

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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TWENTY-EIGHTH DAY

Bismarck, February 14, 1985

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

The prayer was offered by Mike Meiers, a missionary associated with Christian Missions in Many Lands in the Republic of Paraguay, and son of President Ruth Meiers.

Oh God of Love, we think of You this day when the world commemorates love in a special way. We know that You are the author of love, and it is not that we loved You but that You loved us and sent Your Son to pay the ultimate penalty for our sins. We pray that all here may come to saving faith in Your great Grace shown to us on Calvary's tree.

On this day of love in the hubbub of the legislative process, we pray for the relationships of these men and women who lead our state. We pray that marital, family, and friendship relationships may become dearer and not forgotten or taken lightly. We pray that problems that may exist may be resolved according to Your will. And we pray especially for a loving, charitable attitude towards all, even, yes, even our enemies and opponents. Oh Lord, we need your perspective.

Even as we look to those near to us and to our state, we must remember those far away. For You, oh Lord, have not blessed us materially and spiritually just for our benefit. In a time when people are only thinking of their own problems, give us a true vision of the overwhelming needs that there are in the world. Make us a blessing even unto the uttermost parts of the earth. Lord, we need your perspective.

So we continue praising You, thanking You always in the name of Your Son, our Lord, Jesus Christ. Amen.

ROLL CALL

The roll was called and all Senators were present, except Senator Kelly.

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

SEN. DAVID, Chairman

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

MESSAGES 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 2001, SB 2062, SB 2179, SB 2283, SB 2289, SB 2403,
SB 2407, SB 2423, SB 2424, SB 2499, SCR 4035

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1214, HB 1248, HCR 3005

LEO LEIDHOLM, Secretary

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 2174, SB 2260, SB 2369, SB 2381, SB 2383, SB 2433,
SB 2434, SB 2438, SB 2447, SB 2472, SB 2478, SB 2483,
SCR 4002

LEO LEIDHOLM, Secretary

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 2031, SB 2304, SB 2420, SB 2496, SCR 4038

SEN. BAKEWELL, Chairman

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

CONSIDERATION OF AMENDMENTS

SEN. WRIGHT MOVED that the amendments to SB 2295 as recommended by the Committee on Finance and Taxation as printed on page 691 of the Senate Journal be adopted, and when so adopted, recommends that SB 2295 DO NOT PASS, which motion prevailed.

SEN. WRIGHT MOVED that the amendments to SB 2300 as recommended by the Committee on Finance and Taxation as printed on pages 691-694 of the Senate Journal be adopted, and when so adopted, recommends that SB 2300 DO PASS, which motion prevailed.

SEN. OLSON MOVED that the amendments to SB 2355 as recommended by the Committee on Judiciary as printed on page 694 of the Senate Journal be adopted, and when so adopted, recommends that SB 2355 DO PASS, which motion prevailed.

SEN. OLSON MOVED that the amendments to SB 2435 as recommended by the Committee on Judiciary as printed on page 695 of the Senate Journal be adopted, and when so adopted, recommends that SB 2435 DO PASS, which motion prevailed.

SEN. LODOEN MOVED that the amendments to SB 2436 as recommended by the Committee on State and Federal Government as printed on pages 695-696 of the Senate Journal be adopted, and when so adopted, recommends that SB 2436 DO PASS, that the rules be suspended, and that SB 2436 be rereferred to the Committee on Appropriations, which motion prevailed.

SB 2436 was rereferred to the Committee on Appropriations.

SEN. PETERSON MOVED that the amendments to SB 2476 as recommended by the Committee on Education as printed on pages 697-698 of the Senate Journal be adopted, and when so adopted, recommends that SB 2476 DO PASS, which motion prevailed.

MESSAGE 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 1062, HB 1191, HB 1334, HB 1554, HB 1566, HB 1603,
HB 1618, HCR 3043, HCR 3044, HCR 3068

ROY GILBREATH, Chief Clerk

FIRST READING OF A SENATE MEMORIAL RESOLUTION

Sen. Tallackson introduced:

SMR 1: A memorial resolution extending sympathy and condolence to the family of Mrs. Lydia O. Jackson.

Was read the first time.

MOTION

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

Sen. Tallackson introduced:

SENATE MEMORIAL RESOLUTION NO. 1

A memorial resolution extending sympathy and condolence to the family of Mrs. Lydia O. Jackson.

WHEREAS, God in His infinite wisdom has seen fit to summon from our midst Mrs. Lydia O. Jackson, Poet Laureate of the State of North Dakota; and

WHEREAS, Mrs. Lydia O. Jackson rendered outstanding service to the people of this state through her artistic contributions; and

WHEREAS, Mrs. Lydia O. Jackson left a living legacy through her many poems, many of which have particular significance to North Dakotans;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

That we express our deep sorrow and extend to all members of Mrs. Jackson's family our sincere sympathy and condolence in this their time of sorrow; and

BE IT FURTHER RESOLVED, that the Secretary of State present an enrolled copy of this resolution to the family of Mrs. Lydia O. Jackson.

SECOND READING OF A SENATE MEMORIAL RESOLUTION

SMR 1: A memorial resolution extending sympathy and condolence to the family of Mrs. Lydia O. Jackson.

Was read the second time.

The question being on the final adoption of the resolution.

SMR 1 was declared adopted on a voice vote.

POINT OF PERSONAL PRIVILEGE

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

Lydia Jackson was dedicated to her family, her community and country, and to her poetry. She was a quiet, eloquent, patient, and hard-working farmwife. She was born on March 5, 1902, at Grafton, North Dakota and died on April 3, 1984, at the age of 82. Her poetry has been published both nationally and internationally in many different publications. Recently her family published a combination of three of her books into one called "A

Trilogy Trimmed in Lace" and this is the book, a very, very nice book of poetry. I've placed a poem of hers on each of your desks and this is a prayer of a homemaker. Lydia Jackson's poetry will provide pleasant reading and bring warm thoughts and memories to a great many people for years to come. Thank you, Madam President.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Parker introduced:

SCR 4048: A concurrent resolution directing the Legislative Council to study the feasibility of and the various means and methods of, as well as the timing involved in, the development and transition to a "one university" system encompassing all state institutions of higher education in the state of North Dakota.

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

Sens. W. Meyer, D. Meyer, David and Reps. R. Anderson, Murphy introduced:

SCR 4049: A concurrent resolution congratulating Brad Gjermundson on winning his third Professional Rodeo Cowboys' Association world saddle bronc championship in the sport of rodeo.

Was read the first time.

MOTION

SEN. W. MEYER MOVED that the rules be suspended, that SCR 4049 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. W. Meyer, D. Meyer, David and Reps. R. Anderson, Murphy introduced:

SENATE CONCURRENT RESOLUTION NO. 4049

A concurrent resolution congratulating Brad Gjermundson on winning his third Professional Rodeo Cowboys' Association world saddle bronc championship in the sport of rodeo.

WHEREAS, the Legislative Assembly recognizes and honors North Dakota citizens for their national accomplishments; and

WHEREAS, Brad Gjermundson's career progressed from the North Dakota High School Team Roping Championship in 1975, to the North Dakota High School Rodeo Saddle Bronc Champion in 1976 and 1977, and North Dakota High School Rodeo "All Around Champion" in 1977; and

WHEREAS, Brad Gjermundson won the North Dakota Rodeo Association Saddle Bronc Championship in 1979, and while competing as a member of the Dickinson State College Rodeo Team won the National Intercollegiate Rodeo Association Saddle Bronc Championship in 1980; and

WHEREAS, Brad Gjermundson captured and thrilled rodeo fans worldwide by winning the Professional Rodeo Cowboys' Association Saddle Bronc Rookie of the Year Award in 1980; and

WHEREAS, Brad Gjermundson has always exemplified the life of a champion in his personal contribution to the handicapped that participate at the Exceptional Children's Rodeo in Oklahoma City, the Northern Plains Rodeo Bible Camp, as well as the Circle "C" Ranch Rodeo Bible Camp, to further the teaching of the christian way of life through the sport of rodeo; and

WHEREAS, Brad Gjermundson has set an example as a world champion for the young people in North Dakota and the nation, showing that personal goals, dedication, and recognition for the State of North Dakota are possible for all young people who give their utmost to their chosen professions; and

WHEREAS, Brad Gjermundson was so honored for the third time, 1981, 1983, and 1984, as Saddle Bronc Champion of the World through his own determination and talent; and

WHEREAS, his feats merit recognition by the State of North Dakota and its citizens;

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

That the Forty-ninth Legislative Assembly take great pride and pleasure in extending its heartiest congratulations to Brad Gjermundson for his superb accomplishments both in and out of the sport of rodeo; and

BE IT FURTHER RESOLVED, that the Secretary of State send enrolled copies of this resolution to Brad and Jackie Gjermundson; his parents, Stan and Sharon Gjermundson; the Professional Rodeo Cowboys' Association in Colorado Springs; and Bob Tallman of Great American Cowboy Network in Eugene, Oregon.

SECOND READING OF A SENATE CONCURRENT RESOLUTION
SCR 4049: A concurrent resolution congratulating Brad Gjermundson on winning his third Professional Rodeo Cowboys' Association world saddle bronc championship in the sport of rodeo.

Was read the second time.

The question being on the final adoption of the resolution.

SCR 4049 was declared adopted on a voice vote.

POINT OF PERSONAL PRIVILEGE

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

Madam President and members of the Senate: Just because both Senator Meyers' from District 36 and 53 and myself are on this resolution it doesn't mean that we are the only ones interested in the accomplishments of North Dakotans. Brad Gjermundson that you just heard a few moments ago having honored us in the state by being recognized worldwide, three times in the special feat, is indicative, I think, of our people of North Dakota.

Rodeo is the most attended sport in the United States and it's the only sport that comes from our own western American heritage. North Dakota has added much to this popular sport through the contribution of rodeo greats for years past including world's champion Alvin Nelson in 1957. Mr. Nelson went on to win the all-around finals of 1961, and he won the finals in saddle bronc in '62 at Oklahoma City. Alvin Nelson hails from Grassy Butte. We also want to think about the Teschers from Sentinel Butte. Jim Tescher came within just eighteen points of winning the world's championship and he has judged at the National Finals Rodeo in Oklahoma City several times. Then we look at Duane Howard from Minnewaukan, saddle bronc and bull riding. While never winning the championship in either of these events, he was a contender and a runner-up in winning the all-around one year at the finals and he's been a judge at the finals. This last year he was a judge at the National finals in Oklahoma City. Then, of course, we have Brenda Bonogofsky. We were so honored to have her here before this last session. Brenda is another example of North Dakota's tenacity. She is the first and only North Dakotan to be crowned Miss Rodeo America. Wayne Herman, of Dickinson, right now is leading in the Professional Rodeo Cowboys' Association bareback division. We think of these people and the Dean Armstrongs and, of course, the Pete Fredricks, and the Joe Chases. They have all qualified to participate in the National Finals Rodeo at Oklahoma City. They have brought much recognition to our Peace Garden State.

These are dedicated men and women, a product of our lifestyle in North Dakota and of our environment. They are a breed of their own in the world of sports, through their own dedication, their own sacrifices, and their own expenses and, of course, their own hard work, they paved their own way. They are driven only by their individual dedication to bring honor and recognition to all of us in North Dakota. They are a product that we can be proud of, we can be proud to know, we can be proud to be associated with. Thank you, Madam President.

SECOND READING OF SENATE BILLS

SB 2031: A BILL for an Act making an appropriation for defraying the expenses of job service North Dakota and divisions thereof of the state 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 53 YEAS, 0 NAYS, 0 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: None

SB 2031 passed and the title was agreed to.

SB 2160: A BILL for an Act to amend and reenact subsection 16 of section 52-06-02 of the North Dakota Century Code, relating to reduction of unemployment compensation benefits due to receipt of pensions.

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 25 YEAS, 28 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Peterson; Redlin; Satrom; Shea; Waldera; Wogsland

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad; Kelly; Kilander; Lodoen; Mutch; Naaden; Nelson; Nething; Olson; Parker; Reiten; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2160 was declared lost.

SB 2222: A BILL for an Act to amend and reenact subsections 4, 5, and 6 of section 10-15-36 of the North Dakota Century Code, relating to cooperative associations.

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

ROLL CALL

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

YEAS: None

NAYS: Adams; Bakewell; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: None

SB 2222 was declared lost.

SB 2229: A BILL for an Act to amend and reenact subsection 1 of section 65-05-17 of the North Dakota Century Code, relating to the removal of the cap on workmen's compensation death benefits.

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 20 YEAS, 33 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, J.; Mushik; Redlin; Satrom; Shea; Stromme; Tallackson; Waldera; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Ereborg; Holmberg; Ingstad; Kelly; Kilander; Langley; Lips; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SB 2229 was declared lost.

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.

Which has been read.

MOTIONS

SEN. INGSTAD MOVED that SB 2313 be amended as follows:

On page 1, line 20, after the numeral and period "4." insert the following sentence: "No creditor may charge, receive, or collect a late payment charge on medical, hospital, or residential utility bills." and immediately thereafter insert an underscored numeral and period "5."

And renumber the lines accordingly

SEN. INGSTAD MOVED that the proposed amendments be adopted, which motion lost on a division vote.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 33 YEAS, 20 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Ereborg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Langley; Lashkowitz; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Kusler; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea; Stenehjem; Waldera; Walsh; Wogsland

ABSENT AND NOT VOTING: None

SB 2313 passed and the title was agreed to.

MOTION

SEN. WRIGHT MOVED that SB 2343, which is on the Eleventh order, be laid over two legislative days, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2380: A BILL for an Act to create and enact a new section to chapter 37-17.1 of the North Dakota Century Code, relating to the expenditure of disaster planning funds.

Which has been read.

ROLL CALL

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

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

NAYS: Holmberg; Meyer, D.

ABSENT AND NOT VOTING: None

SB 2380 passed and the title was agreed to.

SB 2397: A BILL for an Act to amend and reenact sections 9-10-07 and 65-01-09 of the North Dakota Century Code, relating to comparative fault and to the workmen's compensation bureau's right to recover for the negligence or other fault of third persons.

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 12 YEAS, 41 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Kilander; Kusler; Lips; Matchie; Meyer, J.; Mushik; Mutch; Peterson; Satrom; Tallackson; Thane; Walsh

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lodoen; Maixner; Meyer, D.; Meyer, W.;

Moore; Naaden; Nelson; Nething; Olson; Parker; Redlin;
 Reiten; Shea; Stenehjerm; Streibel; Stromme; Tennefos;
 Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland;
 Wright

ABSENT AND NOT VOTING: None

SB 2397 was declared lost.

SB 2419: A BILL for an Act to provide for negotiation and arbitration rights and procedures for public employees; to repeal chapter 34-11 of the North Dakota Century Code, relating to mediation of disputes between public employers and public employees; and to provide a penalty.

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 22 YEAS, 30 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Heigaard; Heinrich; Holmberg; Ingstad; Kelsh;
 Krauter; Kusler; Lashkowitz; Maixner; Matchie;
 Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Shea;
 Stenehjerm; Stromme; Tallackson; Waldera; Walsh;
 Wogsland

NAYS: Adams; Bakewell; Berube; Christensen; David;
 Dotzenrod; Freborg; Hilken; Kelly; Kilander; Langley;
 Lips; Lodoen; Meyer, D.; Moore; Mutch; Nelson; Nething;
 Olson; Parker; Peterson; Reiten; Streibel; Tennefos;
 Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: Naaden

SB 2419 was declared lost.

SB 2444: A BILL for an Act to create and enact a new subsection to section 50-06-05.1 and a new subsection to section 54-12-01 of the North Dakota Century Code, relating to the powers and duties of the department of human services and the attorney general regarding administrative hearings.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 32 YEAS, 20 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Kelsh; Kilander; Kusler; Langley; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Naaden; Parker; Peterson; Redlin; Satrom; Shea; Stenehjem; Stromme; Tallackson; Waldera; Walsh; Wogsland; Wright

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Kelly; Lips; Moore; Mutch; Nelson; Nething; Olson; Reiten; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom

ABSENT AND NOT VOTING: Krauter

SB 2444 passed and the title was agreed to.

SB 2457: A BILL for an Act to amend and reenact section 26.1-13-15 of the North Dakota Century Code, relating to territorial limits of county mutual insurance companies.

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 20 YEAS, 32 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Kusler; Maixner; Matchie; Meyer, J.; Meyer, W.; Mushik; Satrom; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Freborg; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Langley; Lashkowitz; Lips; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Shea; Stenehjem; Streibel; Tennefos; Tweten; Wenstrom; Wright

ABSENT AND NOT VOTING: Krauter

SB 2457 was declared lost.

SB 2467: A BILL for an Act to create and enact a new section to chapter 6-03 of the North Dakota Century Code, relating to a banking association's power and the authority to invest in assets and obligations.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 42 YEAS, 10 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Dotzenrod; Freborg; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler; Lips; Lodoen; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: Berube; Heigaard; Heinrich; Hilken; Langley; Lashkowitz; Maixner; Matchie; Meyer, J.; Wenstrom

ABSENT AND NOT VOTING: Krauter

SB 2467 passed and the title was agreed to.

MOTION

SEN. PARKER MOVED that SB 2485, which is on the Eleventh order, be laid over two legislative days, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2487: A BILL for an Act to amend and reenact section 43-03-09 of the North Dakota Century Code, relating to the practice of architecture without a license.

Which has been read.

MOTIONS

SEN. REITEN MOVED that SB 2487 be amended as follows:

On page 1, line 9, delete the strikeover on the words "as a profession"

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

SEN. REITEN MOVED that the rules be suspended, that SB 2487 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SB 2487: A BILL for an Act to amend and reenact section 43-03-09 of the North Dakota Century Code, relating to the practice of architecture without a license.

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, 4 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; 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; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Freborg; Kelly; Mutch; Tennefos

ABSENT AND NOT VOTING: None

SB 2487 passed and the title was agreed to.

SB 2492: A BILL for an Act to guarantee access to certain instructional materials by parents or guardians and to protect the privacy of students from certain examinations.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 15 YEAS, 37 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; David; Freborg; Lodoen; Meyer, W.; Mutch; Naaden; Nelson; Streibel; Tennefos; Thane; Tweten; Vosper

NAYS: Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mushik; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Stromme; Tallackson; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Bakewell

SB 2492 was declared lost.

SB 2496: A BILL for an Act to create and enact section 54-17-07.8 of the North Dakota Century Code, relating to

the confidentiality of state housing finance agency 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; David; Dotzenrod; Ereborg; 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; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Bakewell; Krauter

SB 2496 passed and the title was agreed to.

SB 2497: A BILL for an Act relating to property used for farming purposes and providing for relief in certain cases from foreclosure of mortgages, termination of contracts for the conveyance of real estate, execution sales of real property; to provide relief in certain cases from claim and delivery, seizure, or foreclosure of personal property; to extend the period of redemption of real property during an emergency; to provide an expiration date; and to declare an emergency.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 16 YEAS, 33 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Berube; David; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Lashkowitz; Matchie; Meyer, D.; Meyer, J.; Mushik; Shea; Waldera

NAYS: Adams; Christensen; Holmberg; Ingstad; Kelly; Kilander; Langley; Lips; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme;

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

ABSENT AND NOT VOTING: Bakewell; Freborg; Maixner;
Meyer, W.

SB 2497 was declared lost.

MOTION

SEN. WRIGHT MOVED that SB 2503, SB 2504, and SCR 4044 which are on the Eleventh order, be laid over two legislative days, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4047: A concurrent resolution directing the Legislative Council to establish a jobs development commission composed of legislators, officials from the executive branch of government, officials from higher education, and representatives of private industry to study methods and to coordinate efforts to initiate and sustain new economic development and to spur the creation of new employment opportunities for the citizens of this state.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4047 was declared adopted on a voice vote.

MOTION

SEN. PETERSON MOVED that HB 1050, which is on the Fourteenth order, be referred to the Committee on Education, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1042: A BILL for an Act to amend and reenact subdivision k of subsection 1 of section 28-32-03.2 of the North Dakota Century Code, relating to the distribution of the North Dakota Administrative Code.

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;
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; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Reiten; Satrom

HB 1042 passed and the title was agreed to.

HB 1045: A BILL for an Act to amend and reenact section 54-10-01 of the North Dakota Century Code, relating to the powers and duties of the state auditor and requiring a report on outstanding debt issues of the state.

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: 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; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Adams; Reiten

HB 1045 passed and the title was agreed to.

HB 1046: A BILL for an Act to repeal chapters 6-09.3, 54-31, and 54-32 of the North Dakota Century Code, and sections 1 and 2 of chapter 108 of the 1941 Session Laws of North Dakota, relating to irrigation development debentures, North Dakota mill and elevator bonds, and North Dakota mill and elevator refunding bonds.

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: 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; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Adams; Reiten

HB 1046 passed and the title was agreed to.

HB 1108: A BILL for an Act to amend and reenact subsection 3 of section 54-44.2-02 of the North Dakota Century Code, relating to the purchase of data processing equipment; and to repeal section 54-44.2-03 of the North Dakota Century Code, relating to the transfer of electronic data processing equipment acquired by state agencies prior to July 1, 1969.

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: 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; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Tennefos; Tweten

ABSENT AND NOT VOTING: Adams; Reiten

HB 1108 passed and the title was agreed to.

HB 1110: A BILL for an Act to amend and reenact section 54-27-21 of the North Dakota Century Code, relating to the requirements for fixed asset minimum reporting value for state departments, agencies, and institutions.

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: Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; 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: Ingstad; Lashkowitz

ABSENT AND NOT VOTING: Adams; Tallackson

HB 1110 passed and the title was agreed to.

HB 1114: A BILL for an Act to amend and reenact subsection 1 of section 54-14-03.2 of the North Dakota Century Code, relating to claims against the state for acts of residents of the state institutions.

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

NAYS: None

ABSENT AND NOT VOTING: Adams

HB 1114 passed and the title was agreed to.

REPORT OF PROCEDURAL COMMITTEE

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

SMR 1

SEN. BAKEWELL, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

SMR 1

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing:

SMR 1

SEN. BAKEWELL, Chairman

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

MESSAGE 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 1013, HB 1085, HB 1115, HB 1142, HB 1196, HB 1255,
HB 1282, HB 1295, HB 1321, HB 1339, HB 1351, HB 1355,
HB 1369, HB 1396, HB 1407, HB 1418, HB 1438, HB 1475,
HB 1500, HB 1501, HB 1502, HB 1516, HB 1536, HB 1549,
HB 1551, HB 1580, HB 1590, HB 1592, HB 1636

ROY GILBREATH, Chief Clerk

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sens. Wright, Adams, Kilander, Satrom, Dotzenrod introduced:

SCR 4050: A concurrent resolution directing the Legislative Council to study existing and alternative methods of unitary taxation.

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

Sens. D. Meyer, Kilander introduced:

SCR 4051: A concurrent resolution directing the Legislative Council, with the assistance of citizen advisers, to study mutual concerns confronting tribal and nontribal residents of the Fort Berthold Reservation.

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

FIRST READING OF HOUSE BILLS

HB 1182: A BILL for an Act to repeal section 39-18-05 of the North Dakota Century Code, relating to the allowable width, length, and height of mobile homes operated in the state of North Dakota.

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

HB 1273: A BILL for an Act to amend and reenact section 11-17-02 of the North Dakota Century Code, relating to maintenance of naturalization records by the clerk of district court.

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

HB 1274: A BILL for an Act to create and enact a new section to chapter 14-08.1 of the North Dakota Century Code, relating to the enforcement of child support and visitation rights; and to amend and reenact section 14-08-09 of the North Dakota Century Code, relating to enforcement of child support payments.

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

HB 1277: A BILL for an Act to authorize a city tax levy for the construction, operation, and maintenance of animal shelters and to provide for sterilization of animals released for adoption by animal shelters supported by the levy; and to create and enact a new subsection to section 57-15-10 of the North Dakota Century Code, relating to a city tax levy for animal shelters which is in addition to general tax levy limitations.

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

HB 1283: A BILL for an Act to amend and reenact section 27-08.1-01 of the North Dakota Century Code, relating to the venue of small claims court proceedings.

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

HB 1289: A BILL for an Act to amend and reenact subsection 1 of section 25-03.1-26 of the North Dakota Century Code, relating to venue for emergency commitment proceedings.

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

HB 1318: A BILL for an Act to provide for the licensure of dietitians and nutritionists; and to provide a penalty.

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

HB 1319: A BILL for an Act to amend and reenact sections 40-22-15 and 40-22-16 of the North Dakota Century Code, relating to the publication of a resolution of necessity for the creation of sewer or water improvement districts if a portion of the cost is to be raised by service charges; and to declare an emergency.
Was read the first time and referred to the Committee on Political Subdivisions.

HB 1345: A BILL for an Act to amend and reenact section 57-51-05.1 of the North Dakota Century Code, relating to the valuation of reclaimed oil for purposes of payment of the oil and gas gross production tax.
Was read the first time and referred to the Committee on Finance and Taxation.

HB 1354: A BILL for an Act to amend and reenact section 50-11.1-04 of the North Dakota Century Code, relating to prerequisites for the issuance of a child care license.
Was read the first time and referred to the Committee on Social Services and Veterans Affairs.

HB 1431: A BILL for an Act to create and enact a new section to chapter 28-21 of the North Dakota Century Code, providing a penalty for withholding property that has been levied upon; to amend and reenact sections 28-21-06, 28-21-07, 28-21-08, 28-21-10, 28-21-11, 28-21-18, and 28-23-10 of the North Dakota Century Code, relating to execution and sales under execution; and to repeal section 28-21-16 of the North Dakota Century Code, relating to the sheriff's jury.
Was read the first time and referred to the Committee on Judiciary.

HB 1484: A BILL for an Act to amend and reenact section 21-06-10 of the North Dakota Century Code, relating to the allocation of moneys received through leasing of land acquired by the United States for flood control.
Was read the first time and referred to the Committee on State and Federal Government.

HB 1521: A BILL for an Act to limit flaring of gas.
Was read the first time and referred to the Committee on Natural Resources.

HB 1537: A BILL for an Act to amend and reenact subsection 5 of section 43-28-06, and sections 43-28-11, 43-28-12, 43-28-12.1, 43-28-14, 43-28-16, 43-28-17, 43-28-20, 43-28-21, and 43-28-23 of the North Dakota Century Code, relating to powers of the state board of dental examiners, and to applications, examinations, fees, admissions, disciplinary actions, and costs.
Was read the first time and referred to the Committee on Social Services and Veterans Affairs.

HB 1544: A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, to establish a fund for providing oil and gas reservoir data compiled by the industrial commission to state, federal, and county departments and agencies, and members of the general public; and to provide an appropriation.

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

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2056 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 11, remove the overstrike over the words "~~if premises are not rented~~", and delete the words "and, to"

On page 2, delete lines 12 and 13

On page 2, line 14, delete the words "heat, light, and electricity"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2056 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2080 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

SB 2080 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 2170 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

SB 2170 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 2171 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MUTCH, Chairman

SB 2171 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2181 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 21, after the second period insert the following sentence: "A proceeding under this Act is not available to provide relief for disciplinary measures, custodial treatment, or other violations of civil rights of a convicted person occurring after the imposition of sentence."

On page 2, line 24, after the word "under" insert the words "chapter 32-22 or"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2181 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2214 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MUTCH, Chairman

SB 2214 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2274 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 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact nine new sections to chapter 26-17.1 of the North Dakota Century Code, or in the alternative to create and enact nine new sections to chapter 26.1-26 of the North Dakota Century Code as created in Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to prelicensure and continuing education for insurance agents; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Prelicensure education. Any applicant for licensure as an agent, broker, surplus lines broker, consultant, or limited insurance representative, shall file with the commissioner, in a form required by the commissioner, evidence that the person attended or participated in approved insurance education programs or courses of not less than eight hours of approved coursework for each major category of insurance for which licensure is sought. For the purpose of this section, the major categories of insurance are life insurance, accident and health insurance, property insurance, and casualty insurance. Coursework must have been completed within six months of the filing of the application for licensure and must have consisted entirely of classroom hours.

SECTION 2. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Continuing education required.

1. Beginning January 1, 1987, any person licensed as an agent, broker, surplus lines broker, consultant, or limited insurance representative, shall provide the commissioner evidence, as required by the commissioner, that the person attended or participated in continuing education of not less than fifteen hours per year of approved coursework, of which seven and one-half hours per year must be classroom hours. Credit for courses attended in any one year over fifteen hours of coursework may be credited to the year next following the year in which they were earned. Reports of continuing education must be made at the end of each four-year period following licensure, except as provided in subsection 2.
2. On or before January 1, 1986, the commissioner shall by rule divide the persons subject to this section into four equal segments for the purpose of reporting, as follows:
 - a. One-fourth of the persons shall file their report showing fifteen hours or more of approved coursework for the first year under this section within thirty days of January 31, 1987.
 - b. One-fourth of the persons shall file a report showing thirty hours or more of approved coursework for the first two years under this

section within thirty days of January 1, 1988.

- c. One-fourth of the persons shall file a report showing forty-five hours or more of approved coursework for the first three years under this section within thirty days of January 31, 1989.
 - d. One-fourth of the persons shall file a report showing sixty hours or more of approved coursework for the first four years under this section within thirty days of January 31, 1990.
3. All persons licensed after January 1, 1987, shall report within thirty days of the first day of January of the year following the fourth anniversary of the person's licensure.

SECTION 3. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Continuing education advisory task force. The commissioner shall appoint a continuing education advisory task force consisting of nine members. The members must be representative, to the extent possible, of the various members of the insurance industry and of the several classes of insurance. Before making appointments to the advisory task force, the commissioner shall solicit nominations from the several professional organizations representing persons selling insurance in this state and from the organizations representing companies authorized to do business in this state. Members are entitled to expenses pursuant to sections 44-08-04 and 54-06-09. The advisory task force may recommend any rules to the commissioner which are necessary to fulfill its duties and powers.

SECTION 4. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Accreditation of courses. The commissioner shall adopt by rule criteria for the accreditation of courses for continuing or prelicensure education. Applications for accreditation of any course offered in this state for continuing or prelicensure education must be submitted to the commissioner on forms prescribed by rule and with a fee

of fifty dollars. Application must be made at least six months prior to the proposed date of the course. The advisory task force shall recommend to the commissioner whether any course satisfies the criteria for accreditation and the number of credit hours to be assigned to the course. The commissioner shall make a final determination as to accreditation and assignment of credit hours for courses.

SECTION 5. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Report of compliance. Each person required to report under section 2 of this Act, shall file a written, sworn report of compliance with the commissioner in the form prescribed by rule, with a fee of twenty-five dollars, within thirty days after the close of the period for reporting the person's hours.

SECTION 6. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Extension. The commissioner may grant an extension of time, not to exceed one year, for completion of the requirements imposed by section 2 of this Act.

SECTION 7. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Credit for teaching. Any person teaching or lecturing at any approved continuing education course, seminar, or program qualifies for the same number of hours granted to a person enrolled in the approved course, seminar, or program.

SECTION 8. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Credit for out-of-state courses. The commissioner may approve credit earned at any seminar, course, or program offered for prelicensure or continuing education in another state, if that state provides reciprocal credit to its

agents, brokers, and other insurance representatives or license applicants for seminars, courses, or programs offered in this state.

SECTION 9. If Senate Bill No. 2078 of the forty-ninth legislative assembly does not become effective, a new section to chapter 26-17.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

License revocation.

1. The commissioner shall suspend the license of any person if after holding a hearing, the commissioner finds that the person failed to meet the requirements imposed by this Act. Any license suspended under this subsection must remain suspended until the person has demonstrated, to the satisfaction of the commissioner, compliance with the requirements of this Act and other applicable laws.
2. The commissioner shall, after holding a hearing, suspend the license of any person who has submitted a false or fraudulent certificate of compliance.

SECTION 10. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Prelicensure education. Any applicant for licensure as an agent, broker, surplus lines broker, consultant, or limited insurance representative, shall file with the commissioner, in a form required by the commissioner, evidence that the person attended or participated in approved insurance education programs or courses of not less than eight hours of approved coursework for each major category of insurance for which licensure is sought. For the purpose of this section, the major categories of insurance are life insurance, accident and health insurance, property insurance, and casualty insurance. Coursework must have been completed within six months of the filing of the application for licensure and must have consisted entirely of classroom hours.

SECTION 11. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Continuing education required.

1. Beginning January 1, 1987, any person licensed as an agent, broker, surplus lines broker, consultant, or limited insurance representative, shall provide the commissioner evidence, as required by the commissioner, that the person attended or participated in continuing education of not less than fifteen hours per year of approved coursework, of which seven and one-half hours per year must be classroom hours. Credit for courses attended in any one year over fifteen hours of coursework may be credited to the year next following the year in which they were earned. Reports of continuing education must be made at the end of each four-year period following licensure, except as provided in subsection 2.
2. On or before January 1, 1986, the commissioner shall by rule divide the persons subject to this section into four equal segments for the purpose of reporting, as follows:
 - a. One-fourth of the persons shall file their report showing fifteen hours or more of approved coursework for the first year under this section within thirty days of January 1, 1987.
 - b. One-fourth of the persons shall file a report showing thirty hours or more of approved coursework for the first two years under this section within thirty days of January 1, 1988.
 - c. One-fourth of the persons shall file a report showing forty-five hours or more of approved coursework for the first three years under this section within thirty days of January 1, 1989.
 - d. One-fourth of the persons shall file a report showing sixty hours or more of approved coursework for the first four years under this section within thirty days of January 1, 1990.
3. All persons licensed after January 1, 1987, shall report within thirty days of the first day of January of the year following the fourth anniversary of the person's licensure.

SECTION 12. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a

new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Continuing education advisory task force. The commissioner shall appoint a continuing education advisory task force consisting of nine members. The members must be representative, to the extent possible, of the various members of the insurance industry and of the several classes of insurance. Before making appointments to the advisory task force, the commissioner shall solicit nominations from the several professional organizations representing persons selling insurance in this state and from the organizations representing companies authorized to do business in this state. Members are entitled to expenses pursuant to sections 44-08-04 and 54-06-09. The advisory task force may recommend any rules to the commissioner which are necessary to fulfill its duties and powers.

SECTION 13. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Accreditation of courses. The commissioner shall adopt by rule criteria for the accreditation of courses for continuing or prelicensure education. Applications for accreditation of any course offered in this state for continuing or prelicensure education must be submitted to the commissioner on forms prescribed by rule and with a fee of fifty dollars. Application must be made at least six months prior to the proposed date of the course. The advisory task force shall recommend to the commissioner whether any course satisfies the criteria for accreditation and the number of credit hours to be assigned to the course. The commissioner shall make a final determination as to accreditation and assignment of credit hours for courses.

SECTION 14. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Report of compliance. Each person required to report under section 11 of this Act, shall file a written, sworn report of compliance with the commissioner in the form prescribed by rule, with a fee of twenty-five dollars, within thirty days after the close of the period for reporting the person's hours.

SECTION 15. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a

new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Extension. The commissioner may grant an extension of time, not to exceed one year, for completion of the requirements imposed by section 11 of this Act.

SECTION 16. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Credit for teaching. Any person teaching or lecturing at any approved continuing education course, seminar, or program qualifies for the same number of hours granted to a person enrolled in the approved course, seminar, or program.

SECTION 17. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

Credit for out-of-state courses. The commissioner may approve credit earned at any seminar, course, or program offered for prelicensure or continuing education in another state, if that state provides reciprocal credit to its agents, brokers, and other insurance representatives or license applicants for seminars, courses, or programs offered in this state.

SECTION 18. If Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, becomes effective, a new section to chapter 26.1-26 of the North Dakota Century Code is hereby created and enacted to read as follows:

License revocation.

1. The commissioner shall suspend the license of any person if after holding a hearing, the commissioner finds that the person failed to meet the requirements imposed by this Act. Any license suspended under this subsection must remain suspended until the person has demonstrated, to the satisfaction of the commissioner, compliance with the requirements of this Act and other applicable laws.
2. The commissioner shall, after holding a hearing, suspend the license of any person who has submitted a false or fraudulent certificate of compliance.

SECTION 19. APPROPRIATION. There is hereby appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$80,000, or so much thereof as may be necessary, to the commissioner of insurance to administer programs to require prelicensure and continuing insurance education, as provided in this Act, for the biennium beginning July 1, 1985, and ending June 30, 1987."

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

SB 2274 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2390 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "children" insert the words "; and to amend and reenact section 14-10-06 of the North Dakota Century Code, relating to contributing to the deprivation of a minor"

On page 3, after line 14, insert the following new section:

"**SECTION 2. AMENDMENT.** Section 14-10-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

14-10-06. Unlawful to encourage or contribute to the deprivation or delinquency of minor - Penalty.

1. Any person who by any act willfully encourages, causes, or contributes to the delinquency or deprivation of any minor is guilty of a class A misdemeanor.
2. Any person who by any act willfully encourages, causes, or contributes to the deprivation of a child less than sixteen years of age by causing that child to engage in sexual conduct as defined under section 1 of this Act, in any play, motion picture, photograph, dance, or other visual representation is guilty of a class C felony.

And renumber the lines and pages accordingly

SEN. OLSON, Vice Chairman

SB 2390 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

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

On page 7, delete lines 15 through 24

On page 8, line 31, delete the word "affirmative"

And renumber the lines, sections, and pages accordingly

SEN. CHRISTENSEN, Chairman

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

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2452 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 5, after the second word "general" insert the words "with the permission of the attorney general"

On page 2, line 8, after the word "office", insert the words "; such pro bono representation must be at no cost to the state of North Dakota"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

SB 2452 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 2458 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

SB 2458 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 2474 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Chairman

SB 2474 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SB 2479 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 "reenact" insert the words and numerals "subsection 2 of section 43-30-01, and"

On page 1, line 2, after the word "to" insert the words "the definition of private security service,"

On page 1, line 5, after the second word "and" insert the words "examination and", and delete the words "for detective"

On page 1, line 6, delete the word "agencies"

On page 1, after line 8, insert the following new section:

"SECTION 1. AMENDMENT. Subsection 2 of section 43-30-01 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. "Private security service" means furnishing for hire security officers or other persons to protect persons or property, or to prevent the theft or the unlawful taking of goods, wares, and merchandise, or to prevent the misappropriation or concealment of goods, wares, merchandise, money, bonds, stocks, choses in action, notes, or other valuable documents or papers, or the business of performing the service of such security officer or other person for any of these purposes, ~~including any investigative service required in carrying out these duties.~~

On page 2, line 7, after the word "investigator" insert the words "or a license to provide private security services"

On page 2, line 10, after the word "investigator" insert the words "or a license to provide private security services"

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

SB 2479 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1086 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1086 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1197 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. HOLMBERG, Chairman

HB 1197 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1200 has had the same under consideration and recommends that the same DO PASS AND BE PLACED ON THE CONSENT CALENDAR.

SEN. HOLMBERG, Chairman

HB 1200 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1278 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1278 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Political Subdivisions to which was referred HB 1311 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1311 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

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

SEN. NETHING MOVED that at the conclusion of the Fifth order of business, the Ninth and Thirteenth order of business and after the reading of SB 2080, SB 2170, SB 2171, SB 2214, SB 2295, SB 2300, SB 2355, SB 2435, SB 2458, SB 2474, SB 2476, HB 1070, HB 1086, HB 1120, HB 1172, HB 1197, HB 1200, HB 1209, HB 1236, HB 1252, HB 1253, HB 1278, HB 1291, HB 1311, HB 1470, the Senate adjourn and convene at 12:30 p.m., Friday, February 15, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary