

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

* * * * *

THIRTY-SEVENTH DAY

Bismarck, March 1, 1985

The Senate convened at 12:30 p.m., with President Meiers presiding.

The prayer was offered by Reverend John Haveman, Open Door Baptist Church, Bismarck.

Dear Heavenly Father: We come to You this afternoon in prayer because You told us to come. You said, "ye have not, because ye ask not." (James 4:2). You said, "Call unto me, and I will answer thee." (Jeremiah 33:3). You also said, "If any of you lack wisdom, let him ask of God--and it shall be given him." (James 1:5).

Now, we know that there is a battle raging between the forces of good and the forces of evil. You have said that, "Righteousness exalteth a nation: but sin is a reproach to any people." (Proverbs 14:34) and that, "When the righteous are in authority, the people rejoice: but when the wicked beareth rule, the people mourn." (Proverbs 29:2). We know, dear Heavenly Father, that righteousness will ultimately prevail when the Lord Jesus Christ comes back and rules and reigns in that holy city, Jerusalem.

So, I pray today for these Senators, realizing the tremendous responsibilities that they have, and how their yeas and nays will affect the lives of many North Dakotans. I pray that Thou wouldest give them strength (physical, mental, and spiritual) and wisdom, and then the courage to make decisions that would be in accordance with Thy will, and we will thank You for it because we ask it in Jesus' Name. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Christensen, David, Langley, Parker, Shea, Tallackson, Walsh.

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

SEN. DAVID, Chairman

SEN. J. MEYER 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 bill and find the same correctly engrossed:

SB 2475

SEN. BAKEWELL, Chairman

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

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

HB 1086, HB 1172, HB 1197, HB 1200, HB 1209, HB 1236,
HB 1252, HB 1253, HB 1278, HB 1291, HB 1311

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has failed to pass:

HB 1064, HB 1165

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1044, HB 1058, HB 1059, HB 1066, HB 1068, HB 1073,
HB 1075, HB 1093, HB 1095, HB 1101, HB 1107, HB 1111,
HB 1113, HB 1117, HB 1118, HB 1121, HB 1122, HB 1124,
HB 1125, HB 1132, HB 1136, HB 1137, HB 1150, HB 1160,
HB 1162, HB 1164, HB 1181, HB 1184, HB 1238, HB 1346,
HB 1529, HCR 3006, HCR 3007, HCR 3008, HCR 3009, HCR 3010

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 1021, HB 1028, HB 1038, HB 1135, HB 1314, HB 1515,
HB 1651, HCR 3075, HCR 3078, HCR 3080, HCR 3082, HCR 3083,
HCR 3084, HCR 3087

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SCR 4001, SCR 4012, SCR 4039, SCR 4041, SCR 4045

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. STENEHJEM MOVED that the amendments to HB 1168 as recommended by the Committee on Social Services and Veterans Affairs as printed on pages 1182-1183 of the Senate Journal be adopted, and when so adopted, recommends that HB 1168 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to HB 1279 as recommended by the Committee on Judiciary as printed on page 1183 of the Senate Journal be adopted, and when so adopted, recommends that HB 1279 DO PASS, which motion prevailed.

MOTION

SEN. REITEN MOVED that HB 1305, which is on the Fourteenth order be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4052: A concurrent resolution directing the Legislative Council to determine whether the state compulsory school attendance law should be revised to accommodate alternative methods of student instruction.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4052 was declared adopted on a voice vote.

SCR 4054: A concurrent resolution directing the Legislative Council to study the regulatory and enforcement authority of the State Highway Department, the Highway Patrol, and the Motor Vehicle Department.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4054 was declared adopted on a voice vote.

SCR 4055: A concurrent resolution directing the Legislative Council to study motor carrier laws and regulations as they relate to the trucking industry.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4055 was declared adopted on a voice vote.

SCR 4059: A concurrent resolution directing the Legislative Council to study the use of psychological tests and treatment of children attending elementary and secondary schools in this state and the desirability of providing certain safeguards against such testing and treatment without the consent of the children's parents or legal guardians.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4059 was declared adopted on a voice vote.

SCR 4062: A concurrent resolution directing the Legislative Council to study the financial basis under which airports in this state and elsewhere operate, including the manner and degree in which scheduled air carriers are the source of the cost of airports, and the extent to which scheduled airlines should help bear these costs.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4062 was declared adopted on a voice vote.

SCR 4063: A concurrent resolution directing the Legislative Council to study the desirability of requiring use of seatbelts by occupants of motor vehicles.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4063 was declared adopted on a voice vote.

SCR 4065: A concurrent resolution directing the Legislative Council to study the comparative negligence laws and their interaction with the products liability, strict liability,

and workmen's compensation laws in light of recent North Dakota Supreme Court decisions.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4065 was declared adopted on a voice vote.

SECOND READING OF A HOUSE BILL

HB 1204: A BILL for an Act to amend and reenact section 57-02-08.3 of the North Dakota Century Code, relating to state payment for the homestead credit for special assessments and the lien for payment of the homestead credit for special assessments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Tallackson; Walsh

HB 1204 passed and the title was agreed to.

MOTIONS

SEN. D. MEYER MOVED that the Senate reconsider the action whereby HB 1217 lost, which motion prevailed.

SEN. D. MEYER MOVED that HB 1217 be laid over one legislative day, which motion prevailed.

SEN. D. MEYER MOVED that the Senate reconsider the action whereby HB 1235 lost, which motion prevailed.

SEN. D. MEYER MOVED that HB 1235 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1221: A BILL for an Act to permit that an adoption petitioner may be required to show proof of health insurance covering the person to be adopted; and to create and enact a new section to chapter 50-12 of the North Dakota Century Code, relating to license requirements for out-of-state child-placing agencies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Maixner; Parker; Tallackson; Vosper; Walsh

HB 1221 passed and the title was agreed to.

HB 1245: A BILL for an Act to amend and reenact subsections 3 and 7 of section 18-01-05.1, and section 26-18-08 or in the alternative section 26.1-39-05 as created by Senate Bill No. 2078 as approved by the forty-ninth legislative assembly, of the North Dakota Century Code, relating to fire insurance and arson investigations; and to repeal section 26-05-08 or in the alternative section 26.1-31-07 as created by Senate Bill No. 2078 as approved by the forty-ninth legislative assembly, of the North Dakota Century Code, relating to double fire insurance coverage.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker;
Tallackson; Walsh

HB 1245 passed and the title was agreed to.

HB 1257: A BILL for an Act to create and enact section 15-34.2-07.1 of the North Dakota Century Code, relating to the direct negotiation of school transportation and motor vehicle fuel contracts; and to amend and reenact sections 15-34.2-07, 15-34.2-08, and 15-47-15 of the North Dakota Century Code, relating to school transportation, motor vehicle fuel, and heating fuel contracts.

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 42 YEAS, 6 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Freborg; Heinrich; Kelly; Kusler; Tweten; Wogsland

ABSENT AND NOT VOTING: David; Langley; Parker;
Tallackson; Walsh

HB 1257 passed and the title was agreed to.

HB 1320: A BILL for an Act to amend and reenact section 6 of chapter 632 of the 1983 Session Laws of North Dakota, relating to effective dates and to make permanent the

income tax rates and the repeal of the energy cost relief credit as enacted on a temporary basis by the 1983 Legislative Assembly.

Which has been read.

ROLL CALL

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

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

NAYS: Bakewell; Lashkowitz; Thane

ABSENT AND NOT VOTING: David; Langley; Parker; Tallackson; Walsh

HB 1320 passed and the title was agreed to.

HB 1321: A BILL for an Act to amend and reenact section 54-17-07.5 of the North Dakota Century Code, relating to the reversion to the industrial commission of any unused portion of the annual state ceiling for the issuance of single family housing revenue bonds allocated to home rule cities.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Redlin; Tallackson; Walsh

HB 1321 passed and the title was agreed to.

HB 1326: A BILL for an Act to amend and reenact section 15-40.2-05 of the North Dakota Century Code, relating to the payment of student tuition by school districts.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Stromme; Tallackson; Walsh

HB 1326 passed and the title was agreed to.

HB 1351: A BILL for an Act to create and enact a new section to chapter 54-06 of the North Dakota Century Code, relating to making the last working day of a pay period the pay date for state officers and employees who receive checks prepared by the office of management and budget.

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 7 YEAS, 40 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Christensen; Heigaard; Matchie; Meyer, J.; Mushik; Satrom; Wogsland

NAYS: Adams; Bakewell; Berube; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Shea;

Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wright

ABSENT AND NOT VOTING: David; Langley; Maixner; Parker; Tallackson; Walsh

HB 1351 was declared lost.

HB 1352: A BILL for an Act to amend and reenact sections 58-04-05 and 58-06-05 of the North Dakota Century Code, relating to the hours for township annual or special meetings and meetings of township boards of supervisors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Tallackson; Walsh

HB 1352 passed and the title was agreed to.

HB 1355: A BILL for an Act to allow the use of the great seal of the state for items commemorating the state centennial; and to provide an expiration date.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.;

Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Christensen; David; Langley; Parker; Tallackson; Walsh

HB 1355 passed and the title was agreed to.

HB 1383: A BILL for an Act to amend and reenact section 32-19.2-01 of the North Dakota Century Code, relating to the appointment of a trustee on application of the mortgagee in any action for the foreclosure of a real estate mortgage.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Langley; Parker; Tallackson; Walsh

HB 1383 passed and the title was agreed to.

HB 1384: A BILL for an Act to amend and reenact subdivision a of subsection 3 of section 54-52-17 of the North Dakota Century Code, relating to eligibility for retirement benefits under the public employees retirement system.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Langley; Parker; Tallackson; Walsh

HB 1384 passed and the title was agreed to.

HB 1396: A BILL for an Act to amend and reenact section 39-10-71 of the North Dakota Century Code, relating to the penalty for fleeing or attempting to elude a police officer.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING.

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

NAYS: Vosper

ABSENT AND NOT VOTING: David; Langley; Mushik; Parker; Tallackson; Walsh

HB 1396 passed and the title was agreed to.

HB 1433: A BILL for an Act to amend and reenact section 15-38.2-03 of the North Dakota Century Code, relating to the review of material placed in teachers' files.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Kelsh; Langley; Parker; Tallackson; Walsh

HB 1433 passed and the title was agreed to.

HB 1592: A BILL for an Act to create and enact three new sections to chapter 43-35 of the North Dakota Century Code, relating to the certification of water well pump and pitless unit installers; to amend and reenact sections 43-35-03, 43-35-11, 43-35-12, 43-35-13, 43-35-14, 43-35-16, 43-35-20, 43-35-21, and 43-35-22 of the North Dakota Century Code, relating to the certification of water well pump and pitless unit installers; and to provide a penalty.

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 44 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Mutch; Naaden; Thane; Tweten

ABSENT AND NOT VOTING: David; Langley; Parker; Tallackson; Walsh

HB 1592 passed and the title was agreed to.

HB 1614: A BILL for an Act to create and enact a new subsection to section 15-28-01 of the North Dakota Century Code, relating to certain school board elections and terms of office for school board members; and to amend and reenact section 15-28-03 of the North Dakota Century Code, relating to certain school board elections and terms of office for school board members.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 46 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Freborg; Tweten

ABSENT AND NOT VOTING: David; Langley; Parker; Tallackson; Walsh

HB 1614 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3001: A concurrent resolution directing the Legislative Council to study the statutes governing the rulemaking procedures and grants of rights of appeal from decisions of administrative agencies.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3001 was declared adopted on a voice vote.

HCR 3048: A concurrent resolution urging Congress and the Federal Farm Credit System to distribute mineral interest

income through reduced interest rates for the Federal Land Bank members in the state where the minerals are located.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3048 was declared adopted on a voice vote.

MOTION

SEN. LODOEN MOVED that HB 1062 which is on the Fourteenth order be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1071: A BILL for an Act to amend and reenact section 20.1-01-26 of the North Dakota Century Code, relating to suspension of hunting, trapping, or fishing privileges.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Moore; Parker; Redlin; Tallackson; Walsh

HB 1071 passed and the title was agreed to.

HB 1104: A BILL for an Act to create and enact a new section to chapter 43-17 of the North Dakota Century Code, relating to the authority of the board of medical examiners to suspend a physician's license for up to sixty days in an ex parte proceeding based on a finding of immediate and present danger of harm to the public.

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 31 YEAS, 16 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Bakewell; Christensen; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Moore; Mushik; Nething; Olson; Peterson; Shea; Stenehjem; Streibel; Stromme; Tennefos; Todd; Waldera; Wenstrom; Wogsland

NAYS: Adams; Berube; Krauter; Kusler; Lashkowitz; Meyer, W.; Mutch; Naaden; Nelson; Redlin; Reiten; Satrom; Thane; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: David; Dotzenrod; Langley; Parker; Tallackson; Walsh

HB 1104 passed and the title was agreed to.

HB 1115: A BILL for an Act to create and enact a new section to chapter 4-12.2 of the North Dakota Century Code, relating to requirements for licensing minors as beekeepers; to amend and reenact sections 4-12.2-10 and 4-12.2-18, and subsection 4 of section 4-12.2-22 of the North Dakota Century Code, relating to establishment of pollination locations, issuance of certificates of health, and revocation of beekeepers licenses; and to repeal subsection 12 of section 4-12.2-01 of the North Dakota Century Code, relating to honey houses.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Tallackson; Walsh

HB 1115 passed and the title was agreed to.

HB 1140: A BILL for an Act to amend and reenact section 39-20-13 of the North Dakota Century Code, relating to blood tests in motor vehicle accidents resulting in a fatality.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler; Lashkowitz; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Redlin; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wenstrom; Wogsland; Wright

NAYS: Lodoen; Mutch; Tweten

ABSENT AND NOT VOTING: David; Dotzenrod; Krauter; Langley; Parker; Peterson; Reiten; Satrom; Tallackson; Walsh

HB 1140 passed and the title was agreed to.

HB 1169: A BILL for an Act to create and enact a new section to chapter 50-25.1, a new subsection to section 50-25.1-02, and a new subsection to section 50-25.1-11 of the North Dakota Century Code, relating to child abuse and neglect; to amend and reenact section 12.1-20-01, subsection 3 of section 50-25.1-02, sections 50-25.1-04.1, 50-25.1-05, subsection 2 of section 50-25.1-05.2, and sections 50-25.1-09 and 50-25.1-13 of the North Dakota Century Code, relating to sex offenses and child abuse and neglect; and to provide a penalty.

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 44 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Adams; Berube; Christensen; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler; Lashkowitz; Lips; Lodoen;

Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.;
 Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson;
 Redlin; Reiten; Shea; Stenehjem; Streibel; Stromme;
 Tennefos; Thane; Todd; Tweten; Vosper; Waldera;
 Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Bakewell; David; Krauter;
 Langley; Parker; Peterson; Satrom; Tallackson; Walsh

HB 1169 passed and the title was agreed to.

HB 1171: A BILL for an Act to amend and reenact sections
 21-03-22 and 21-03-23 of the North Dakota Century Code,
 relating to the registration, certification, and delivery
 of bonds.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Heigaard; Langley; Parker;
 Peterson; Satrom; Stromme; Tallackson; Walsh

HB 1171 passed and the title was agreed to.

HB 1264: A BILL for an Act to amend and reenact section 36-04-03
 of the North Dakota Century Code, relating to livestock
 dealers and dealer's agents.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Ereborg; Langley; Parker; Peterson; Satrom; Tallackson; Walsh; Wenstrom

HB 1264 passed and the title was agreed to.

HB 1270: A BILL for an Act to create and enact a new section to chapter 40-38 of the North Dakota Century Code, relating to records maintained by public libraries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Ereborg; Langley; Parker; Tallackson; Walsh; Wenstrom

HB 1270 passed and the title was agreed to.

MOTION

SEN. HOLMBERG MOVED that HB 1306 which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1373: A BILL for an Act to amend and reenact section 25-13-02 of the North Dakota Century Code, relating to the use of service dogs in public places.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Christensen; David; Freborg; Langley; Parker; Reiten; Tallackson; Walsh

HB 1373 passed and the title was agreed to.

HB 1385: A BILL for an Act to create and enact a new section to chapter 55-01 of the North Dakota Century Code, relating to abandoned objects loaned to museums which have closed.

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 4 YEAS, 43 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Lashkowitz; Meyer, W.; Mushik; Satrom

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

ABSENT AND NOT VOTING: David; Langley; Parker; Reiten; Tallackson; Walsh

HB 1385 was declared lost.

HB 1411: A BILL for an Act to create and enact a new subsection to section 21-10-06 of the North Dakota Century Code, relating to funds under the management of the state investment board; to amend and reenact section 1 of chapter 43 of the 1981 Session Laws of North Dakota, relating to the national guard tuition trust fund; and to declare an emergency.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Reiten; Tallackson; Walsh

HB 1411 passed, the title was agreed to, and the emergency clause carried.

HB 1566: A BILL for an Act to amend and reenact sections 11-03-08, 11-08-06, 11-08-08, 11-08-13, 11-10-02, 11-10-06, 11-15-22, 11-15-28, 11-16-15, 11-19-04, 11-19-05, 11-19-13, 11-19-1-08, 11-28-10, 18-02-09, 19-01-13, 20.1-01-04, 20.1-02-14, 23-07.1-05, 23-15-04, 23-15-05, 27-07.1-16, 29-02-08, 29-05-23, 29-05-26, 32-22-29, 36-01-18, 40-20-06, 44-04-06, 44-08-09, 44-11-12, 53-03-06, 55-08-04.1, and 55-08-15 of the North Dakota Century Code, relating to the office of county constable; and to repeal sections 11-09-26 and 11-15-27 of the North Dakota Century Code, relating to county constables.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Reiten; Tallackson; Walsh

HB 1566 passed and the title was agreed to.

HB 1603: A BILL for an Act to create and enact a new section to chapter 4-09 of the North Dakota Century Code, relating to the liability of the state seed commission, seed department, commissioner, and certified or noncertified agricultural seed producers.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: David; Langley; Parker; Reiten; Tallackson; Walsh

HB 1603 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3029: A concurrent resolution urging the Congress of the United States to enact legislation to allow the discharge in bankruptcy proceedings of federal tax debts resulting from the sale of farmland to pay creditors.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3029 was declared adopted on a division vote.

HCR 3030: A concurrent resolution urging Congress and federal agencies to protect adequately against grasshopper infestations on federal land.

Which has been read.

The question being on the final adoption of the resolution, as amended.

HCR 3030 was declared adopted on a voice vote.

HCR 3054: A concurrent resolution urging the Congress of the United States to maintain the funding and programs of the United States Department of Agriculture's Soil Conservation Service to assure the current level of technical assistance available to soil conservation districts.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3054 was declared adopted on a voice vote.

HCR 3055: A concurrent resolution urging the Congress of the United States to study and investigate the pricing and patenting of agricultural herbicide and pesticide chemicals.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3055 was declared adopted on a voice vote.

POINT OF PERSONAL PRIVILEGE

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

This weekend, Bismarck will host a concert that may prove to be the premier musical event to be presented in North

Dakota this year. On Sunday, March 3, at 3 p.m. in the Bismarck City Auditorium, the Bismarck-Mandan Symphony Orchestra will perform their annual Pops Concert.

A special musical feature will present our own senators, Evan Lips and Joseph Satrom and Representative Patrick Conmy performing their interpretation of the well-known composition Concerto Gross on kazoos. Bismarck's Mayor Bus Leary will be a guest conductor, as another feature of the Pops Concert.

The Senate is invited to attend, and we hope you all will.

**SECOND READING OF A HOUSE BILL
SECOND READING OF HOUSE CONCURRENT RESOLUTIONS
ON CONSENT CALENDAR**

- 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.
- HCR 3043:** A concurrent resolution urging the Congress and the President to reduce interest rates, promote exports, and improve farm income.
- HCR 3044:** A concurrent resolution urging the federal government to supply surplus commodities to the starving people of the world.

Which have been read.

ROLL CALL

The question being on the final passage of the bill and resolutions, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: David; Ingstad; Langley; Parker; Reiten; Stenehjem; Tallackson; Walsh

The bill and resolutions passed and the titles were agreed to.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SCR 4053 has had the same under consideration and recommends that the same DO PASS.

SEN. MOORE, Chairman

SCR 4053 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 SCR 4056 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

SCR 4056 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 SCR 4058 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

SCR 4058 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SCR 4060 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

SCR 4060 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred SCR 4061 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

SCR 4061 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 SCR 4064 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

SCR 4064 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 SCR 4066 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

SCR 4066 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HB 1014 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1014 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HB 1040 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1040 was placed on the Fourteenth 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 HB 1047 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1047 was placed on the Fourteenth 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 HB 1063 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1063 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 1144 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1144 was placed on the Fourteenth 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 HB 1215 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Chairman

HB 1215 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 1277 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1277 was placed on the Fourteenth 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 HB 1387 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1387 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 1413 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1413 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 1435 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1435 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 1438 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 of the engrossed bill, line 10, overstrike the word "shall" and after the word "~~receiv~~e" insert the words "is entitled to"

On page 1 of the engrossed bill, line 19, overstrike the words "shall be" and insert immediately thereafter the word "is"

On page 1 of the engrossed bill, line 21, delete the words "the sheriff", overstrike the word "shall" and after the word "~~receiv~~e" insert the words "the sheriff is entitled to"

And renumber the lines accordingly

SEN. HOLMBERG, Chairman

HB 1438 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 1447 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1447 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1451 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1451 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1512 has had the same under consideration and recommends that the same DO PASS.

SEN. MOORE, Chairman

HB 1512 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1532 has had the same under consideration and recommends that the same DO PASS.

SEN. MOORE, Chairman

HB 1532 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 1619 has had the same under consideration and recommends that the same DO PASS.

SEN. HOLMBERG, Chairman

HB 1619 was placed on the Fourteenth 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 HCR 3023 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HCR 3023 was placed on the Fourteenth 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 HCR 3028 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HCR 3028 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was referred HCR 3059 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HCR 3059 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HCR 3066 has had the same under consideration and recommends that the same DO PASS.

SEN. MOORE, Chairman

HCR 3066 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

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 2038, SB 2441, SB 2475, SCR 4037

LEO LEIDHOLM, Secretary

FIRST READING OF HOUSE BILLS

HB 1021: A BILL for an Act making an appropriation for defraying the expenses of the state water commission of the state of North Dakota; and providing for an appropriation and transfer of funds from the resources trust fund.

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

HB 1028: A BILL for an Act making an appropriation for defraying the expenses of the game and fish department of the state of North Dakota.

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

HB 1038: A BILL for an Act making an appropriation to the superintendent of public instruction for the general support of the North Dakota teacher center network.

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

HB 1135: A BILL for an Act to create and enact a new chapter to title 4 of the North Dakota Century Code, relating to the establishment of an agriculture in the classroom program and council.

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

HB 1314: A BILL for an Act to create and enact three new sections to chapter 15-44, a new subsection to section 15-47-15, a new section to chapter 39-06.1, and a new subsection to section 39-06.1-06 of the North Dakota Century Code, relating to a driver education fund, contracts by school districts for commercial driver education services, reimbursement by school districts for commercial driver education expenses incurred on behalf of students, and fees for noncriminal disposition of certain traffic offenses; to amend and reenact subsection 7 of section 39-06.1-03 of the North Dakota Century Code, relating to reporting of traffic offenses and fees for reporting to be assessed against defendants; and to provide a standing and continuing appropriation.

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

HB 1515: A BILL for an Act to create and enact a new subsection to section 21-10-06 and a new chapter to title 37 of the North Dakota Century Code, relating to funds under management of the state investment board, and to the establishment of a national guard trust fund for training area and facility development; to amend and reenact section 54-17.1-08 of the North Dakota Century Code, relating to the sinking fund for Vietnam Conflict adjusted compensation bonds; to provide an appropriation; and to provide a statement of legislative intent.

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

HB 1651: A BILL for an Act to amend and reenact subsection 4 of section 54-35-02 and section 54-55-04 of the North Dakota Century Code, relating to the powers and duties of the legislative council and the commission on uniform state laws.

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

FIRST READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3075: A concurrent resolution directing the Legislative Council to study the desirability of adopting uniform or model laws where uniformity in state laws is desirable and practicable.

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

HCR 3078: A concurrent resolution directing the Legislative Council to study the regulation of property and casualty insurance plans created by local groups or associations.

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

HCR 3080: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a "cafeteria" style benefit program for state employees.

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

HCR 3082: A concurrent resolution directing the Legislative Council to study the cancellation, nonrenewal, and declination procedures and requirements for property and casualty insurance and automobile insurance.

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

HCR 3083: A concurrent resolution directing the Legislative Council to study the public policy of enacting legislation to regulate the issuance of life, property, casualty, and accident and health insurance by insurance agents who are owned or controlled by financial institutions.

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

HCR 3084: A concurrent resolution directing the Legislative Council to monitor and study the implementation of the new state accounting system.

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

HCR 3087: A concurrent resolution directing the Legislative Council to study the desirability of providing for self-administration of the state uniform group health insurance program.

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

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 1001, HB 1002, HB 1003, HB 1006, HB 1010, HB 1016,
HB 1020, HB 1025, HB 1027, HB 1029, HB 1031, HB 1035,
HB 1043, HB 1048, HB 1049, HB 1243, HB 1250, HB 1267,
HB 1327, HB 1394, HB 1403, HB 1545, HB 1565

ROY GILBREATH, Chief Clerk

COMMUNICATION

Doctor of the Day Schedule

March 4 - Kevin Gallagher, M.D. - Fargo
Internal Medicine
March 5 - Eugene Evans, M.D. - Fargo
Family Practice
March 6 - Mark Carter, M.D. - Grand Forks
Family Practice

March 7 - Larry Hughes, M.D. - Fargo
Family Practice
March 8 - Darrell Williams, M.D. - Minot
Ophthalmology

MOTIONS

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

SEN. NETHING MOVED that at the conclusion of the Fifth order of business, the Thirteenth order of business after all the House Bills are received at the desk, and after the readings of SCR 4053, SCR 4056, SCR 4058, SCR 4060, SCR 4061, SCR 4064, SCR 4066, HB 1014, HB 1040, HB 1047, HB 1062, HB 1063, HB 1144, HB 1168, HB 1215, HB 1217, HB 1235, HB 1277, HB 1279, HB 1305, HB 1306, HB 1374, HB 1387, HB 1413, HB 1435, HB 1447, HB 1451, HB 1512, HB 1532, HB 1619, HCR 3023, HCR 3028, HCR 3059, and HCR 3066, the Senate adjourn and convene at 1:00 p.m., Monday, March 4, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary