

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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FORTY-FOURTH DAY

Bismarck, March 12, 1985

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

The prayer was offered by Reverend Tom Smith, Bismarck Reformed Church.

God, our Father in heaven, we come to You in gratitude for our opportunity to serve others today. In the work that we do today for the people of North Dakota, we ask for Your wisdom and compassion to be evident. This we pray in the name of Jesus Christ, whose love and compassion is our model. Amen.

ROLL CALL

The roll was called and all Senators were present.

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 Forty-third day and finds the same to be correct.

SEN. DAVID, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1079, HB 1088, HB 1129, HB 1131, HB 1142, HB 1163,
 HB 1166, HB 1167, HB 1174, HB 1178, HB 1183, HB 1186,
 HB 1187, HB 1188, HB 1192, HB 1198, HB 1206, HB 1227,
 HB 1256, HB 1260, HB 1268, HB 1297, HB 1300, HB 1304,
 HB 1315, HB 1319, HB 1331, HB 1343, HB 1345, HB 1361,
 HB 1389, HB 1407, HB 1449, HB 1469, HB 1470, HB 1479,
 HB 1501, HB 1502, HB 1544, HB 1548, HB 1549

LEO LEIDHOLM, Secretary

THE SECRETARY ANNOUNCED that the President signed the following:

HB 1115, HB 1245, HB 1264, HB 1270, HB 1273, HB 1320,
 HB 1321, HB 1326, HB 1355, HB 1373, HB 1396, HB 1411,

HB 1433, HB 1566, HB 1603, HCR 3001, HCR 3025, HCR 3029,
 HCR 3043, HCR 3044, HCR 3048, HCR 3054, HCR 3055
 LEO LEIDHOLM, Secretary

MESSAGES TO THE HOUSE
 SENATE CHAMBER

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

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

SENATE CHAMBER

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HB 1079, HB 1088, HB 1129, HB 1131, HB 1142, HB 1163,
 HB 1166, HB 1167, HB 1174, HB 1178, HB 1183, HB 1186,
 HB 1187, HB 1188, HB 1192, HB 1198, HB 1206, HB 1227,
 HB 1256, HB 1260, HB 1268, HB 1297, HB 1300, HB 1304,
 HB 1315, HB 1319, HB 1331, HB 1343, HB 1345, HB 1361,
 HB 1389, HB 1407, HB 1449, HB 1469, HB 1470, HB 1479,
 HB 1501, HB 1502, HB 1544, HB 1548, HB 1549
 LEO LEIDHOLM, Secretary

SENATE CHAMBER

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HB 1115, HB 1245, HB 1264, HB 1270, HB 1273, HB 1320,
 HB 1321, HB 1326, HB 1355, HB 1373, HB 1396, HB 1411,
 HB 1433, HB 1566, HB 1603, HCR 3001, HCR 3025, HCR 3029,
 HCR 3043, HCR 3044, HCR 3048, HCR 3054, HCR 3055
 LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1207, HB 1296, HB 1448, HB 1646
 LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1370, HB 1555, HB 1561, HB 1569, HB 1623, HCR 3053
 LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1570, HCR 3047

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on:

HB 1071: Sens. Todd, Freborg, Maixner

HB 1614: Sens. Peterson, Bakewell, Heinrich

LEO LEIDHOLM, Secretary

RECOGNITION

THE PRESIDENT ANNOUNCED that this is Girl Scout Week and the following girls from the Sakakawea Girl Scout Council, and Pine-to-Prairie Girl Scout Council, Hatton, took place in the flag ceremony in the chamber today: Amy Woolley, Bismarck, Dawn Kacer, Bismarck, Tara Wamstad, Hatton, Pam Kimble, Bismarck, and April DeMott, Bismarck.

POINT OF PERSONAL PRIVILEGE

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

The organizational meeting of the former prisoners of war from North Dakota was held on the 16th of October, 1981, at the American Legion Clubrooms in Fargo, North Dakota. The first commander of the chapter, elected by unanimous vote, was Slavko Vasiljevic, who continued at that position for the next three years.

The Dakota Chapter of the Ex-Prisoners of War was born. About 50 ex-prisoners of war from other parts of the state were present, and the main effort to call the meeting belongs to the dedicated work of Brownell Cole from Valley City, who was elected to the position of senior vice commander. The motor vehicle registrar was in full cooperation in seeking all ex-prisoners of war in the state and, with the help of veteran organizations, it was discovered that in the state of North Dakota there are 152 former prisoners of war living. They are a family organization which expect to help those who cannot help themselves. Madam President and ladies and gentlemen of the Senate, we have, in the chamber today, representatives of that organization, and Madam President, I would ask that you ask them to step to the rail and please introduce them.

THE PRESIDENT ANNOUNCED the following ex-prisoners of war:

Slavko Vasiljevic

Brownell Cole
 Jake Eck
 Phil Vacca
 Arthur Linrud
 Walter Enget

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Delayed Bills has examined a bill relating to the statutory fee for failing to use safety belts and required use of safety belts in certain motor vehicles; a concurrent resolution urging the Congress of the United States, the Secretary of Agriculture, and the board of directors of the Commodity Credit Corporation to allow rotation of commodities held as collateral on Commodity Credit Corporation loans at earlier dates; and a concurrent resolution directing the Legislative Council to study the problems faced by small rural hospitals in this state and has approved their introduction by a unanimous vote.

SEN. TENNEFOS, Chairman

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

FIRST READING OF A SENATE BILL

Sens. Matchie, Christensen introduced:
 (Approved by the Committee on Delayed Bills)

SB 2509: A BILL for an Act to create and enact a new subsection to section 39-06.1-06 and a new section to title 39 of the North Dakota Century Code, relating to the statutory fee for failing to use safety belts and required use of safety belts in certain motor vehicles; to amend and reenact section 9-10-07 and subsections 1 and 5 of section 39-09-02 of the North Dakota Century Code, relating to attributing comparative negligence to a party who fails to use safety belts and to motor vehicle speed limits; and to provide an effective date.

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

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Wenstrom introduced:
 (Approved by the Committee on Delayed Bills)

SCR 4070: A concurrent resolution directing the Legislative Council to study the problems faced by small rural hospitals in this state and possible alternative courses of action for the state and these hospitals to ensure the continued viability of the small rural hospital in North Dakota.

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

Sens. Nething, Nelson, Vosper introduced:
 (Approved by the Committee on Delayed Bills)

SCR 4071: A concurrent resolution urging the Congress of the United States, the Secretary of Agriculture, and the board of directors of the Commodity Credit Corporation to allow rotation of commodities held as collateral on Commodity Credit Corporation loans at earlier dates.

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

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has failed to pass:

SB 2039, SB 2227

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2082, SB 2090, SB 2126, SB 2128, SB 2129, SB 2152,
SB 2154, SB 2158, SB 2191, SB 2210, SB 2211, SB 2221,
SB 2226, SB 2294, SB 2299, SB 2380

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2059, SB 2143, SB 2153, Engrossed SB 2267, Engrossed SB 2279, Engrossed SB 2357, and SB 2427 which the House has amended:

HOUSE AMENDMENTS TO SB 2059

On page 1, line 18, delete the word "a"

On page 1, line 19, delete the word "pool" and insert in lieu thereof the word "pools"

On page 1, line 20, immediately after the word "dollars" insert the words "for each pool"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2143

On page 1, line 14, delete the word "his" and insert in lieu thereof the words "that person's"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2153

On page 1, line 11, delete the words "one hundred", and delete the word "for"

On page 1, line 12, delete the words "the president and one hundred dollars for all other members"

And renumber the lines accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2267

- On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "15-60-04" insert the word and numeral "and 15-60-05"
- On page 1 of the engrossed bill, line 2, delete the words "limitations on the amount of"
- On page 1 of the engrossed bill, line 4, after the word "fund" insert the words "and the interest incurred by school districts on such loans"
- On page 1 of the engrossed bill, line 11, remove the overstrike over the word "~~three~~", and delete the word "five"
- On page 1 of the engrossed bill, immediately following line 19, insert the following:

"SECTION 2. AMENDMENT. Section 15-60-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-60-05. Contracts to lease and leases by school districts from board. Any school district within the state shall have power and authority to enter into contracts with the board to lease as lessee from the board, any school building constructed or improved by the board, for a term not exceeding thirty years, at such rental or rentals as may be determined by the board, and upon the completion of said school building the school district shall have power and authority to lease as lessee any school building completed by the board for a term, with respect to each not exceeding thirty years, at such rental or rentals as may be determined by the board. Such rental or rentals shall be applied on the total cost of the construction or improvement for such district until the full amount expended by the board shall have been repaid together with ~~two and one-half~~ five percent interest per annum. Any unexpended proceeds of any bond issue of any school district may be paid over to the fund in the form of advance rentals under such contract. Upon full payment of all rentals by the school district, the board shall execute and deliver such deeds or bills of sale as may be necessary to transfer complete title and interest to the school district."

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2279

- On page 1 of the engrossed bill, line 3, delete the word "dates" and insert in lieu thereof the word "date", and after the second word "the" insert the word "second"
- On page 2 of the engrossed bill, line 15, remove the overstrike over the word "~~fifteenth~~", and delete the word "first"
- On page 2 of the engrossed bill, line 16, delete the word "fifteenth" and insert in lieu thereof the word "thirty-first"
- On page 2 of the engrossed bill, line 28, remove the overstrike over the word "~~fifteenth~~", and delete the word "first"
- On page 2 of the engrossed bill, line 30, delete the word "fifteenth" and insert in lieu thereof the word "thirty-first"
- On page 3 of the engrossed bill, line 28, remove the overstrike over the word "~~fifteenth~~"
- On page 3 of the engrossed bill, line 29, delete the word "first"
- On page 3 of the engrossed bill, line 30, delete the word "fifteenth" and insert in lieu thereof the word "thirty-first"
- And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2357

- On page 1 of the engrossed bill, line 10, delete the word "thirty" and insert in lieu thereof the word "forty-five"
- On page 1 of the engrossed bill, line 21, delete the word "thirty" and insert in lieu thereof the word "forty-five"
- On page 1 of the engrossed bill, line 24, delete the word "thirty" and insert in lieu thereof the word "forty-five"
- On page 2 of the engrossed bill, line 20, delete the word "thirty" and insert in lieu thereof the word "forty-five"
- On page 2 of the engrossed bill, line 22, delete the word "thirty" and insert in lieu thereof the word "forty-five"
- And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2427

- On page 1, line 16, after the word "section" insert the words "as it applies to the project"
- And renumber the lines and pages accordingly

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. WRIGHT MOVED that the amendments to HB 1081 as recommended by the **Committee on Finance and Taxation** as printed on page 1360 of the Senate Journal be adopted, and when so adopted, recommends that HB 1081 DO PASS, which motion prevailed.

SEN. LODOEN MOVED that the amendments to HB 1127 as recommended by the **Committee on State and Federal Government** as printed on page 1361 of the Senate Journal be adopted, and when so adopted, recommends that HB 1127 DO PASS and be rereferred to the **Committee on Appropriations**, which motion prevailed.

HB 1127 was rereferred to the **Committee on Appropriations**.

SEN. VOSPER MOVED that the amendments to HB 1202 as recommended by the **Committee on Agriculture** as printed on page 1361 of the Senate Journal be adopted, and when so adopted, recommends that HB 1202 DO PASS, which motion prevailed.

SEN. LODOEN MOVED that the amendments to HB 1643 as recommended by the **Committee on State and Federal Government** as printed on pages 1362-1363 of the Senate Journal be adopted, and when so adopted, recommends that HB 1643 DO PASS and be rereferred to the **Committee on Appropriations**, which motion prevailed.

HB 1643 was rereferred to the **Committee on Appropriations**.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4005: A concurrent resolution for the amendment of section 3 of article IX of the Constitution of the State of North Dakota, relating to membership of the board of university and school lands.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; 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: Parker

SCR 4005 was declared adopted.

SCR 4018: A concurrent resolution for the amendment of sections 12 and 13 of article V and section 12 of article X of the Constitution of the State of North Dakota, relating to the office of state treasurer; to repeal section 15 of article XII of the Constitution of the State of North Dakota, relating to the duties of state treasurer on issuance of legal tender by banks in the state; and to provide an effective date.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 34 YEAS, 18 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Heinrich; Holmberg; Ingstad; Kelly; Kilander; Kusler; Lips; Lodoen; Maixner; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Todd; Tweten; Vosper; Walsh; Wenstrom; Wright

NAYS: David; Freborg; Heigaard; Hilken; Kelsh; Krauter; Langley; Lashkowitz; Matchie; Meyer, D.; Mutch; Shea; Stromme; Tallackson; Tennefos; Thane; Waldera; Wogsland

ABSENT AND NOT VOTING: Parker

SCR 4018 was declared adopted.

SCR 4028: A concurrent resolution for the repeal of section 7 of article XI of the Constitution of the State of North Dakota, relating to continuity of state and local government in periods of emergency resulting from disasters caused by enemy attack.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 21 YEAS, 32 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Freborg; Heinrich; Holmberg; Ingstad; Kelsh; Kusler; Langley; Maixner; Matchie;

Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Olson; Reiten;
Satrom; Shea; Stenehjem; Waldera

NAYS: Adams; Bakewell; David; Dotzenrod; Heigaard;
Hilken; Kelly; Kilander; Krauter; Lashkowitz; Lips;
Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Parker;
Peterson; Redlin; Streibel; Stromme; Tallackson;
Tennefos; Thane; Todd; Tweten; Vosper; Walsh; Wenstrom;
Wogsland; Wright

ABSENT AND NOT VOTING: None

SCR 4028 was declared lost.

SCR 4033: A concurrent resolution for the amendment of subsection 1 of section 6 of article VIII, and sections 12 and 13 of article IX of the Constitution of the State of North Dakota, relating to the establishment of a system of higher education comprised of the university of North Dakota and school of mines at Grand Forks, Mayville, and Minot, with a two-year center at Williston, the North Dakota state university at Fargo, Dickinson, and Valley City, with a two-year center at Bottineau, and the experiment station at Fargo with its substations, and the North Dakota junior college at Bismarck, Devils Lake, and Wahpeton; to remove the authority to establish other institutions of higher education; and to provide an effective date.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 15 YEAS, 38 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Bakewell; David; Heigaard; Heinrich; Kelsh;
Krauter; Langley; Maixner; Matchie; Meyer, W.; Mutch;
Parker; Stromme; Tweten; Wogsland

NAYS: Adams; Berube; Christensen; Dotzenrod; Ereborg;
Hilken; Holmberg; Ingstad; Kelly; Kilander; Kusler;
Lashkowitz; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore;
Mushik; Naaden; Nelson; Nething; Olson; Peterson;
Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel;
Tallackson; Tennefos; Thane; Todd; Vosper; Waldera;
Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: None

SCR 4033 was declared lost.

MOTIONS

SEN. BAKEWELL MOVED that the Senate reconsider the action by which SCR 4023 failed to pass, which motion prevailed on a verification vote.

SEN. LASHKOWITZ MOVED that SCR 4023 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4043: A concurrent resolution for the creation of a new section to article X of the Constitution of the State of North Dakota, relating to a statewide mill levy to defray certain expenses of the state for the construction, operation, and maintenance of certain airports; and for the amendment of section 1 of article X of the Constitution of the State of North Dakota, relating to property tax levies.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 22 YEAS, 31 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Bakewell; Christensen; David; Heinrich; Holmberg; Ingstad; Kilander; Lashkowitz; Matchie; Mushik; Nething; Olson; Peterson; Reiten; Shea; Stenehjem; Tennefos; Todd; Tweten; Vosper; Waldera; Wenstrom

NAYS: Adams; Berube; Dotzenrod; Ereborg; Heigaard; Hilken; Kelly; Kelsh; Krauter; Kusler; Langley; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Parker; Redlin; Satrom; Streibel; Stromme; Tallackson; Thane; Walsh; Wogsland; Wright

ABSENT AND NOT VOTING: None

SCR 4043 was declared lost.

SCR 4068: A concurrent resolution urging Congress to take appropriate steps to ensure continued and improved AMTRAK passenger service.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4068 was declared adopted on a voice vote.

MOTION

SEN. NETHING MOVED that HB 1005 which is on the Fourteenth order be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1098: A BILL for an Act to create and enact a new subsection to section 9-06-04 of the North Dakota Century Code, relating to contracts for loans or credit under the statute of frauds.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 39 YEAS, 13 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; Dotzenrod; Freborg; Heinrich; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Kusler; Lashkowitz; Lips; Lodoen; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wenstrom; Wright

NAYS: David; Hilken; Krauter; Langley; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Shea; Tweten; Walsh; Wogsland

ABSENT AND NOT VOTING: Heigaard

HB 1098 passed and the title was agreed to.

HB 1233: A BILL for an Act to amend and reenact section 24-05-04 of the North Dakota Century Code, relating to value of county contracts for use of road machinery for which competitive bidding is required.

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 36 YEAS, 14 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Berube; Christensen; Dotzenrod; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lodoen; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Naaden; Olson; Redlin; Reiten; Shea; Stenehjem; Stromme; Tallackson;

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

NAYS: Adams; Bakewell; David; Freborg; Lips; Mushik;
Mutch; Nelson; Parker; Peterson; Satrom; Streibel;
Tennefos; Vosper

ABSENT AND NOT VOTING: Heigaard; Maixner; Nothing

HB 1233 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that the Senate stand in recess for ten minutes, which motion prevailed.

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

SECOND READING OF HOUSE BILLS

HB 1271: A BILL for an Act to create and enact a new subsection to section 39-06.1-05 of the North Dakota Century Code, relating to offenses excluded from the noncriminal disposition procedure for certain traffic offenses; to amend and reenact section 39-21-45.1 and subsection 1 of section 39-21-46 of the North Dakota Century Code, relating to motor vehicle equipment and modifications to motor vehicles; 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 35 YEAS, 14 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg;
Holmberg; Ingstad; Kelly; Kilander; Lashkowitz; Lips;
Lodoen; Matchie; Meyer, J.; Moore; Mutch; Naaden;
Nelson; Olson; Parker; Peterson; Redlin; Reiten;
Satrom; Shea; Stenehjem; Streibel; Tallackson;
Tennefos; Thane; Todd; Waldera; Walsh; Wenstrom; Wright

NAYS: Berube; Dotzenrod; Hilken; Kelsh; Krauter; Kusler;
Maixner; Meyer, D.; Meyer, W.; Mushik; Stromme; Tweten;
Vosper; Wogsland

ABSENT AND NOT VOTING: Heigaard; Heinrich; Langley;
Nothing

HB 1271 passed, the title was agreed to, and the emergency clause carried.

HB 1313: A BILL for an Act to provide for the licensure and regulation of respiratory care practitioners; to establish a North Dakota respiratory care examining board; 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, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Bakewell; Moore; Parker; Redlin; Tennefos

ABSENT AND NOT VOTING: Heigaard; Heinrich; Langley; Nething

HB 1313 passed and the title was agreed to.

HB 1372: A BILL for an Act to create and enact a new section to chapter 6-03, a new section to chapter 6-05, a new section to chapter 6-06, and a new section to chapter 7-02, relating to the sale of certificates of deposit by banking institutions, the Bank of North Dakota, credit unions, and savings and loan associations; and to provide a penalty.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; 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: Heigaard; Heinrich; Langley;
Nething

HB 1372 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that HB 1390 which is on the Fourteenth order be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1416: A BILL for an Act to amend and reenact sections 5-02-01 and 5-02-01.1 of the North Dakota Century Code, relating to special permits for retail liquor sales; and to provide a penalty.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; 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; Nelson; 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: Heigaard; Langley; Naaden;
Nething

HB 1416 passed and the title was agreed to.

HB 1425: A BILL for an Act to create and enact a new subsection to section 39-06.1-06 and a new paragraph to subdivision a of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to penalties for violation of highway speed limits; to amend and reenact subsection 3 of section 39-06.1-06, paragraph 33 of subdivision a of subsection 3 of section 39-06.1-10, and subdivision f of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to highway speed limits and

penalties for violating highway speed limits; and to provide a contingent effective date.

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; David; 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; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Langley; Nething; Wenstrom; Wright

HB 1425 passed and the title was agreed to.

HB 1432: A BILL for an Act to amend and reenact sections 4-35-21 and 28-01-40 of the North Dakota Century Code, or in the alternative to amend and reenact the new section to chapter 4-35 of the North Dakota Century Code as created by section 1 of Senate Bill No. 2137, as approved by the forty-ninth legislative assembly, relating to reports of loss through pesticide application.

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; David; 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; Olson; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Langley; Nething; Parker; Wenstrom

HB 1432 passed and the title was agreed to.

HB 1606: A BILL for an Act to create and enact a new section to chapter 20.1-08 of the North Dakota Century Code, relating to the governor's proclamation for a season for underwater spearfishing.

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 28 YEAS, 21 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Christensen; David; Dotzenrod; Holmberg; Ingstad; Krauter; Kusler; Lashkowitz; Lips; Maixner; Matchie; Meyer, D.; Moore; Mushik; Olson; Reiten; Satrom; Stenehjem; Streibel; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wright

NAYS: Bakewell; Berube; Freborg; Heinrich; Hilken; Kelly; Kelsh; Kilander; Lodoen; Meyer, J.; Meyer, W.; Mutch; Naaden; Nelson; Parker; Peterson; Redlin; Shea; Stromme; Tennefos; Wogsland

ABSENT AND NOT VOTING: Heigaard; Langley; Nething; Wenstrom

HB 1606 passed and the title was agreed to.

HB 1635: A BILL for an Act to create and enact a new section to chapter 61-03 of the North Dakota Century Code, to prohibit the use of exploration wells as water wells; 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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; 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; 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: Heigaard; Langley; Nething

HB 1635 passed and the title was agreed to.

MOTION

SEN. NELSON MOVED that HB 1645, HB 1648, and HCR 3074 which are on the Fourteenth order be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3067: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of placing the delivery of vocational education services and programs under the supervision of the Superintendent of Public Instruction, to review the administrative structures for the delivery of vocational education services and programs in other states, and to review federal requirements regarding the delivery of vocational education services and programs by states.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3067 was declared adopted on a voice vote.

HCR 3092: A concurrent resolution directing the Legislative Council to study the present adequacy and equity of the structure of taxes levied by the state and the prospects for future changes in revenues from the various taxes imposed by the state.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3092 was declared adopted on a voice vote.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Joint Constitutional Revision to which was referred SCR 4021 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 2, after the comma insert the words "or in the alternative for the amendment of the new section to the new article V of the Constitution of the State of North Dakota as created by section 4 of House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly,"

On page 1, line 3, after the word "governor" insert the words "and lieutenant governor"

On page 1, line 5, after the word "governor's" insert the words "and lieutenant governor's"

On page 1, line 6, delete the words "the governor's" and insert in lieu thereof the word "their"

On page 1, line 10, after the word "Dakota" insert the words "if House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly, having been submitted to the voters, is not approved in the primary election held in 1986, or the following proposed amendment to the new section to the new article V of the Constitution of the State of North Dakota if House Concurrent Resolution No. 3003 is approved at the primary election,"

On page 1, after line 22, insert the following section:

"SECTION 2. AMENDMENT. The new section to the new article V of the Constitution of the State of North Dakota as created by section 4 of House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly, is hereby amended and reenacted to read as follows:

The qualified electors shall choose the elected state officials at a time designated by the legislative assembly. The elected state officials shall serve until their successors are duly qualified. Terms of office are four years, except that terms of the public service commissioners are six years, so arranged that one of them is elected every two years. The term of the governor and the lieutenant governor begin on December fifteenth following their election.

If two or more candidates for any executive office receive an equal and highest number of votes, the legislative assembly in joint session shall choose one of them for the office."

And renumber the lines and pages accordingly

SEN. WENSTROM, Cochairman

SCR 4021 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Joint Constitutional Revision to which was referred SCR 4022 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

On page 1, line 4, after the word "ballot" insert the words ", or in the alternative for the amendment of the new section to the new article V of the Constitution of the State of North Dakota as created by section 1 of House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly, relating to the requirement that the tax commissioner and the superintendent of public instruction be elected on a no-party ballot"

On page 1, line 7, after the period insert the following: "If House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly, is approved by the voters at the primary election, this amendment would remove the requirement that the tax commissioner and the superintendent of public instruction be elected on a no-party ballot."

On page 1, line 11, after the word "Dakota" insert the words "if House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly, having been submitted to the voters, is not approved in the primary election held in 1986, or the following proposed amendment to the new section to the new article V of the Constitution of the State of North Dakota if House Concurrent Resolution No. 3003 is approved at the primary election,"

On page 2, after line 27, insert the following new section:

"SECTION 2. AMENDMENT. The new section to the new article V of the Constitution of the State of North Dakota as created by section 1 of House Concurrent Resolution No. 3003, as approved by the forty-ninth legislative assembly, is hereby amended and reenacted to read as follows:

The qualified electors of the state at the times and places of choosing members of the legislative assembly shall choose a governor, lieutenant governor, agriculture commissioner, attorney general, auditor, insurance commissioner, three public service commissioners, secretary of state, superintendent of public instruction, tax commissioner, and treasurer. The legislative assembly may by law provide for a department of labor to be administered by a public official who may be either elected or appointed.

The superintendent of public instruction and the tax commissioner must be elected on a no-party ballot in a manner provided by law.

The powers and duties of the agriculture commissioner, attorney general, auditor, insurance commissioner, public service commissioners, secretary of state, superintendent of public instruction, and treasurer must be prescribed by law. If the legislative assembly establishes a department of labor, the powers and duties of the officer administering that department must be prescribed by law."

And renumber the lines and pages accordingly

SEN. WENSTROM, Cochairman

SCR 4022 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 SCR 4057 has had the same under consideration and recommends that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SEN. MUTCH, Chairman

SCR 4057 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred SCR 4067 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

SCR 4067 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred HB 1077 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1077 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1123 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1123 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred Engrossed HB 1159 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, delete lines 5 through 10

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

Engrossed HB 1159 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1191 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1191 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1218 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

HB 1218 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1255 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

HB 1255 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1285 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

HB 1285 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 Engrossed HB 1363 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, delete the words
"fifty" and "motor"

And renumber the lines accordingly
SEN. MUTCH, Chairman

Engrossed HB 1363 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Appropriations to which was rereferred HB 1483 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1483 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Judiciary to which was referred HB 1509 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1509 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 1525 has had the same under consideration and recommends that the same DO PASS.

SEN. LIPS, Chairman

HB 1525 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 1537 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 27, overstrike the word "his" and insert immediately thereafter the word "the", and overstrike the word "himself" and insert immediately thereafter the words "the applicant"

On page 2, line 4, overstrike the words "he has", overstrike the words "following qualifications", and insert immediately thereafter the word "applicant".

On page 2, line 12, overstrike the words "present himself to" and insert immediately thereafter the words "appear before"

On page 2, line 13, overstrike the word "him", overstrike the word "his" and insert immediately thereafter the words "the applicant for", overstrike the words "for the" and insert immediately thereafter the word "to", and overstrike the word "of"

On page 2, line 15, overstrike the word "his" and insert immediately thereafter the words "the applicant's"

- On page 3, line 17, overstrike the word "he" and insert immediately thereafter the words "the applicant"
- On page 4, line 1, overstrike the word "his" and insert immediately thereafter the words "the holder's"
- On page 4, line 11, overstrike the word "his" and insert immediately thereafter the word "the"
- On page 4, line 12, delete the word "property" and insert in lieu thereof the word "proper"
- On page 4, line 13, overstrike the word "his" and insert immediately thereafter the word "the"
- On page 4, line 22, overstrike the word "him" and insert immediately thereafter the words "the dentist"
- On page 4, line 24, overstrike the word "he" and insert immediately thereafter the words "the dentist"
- On page 4, line 26, overstrike the word "his" and insert immediately thereafter the words "the dentist's"
- On page 4, line 29, overstrike the word "he" and insert immediately thereafter the words "the dentist"
- On page 5, line 32, overstrike the word "he" and insert immediately thereafter the words "the accused"
- On page 6, line 3, delete the word "must" and insert in lieu thereof the word "may"
- On page 6, line 9, overstrike the word "his" and insert immediately thereafter the words "the dentist's"
- On page 6, line 10, overstrike the word "he" and insert immediately thereafter the words "the dentist"
- On page 6, line 11, overstrike the word "his" and insert immediately thereafter the word "the"
- On page 6, line 13, overstrike the word "his" and insert immediately thereafter the word "the"

And renumber the lines and pages accordingly

SEN. STENEHJEM, Chairman

HB 1537 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred Engrossed HB 1540 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 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 a new chapter to title 65 of the North Dakota Century Code to provide for an employee information program concerning the use of hazardous substances in the workplace, inspections and enforcement by the workmen's compensation bureau, and responsibilities of the department of health and the state laboratories department.

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

SECTION 1. A new chapter to title 65 of the North Dakota Century Code is hereby created and enacted to read as follows:

Employee information program. Each employer shall implement an employee information program designed to inform employees about hazardous substances to which they are exposed. This information must include the nature of the hazards, appropriate work practices, protective measures, and emergency procedures. "Hazardous substance" means a chemical or substance or mixture of chemicals or substances which is defined as a hazardous substance under the federal Comprehensive Environmental Responses Compensation, and Liability Act of 1980, as amended [Pub. L. 96-510; 94 Stat. 2767; 42 U.S.C. 9601 et seq.] and meets or exceeds the listed reportable quantity for that substance.

Inspection and duties of the bureau.

1. The bureau may conduct inspections of workplaces where toxic or hazardous substances are used, manufactured, or stored.
2. The bureau may issue citations for any violations of this Act. The bureau may issue a stop order pursuant to chapter 28-32 to anyone not in compliance with this Act.
3. The bureau shall investigate any complaint which alleges that employees have been ordered to work with toxic or hazardous substances which have not been included in the employee information program under this Act.
4. The bureau shall adopt appropriate practices and procedures to protect information identified as

trade secrets from improper use or dissemination beyond the purposes of this Act.

5. The bureau may, upon written application by the employer, authorize variances from the provisions of this Act which are not contrary to the public interest or the intent of this Act.
6. The bureau shall grant a variance from the requirements of this Act to an employer who demonstrates that the employer is regulated under federal or other laws of this state which require employee information programs dealing with hazardous substances and that such programs have been implemented.

Employees' rights. Employees or their designated representatives may request, and the employer or employers shall provide, any information relating to toxic or hazardous substances which the employer is required to provide under this Act.

Role of department of health and state laboratories department. The department of health and the state laboratories department shall:

1. Review and make recommendations to the bureau for modifications in the information required to be provided to employees under this Act.
2. Provide technical assistance to employers and the bureau on establishing safety procedures to minimize the public environmental and occupational health hazards from the use of hazardous chemicals and provide aid and assistance to small employers, vendors, sellers, or dispensers in complying with this Act.
3. Upon request of the bureau, examine information claimed to be a trade secret under this Act.
4. Provide and review on a continuous schedule, but at least annually, for the purposes of this Act, listings of hazardous substances that could likely be found in a workplace in this state."

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

Engrossed HB 1540 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 HB 1568 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

HB 1568 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred Engrossed HB 1574 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 2, delete the words "the annual" and insert in lieu thereof the words "a temporary exemption from the"

On page 1 of the engrossed bill, line 10, delete the word "for"

On page 1 of the engrossed bill, line 13, delete the words and numerals "and prior to July 1, 2010, the tax", and after the word "be" insert the words "exempt from the tax imposed by this section for a period of five years from the date of first production from the facility. The operator of the facility shall certify to the tax commissioner the date of first production of the facility."

On page 1 of the engrossed bill, delete lines 14 through 19

And renumber the lines and pages accordingly

SEN. WRIGHT, Chairman

Engrossed HB 1574 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 HB 1586 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1586 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1616 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

HB 1616 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Finance and Taxation to which was referred HB 1649 has had the same under consideration and recommends that the same DO PASS.

SEN. WRIGHT, Chairman

HB 1649 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HCR 3034 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. REITEN, Chairman

HCR 3034 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HCR 3078 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. REITEN, Chairman

HCR 3078 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HCR 3080 has had the same under consideration and recommends that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SEN. LODOEN, Chairman

HCR 3080 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HCR 3082 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. REITEN, Chairman

HCR 3082 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HCR 3083 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HCR 3083 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HCR 3084 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HCR 3084 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred HCR 3087 has had the same under consideration and recommends that the same DO PASS.

SEN. LODOEN, Chairman

HCR 3087 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:

SCR 4069

LEO LEIDHOLM, Secretary

MOTION

SEN. NELSON MOVED that at the conclusion of the Fifth order of business, and after the reading of SCR 4023, SCR 4057, SCR 4067, HB 1077, HB 1081, HB 1123, HB 1191, HB 1202, HB 1218, HB 1255, HB 1285, HB 1390, HB 1483, HB 1509, HB 1525, HB 1568, HB 1586, HB 1616, HB 1645, HB 1648, HB 1649, HCR 3034, HCR 3074, HCR 3078, HCR 3080, HCR 3082, HCR 3083, HCR 3084, and HCR 3087 the Senate adjourn and convene at 1:00 p.m., Wednesday, March 13, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary