by the dairy commissioner to the secretary of state of the approval of any national referendum held pursuant to the Agricultural Adjustment Act [48 Stat. 31; 7 U.S.C. 608c(15)] to lower the amount levied on milk producers by the United States department of agriculture. Approval of a referendum must be before July 1, 1989, for sections 2 and 3 to become effective."

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

SB 2100 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2120 has had the same under consideration and recommends that the same DO NOT PASS.
SEN. STENEHJEM, Chairman

SB 2120 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2137 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, line 2, after the period insert the following sentence: "If, however, the applicator does not inform the claimant of the legal requirements for the claimant to file a verified report of loss, the claimant shall have one year from the date of the incident to file a verified report of loss."

And renumber the lines and pages accordingly

SEN. VOSPER, Chairman

SB 2137 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2140 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. VOSPER, Chairman

SB 2140 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2177 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. HOLMBERG, Chairman

SB 2177 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2182 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MOORE, Chairman

SB 2182 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2184 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. HOLMBERG, Chairman

SB 2184 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred SB 2205 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SB 2205 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2236 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

SB 2236 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred SB 2238 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

SB 2238 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred SB 2249 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

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

On page 1, line 11, after the word "fund" insert the words "; and to provide an appropriation"

On page 1, line 23, delete the numerals "5,070,221" and insert in lieu thereof the numerals "5,400,000"

On page 1, line 28, delete the words "common school" and insert in lieu thereof the words "lands and minerals"

On page 2, line 6, overstrike the numerals "5,070,221" and insert immediately thereafter the numerals "5,400,000"

On page 2, line 9, overstrike the words "ten and one-half" and insert immediately thereafter the word "twelve" and after the period insert the following new sentence: "The common school trust fund shall have a security interest in the properties of the lands and minerals trust fund in the amount of the loan."

On page 3, line 5, delete the words "Payments of principal and interest on loans made under"

On page 3, delete lines 6 through 9

On page 3, line 11, after the numerals "6-09.6-01.1" insert the words "and section 1 of this Act"

On page 4, line 2, after the semicolon insert the word "or"

On page 4, line 5, delete the semicolon and word "; or"

On page 4, delete lines 6 through 10

On page 4, line 11, delete the words "will meet those standards"

On page 4, after line 28, insert the following new section:

"SECTION 5. APPROPRIATION. There is hereby appropriated out of any moneys in the lands and minerals trust fund, not otherwise appropriated, the sum of \$1,370,520 or so much thereof as may be necessary, for the purpose of making payments of principal and interest to the common school trust fund on any loans made from it pursuant to section 1 of this Act, for the biennium beginning July 1, 1985, and ending June 30, 1987."

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

SB 2249 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE BILLS

Sen. Peterson and Rep. Nalewaja introduced:

SB 2299: A BILL for an Act to amend and reenact subsection 3 of section 57-40.2-03.3 of the North Dakota Century Code, relating to use tax on contractors.

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

Sens. Holmberg, Kilander and Reps. Hughes, Unhjem, Hoffner introduced:

SB 2300: 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 the exemption of gas used for heating purposes from sales and use taxes; and to amend and reenact subsections 7, 8, and 9 of section 57-39.2-01, subdivision b of subsection 1 of section 57-39.2-02.1, subsection 2 of section 57-39.2-18, and subdivision a of subsection 8 of section 57-40.2-01 of the North Dakota Century Code, relating to the exemption of gas used for heating purposes from sales and use taxes.

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

Sens. Krauter, Kelsh, Stenehjem introduced:

SB 2301: A BILL for an Act to amend and reenact section 39-08-18 of the North Dakota Century Code, relating to the penalty for consuming alcoholic beverages in motor vehicles on public highways.

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

Sens. Mushik, Satrom and Reps. Haugland, Martin, Wentz introduced:

SB 2302: A BILL for an Act to create and enact two new sections to chapter 49-10.1 of the North Dakota Century Code, relating to a requirement of a caboose in connection with movements of certain railroad trains; and to provide a penalty.

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

Sens. Todd, Freborg and Reps. Retzer, Unhjem introduced:

SB 2303: A BILL for an Act to create and enact a new section to chapter 23-13 of the North Dakota Century Code, relating to smoke detection systems in residential rental property; and to amend and reenact section 23-13-04 of the North Dakota Century Code, relating to the construction of doors of public buildings; and to provide a penalty.

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

Sens. Todd, Mutch introduced:

SB 2304: A BILL for an Act to create and enact a new section to chapter 39-21 of the North Dakota Century Code, relating to equipment of motor vehicles powered by flammable pressurized gas; and to provide a penalty.

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

Sen. Todd and Reps. Unhjem, Retzer introduced:

SB 2305: A BILL for an Act to amend and reenact sections 48-08-07 and 54-40-02.1, relating to term limitations on the lease of public buildings.

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

Sen. Wenstrom introduced:

SB 2306: A BILL for an Act to amend and reenact subsection 9 of section 52-09-20 of the North Dakota Century Code, relating to primary insurance benefits under the North Dakota old-age and survivor insurance system.

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

Sens. Mushik, Christensen, Redlin and Reps. O'Connell, A. Olson, R. Hausauer introduced:

SB 2307: A BILL for an Act to amend and reenact subsection 2 of section 14-06.1-02 and section 14-06.1-12 of the North Dakota Century Code, relating to the citizen advisory body to 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.

Sens. Nething, Heigaard and Reps. Strinden, Mertens introduced:

SB 2308: A BILL for an Act to authorize the state board of higher education to issue and sell self-liquidating, tax-exempt bonds for the purpose of constructing, improving, or refinancing debt incurred in connection with the revenue-producing educational and airport facilities at the university of North Dakota; and to provide an appropriation.

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

Sens. Thane, Dotzenrod introduced:

SB 2309: A BILL for an Act to amend and reenact subsection 15 of section 57-02-08 of the North Dakota Century Code, relating to the farm residence exemption and the receipt of cash rent; and to provide an effective date.

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

Sens. Stenehjem, Holmberg, Ingstad introduced:

SB 2310: A BILL for an Act to amend and reenact section 11-11-19 of the North Dakota Century Code, relating to authority of county commissioners to purchase land without an election.

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

Sens. Moore, Thane, Peterson, David, Todd introduced:

SB 2311: A BILL for an Act to provide that information be provided to state employees concerning state contributions to employee health and retirement benefit programs.

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

Sens. Todd, Kusler, Satrom and Reprs. Unhjem, Nalewaja, O. Solberg introduced:

SB 2312: A BILL for an Act to establish an historical impact fund for emergency historical and archaeological projects; and to provide an appropriation.

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

Sen. Ingstad introduced:

SB 2313: A BILL for an Act to amend and reenact section 13-01-14 of the North Dakota Century Code, relating to late payment charges on accounts receivable.

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

Sens. Wright, Dotzenrod introduced:

SB 2314: A BILL for an Act to amend and reenact section 37-14-14 of the North Dakota Century Code, relating to the balance of the veterans' postwar trust fund.

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

Sens. Stenehjem, Holmberg introduced:

SB 2315: A BILL for an Act to amend and reenact subsection 5 of section 57-15-06.8 of the North Dakota Century Code, relating to county tax levy limitations for extraordinary expenditures.

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

Sen. Tweten introduced:

SB 2316: A BILL for an Act to amend and reenact sections 61-16.1-45 and 61-21-46 of the North Dakota Century Code, relating to assessments for drain maintenance.

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

Sen. Tweten introduced:

SB 2317: A BILL for an Act to amend and reenact section 61-02-64.1 of the North Dakota Century Code, relating to the water commission contract fund.

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

Sens. J. Meyer, Dotzenrod introduced:

SB 2318: A BILL for an Act to amend and reenact section 4-33-11 of the North Dakota Century Code, relating to financing of local pest control programs.

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

Sens. Olson, Lodoen and Rep. Rydell introduced:

SB 2319: A BILL for an Act to authorize counties to impose an excise tax on telephone access lines for funding emergency services communication systems.

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

Sens. Redlin, Mushik and Rep. Oban, Rydell, Retzer introduced:

SB 2320: A BILL for an Act to amend and reenact sections 54-03-02 and 54-03-02.1 of the North Dakota Century Code to provide for regularly scheduled special sessions of the legislative assembly in even-numbered years for budget adjustment purposes.

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

Sens. Wright, Todd, Tallackson and Rep. Retzer introduced:

SB 2321: A BILL for an Act to create and enact a new section to chapter 25-09 of the North Dakota Century Code, relating to payment for the expense of providing care and treatment to nonresident Indians at the state hospital; and to amend and reenact sections 23-07.1-02, 25-09-04, 25-09-10, and 25-16-13 of the North Dakota Century Code, relating to the responsibility of relatives to pay for the expense of providing care and treatment of persons with tuberculosis, persons at the state hospital, and the payment of expenses for care and treatment of nonresident Indians at the state hospital.

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

Sen. Reiten introduced:

SB 2322: A BILL for an Act to amend and reenact sections 51-07-01, 51-07-01.1, and 51-07-03 of the North Dakota

Century Code, relating to sales and exchanges between wholesalers, manufacturers, distributors, and retailers. Was read the first time and referred to the Committee on Industry, Business and Labor.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Holmberg, Nelson and Rep. Stofferahn introduced:

SCR 4023: A concurrent resolution for the amendment of subsection 1 of section 6 of article VIII and sections 12 and 13 of article IX of the Constitution of the State of North Dakota, relating to removing references to the types of institution of higher education which must be located in named cities; and to provide an effective date.

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

Sens. Krauter, Kelsh, Bakewell introduced:

SCR 4024: A concurrent resolution urging Women Involved in Farm Economics (W.I.F.E.) to make a united effort to bring the farm credit crisis, the need for full agricultural parity, and the need for a balanced federal budget to the attention of elected officials.

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

FIRST READING OF HOUSE BILLS

HB 1109: A BILL for an Act to amend and reenact section 24-01-07 of the North Dakota Century Code, relating to maps of state, county, and municipal highway, road, and street systems.

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

HB 1167: A BILL for an Act to amend and reenact section 26-03.1-13 of the North Dakota Century Code, or in the alternative to amend and reenact section 26.1-36-20 of the North Dakota Century Code as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to conditions for the continuation of a juvenile's accident and sickness insurance coverage.

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

HB 1201: A BILL for an Act to amend and reenact section 39-21-44.2 of the North Dakota Century Code, relating to a drawbar or other connection between vehicles.

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

COMMUNICATION

North Dakota Medical Association
Doctor of the Day Schedule

January 21: Keith Rau, M.D. - Fargo
January 22: Marlin Johnson, M.D. - Bismarck
January 23: Michael Schmidt, M.D. - Grand Forks
January 24: Bernard Altenburg, M.D. - Fargo
January 25: Herbert Wilson, M.D. - New Town

MOTIONS

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

SEN. NOTHING MOVED that at the conclusion of the Fifth order of business, the Ninth and Thirteenth orders of business and after the reading of SB 2086, SB 2097, SB 2120, SB 2140, SB 2150, SB 2177, SB 2182, SB 2184, SB 2205, SB 2236, and SB 2238, the Senate adjourn and convene at 1:00 p.m., Monday, January 21, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary