

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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FORTY-FIFTH DAY

Bismarck, March 13, 1985

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

The prayer was offered by Reverend Richard Sinner, assisting at St. Anthony's Parish and Central Arizona College, Casa Grande, Arizona, and he is also a supply pastor, working out of Fargo, North Dakota. Reverend Sinner is a brother to Governor Sinner.

Come, Holy Spirit, fill the hearts of Your faithful, enkindle in us, Lord, the fire of Your love. Send forth Your spirit, and we shall be recreated and You shall renew the face of the earth. Let us pray. O God, who by the light of the Holy Spirit, do instruct the minds of Your faithful, grant us by the Holy Spirit, do instruct the minds of Your faithful. Grant us by that same Holy Spirit to be ever truly wise and always to work for justice and peace for the oppressed of our state, nation, and the world at large. Lord, guide us to understand and more fully appreciate the great suffering and afflictions of these refugees who come to our great land from El Salvador and Guatemala seeking a safe haven from the death squads and violence there. May we be more willing to grant them a refuge and sanctuary and not send them back to be killed. Lord, we know that never before in our history have we as a people sent people back to certain death. Lord, we regret with great remorse how our nation sent a shipload of Jews away when they came to our shores fleeing Nazi Germany during World War II. Remembering that we are all sons and daughters of refugees and immigrants who come here to find a safe place to live and work, Lord, give us hearts filled with compassion that we may care enough to be willing to work for a change of national policy that would continue to return people to these countries to be killed. Let us rather work for the passage and send a message to Congress to pass the De Concini-Moakley bill that would allow for "extended voluntary departure" for the people, i.e., a chance to stay until the violence subsides and they can return, just as we did for the Lebanese, Ethiopians, and Nicaraguans. May this be our hope and prayer that God may give all people a chance to live in peace, a peace based on justice and freedom. Amen.

ROLL CALL

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

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-fourth day and finds the same to be correct.

SEN. DAVID, Chairman

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

MESSAGES TO THE HOUSE

SENATE CHAMBER

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

HB 1244, HB 1339, HB 1538, HB 1554, HB 1618, HB 1621,
HB 1650, HCR 3019, HCR 3035, HCR 3046, HCR 3050, HCR 3052,
HCR 3058, HCR 3062, HCR 3077, HCR 3093, HCMR 3

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1205, HB 1444

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1054, HB 1406

LEO LEIDHOLM, Secretary

MESSAGES FROM THE HOUSE

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has concurred in the Senate amendments to HB 1157, HB 1257, HB 1279, HB 1438 and HB 1592 and subsequently passed the same.

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2051, SB 2072, SB 2086, SB 2127, SB 2144, SB 2275, SB 2282, SB 2329, SB 2330, SB 2356, SB 2409, and SB 2438 which the House has amended:

HOUSE AMENDMENTS TO SB 2051

On page 2, line 5, delete the word "Savings" and insert in lieu thereof the words "North Dakota savings", and after the word "association" insert the words "and commercial bank"

On page 2, line 6, overstrike the words "North Dakota", delete the word "savings", and overstrike the words "and loan associations," and insert immediately thereafter the word "deposit"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2072

On page 2, line 10, overstrike the word "his" and insert immediately thereafter the words "the attorney general's"

On page 2, line 19, overstrike the words "by him"

On page 2, line 20, overstrike the word "his" and insert immediately thereafter the word "the"

On page 2, line 26, overstrike the word "his" and insert immediately thereafter the words "the member's"

And renumber the lines accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2086

On page 1 of the engrossed bill, line 5, after the first comma insert the number "4-22-51,"

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

"SECTION 2. AMENDMENT. Section 4-22-51 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-22-51. Soil conservation trust lands. The state of North Dakota hereby accepts and declares to be held in trust for the soil conservation districts of the state for use in carrying out the soil conservation program those certain tracts or parcels of land lying and being in the county of Burleigh and state of North Dakota and more particularly described as follows:

Township one hundred thirty-eight north, range eighty west, fifth principal meridian: west one-half of section fifteen- west one-half section sixteen- and that portion of the southeast quarter of section sixteen described as follows: beginning at the southeast corner of said section sixteen, thence running north on the east line of said section 660 feet; thence west parallel with the south line of said section 2310 feet; thence south 660 feet to a point on the south line of said section 2310 feet west of the southeast corner of said section; thence east along the south line of said section 2310 feet to the place of beginning; containing thirty-five acres, more or less.

Subject, however, to the following rights, easements, exceptions and reservations:

1. Easements for existing or established roads, highways and public utilities, if any.
2. Right reserved by the Department of the Army "to enter thereon and remove gravel and use the established rubbish disposal area as long as any part of Fort Lincoln Military Reservation is used by the Department of the Army".
3. Reservation to the United States of America and its assigns of an undivided three-fourths interest in all coal, oil, gas, and other minerals, including three-fourths of all sand, gravel, stone, clay and similar materials, in or under such property, together with the usual mining rights, powers, and privileges, including the right at any and all times, to enter upon the land and use such parts of the surface as may be necessary in prospecting for, mining, saving and removing said minerals or materials, provided that such quantities of sand, gravel, stone, clay and similar materials, as may be required, may be utilized in the operation or improvement of the said lands.

The said lands, having been conveyed to the state of North Dakota by the United States of America for use in carrying out the soil conservation program of the soil conservation districts of the state, are further subject to the condition that they shall be used for public purposes and if at any time cease to be so used shall revert to and become revested in the United States.

The control, custody, possession, supervision, management, and operation of the said trust lands is hereby vested in the North Dakota Association of Soil Conservation Districts for use in carrying out the soil conservation program of the soil conservation districts of the state and the said association in such control, custody, possession, supervision, management, and operation shall hold all accumulations of personal property or surplus funds derived from said lands in trust for the soil conservation districts of the state for use in carrying out the soil conservation program."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2127

On page 1 of the engrossed bill, line 2, after the word "limitations" insert the words "; and to provide an effective date"

On page 2 of the engrossed bill, after line 2, insert the following new section:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on July 1, 1986."

And renumber the lines accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2144

On page 1 of the engrossed bill, line 12, overstrike the word "he" and insert immediately thereafter the words "the secretary of state"

On page 1 of the engrossed bill, line 14, overstrike the word "his" and insert immediately thereafter the words "the applicant's"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2275

On page 1, line 2, delete the numerals "11-19-17,"

On page 4, delete lines 14 through 19

On page 7, line 1, overstrike the second word "Records" and insert immediately thereafter the words "Unless otherwise authorized by rules of the supreme court, records"

On page 7, line 3, overstrike the words "No other"

On page 7, line 4, overstrike the word "records", and overstrike the words "or papers need be kept."

On page 9, line 21, immediately after the period insert the words "No filing fee may be charged or collected by the clerk of district court for entering an assignment of a judgment."

On page 12, line 10, overstrike the words "legal voters" and insert immediately thereafter the words "qualified electors"

On page 12, line 11, immediately after the word "city" insert the following: ", as determined by the vote cast for the office of governor at the last gubernatorial election, have signed such petition expressing their", after the word "desire" insert the word "that", remove the overstrike over the word "sueh", delete the word "the", and immediately after the word "name" insert the words "be granted"

On page 13, line 21, overstrike the words "of fifty cents" and insert immediately thereafter the words and numerals "as prescribed in subsection 3 of section 11-17-04"

On page 13, line 28, overstrike the words "of not more than one dollar" and insert immediately thereafter the words and numerals "as prescribed in subsection 3 of section 11-17-04"

On page 14, line 20, delete the word "is", and overstrike the word "one"

On page 14, line 21, overstrike the word "dollar" and insert immediately thereafter the words and numerals "is as prescribed by subsection 3 of section 11-17-04"

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO SB 2282

On page 1, line 1, delete the word "section" and insert in lieu thereof the words and numerals "sections 27-05-02 and"

On page 1, after line 5, insert the following new section:

"SECTION 1. AMENDMENT. Section 27-05-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-05-02. Election and term of office of district judges. There shall be elected in each judicial district of this state the number of judges for such district provided for by law. Any judge so elected ~~shall take office on the first Monday in January next succeeding his election~~ and shall hold office for six years or until his successor is elected and has qualified."

And renumber the lines, sections, and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2329

On page 1 of the engrossed bill, line 23, delete the word "his" and insert in lieu thereof the words "the inmate's"

On page 2 of the engrossed bill, line 1, delete the word "his" and insert in lieu thereof the words "the inmate's"

On page 2 of the engrossed bill, line 4, delete the word "his"

And renumber the lines accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2330

On page 3 of the engrossed bill, line 28, delete the words "who reside in the"

On page 3 of the engrossed bill, line 29, delete the words "same household"

On page 17, line 5, delete the numerals "47" and insert in lieu thereof the numerals "43"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2356

On page 1, line 10, delete the word "two" and insert in lieu thereof the word "one", and delete the words "five hundred"

And renumber the lines accordingly

HOUSE AMENDMENTS TO SB 2409

On page 3, remove the overstrike over lines 24 through 29

On page 3, line 30, remove the overstrike over the words "~~more than~~", after the word "~~twenty~~" insert the word "thirty", and remove the overstrike over the words "~~thousand dollars during each of~~"

On page 3, remove the overstrike over lines 31 through 34

On page 4, remove the overstrike over lines 1 and 2

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2438

On page 1, line 10, overstrike the word "twelve" and insert immediately thereafter the word "six"

On page 1, line 17, overstrike the word "twelve" and insert immediately thereafter the word "six"

And renumber the lines accordingly

ROY GILBREATH, Chief Clerk

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 1657

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2150, SB 2246, SB 2283, SB 2415

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2055, SB 2097, SB 2104, SB 2136, SB 2137, SB 2163,
SB 2202, SB 2205, SB 2238, SB 2266, SB 2290, SB 2305,

SB 2323, SB 2326, SB 2337, SB 2361, SB 2368, SB 2379,
SB 2423, SB 2433, SB 2434

ROY GILBREATH, Chief Clerk

CONSIDERATION OF AMENDMENTS

SEN. WENSTROM MOVED that the amendments to SCR 4021 as recommended by the **Committee on Joint Constitutional Revision** as printed on pages 1384-1385 of the Senate Journal be adopted, and when so adopted, recommends that SCR 4021 DO PASS, which motion prevailed.

SEN. WENSTROM MOVED that the amendments to SCR 4022 as recommended by the **Committee on Joint Constitutional Revision** as printed on pages 1386-1387 of the Senate Journal be adopted, and when so adopted, recommends that SCR 4022 BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, which motion lost.

SEN. CHRISTENSEN MOVED that the amendments to HB 1159 as recommended by the **Committee on Judiciary** as printed on page 1388 of the Senate Journal be adopted, and when so adopted, recommends that HB 1159 DO PASS, which motion prevailed.

SEN. MUTCH MOVED that the amendments to HB 1363 as recommended by the **Committee on Transportation** as printed on page 1388 of the Senate Journal be adopted, and when so adopted, recommends that HB 1363 DO PASS, which motion prevailed.

SEN. STENEHJEM MOVED that the amendments to HB 1537 as recommended by the **Committee on Social Services and Veterans Affairs** as printed on pages 1389-1390 of the Senate Journal be adopted, and when so adopted, recommends that HB 1537 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to HB 1540 as recommended by the **Committee on Industry, Business and Labor** as printed on pages 1390-1392 of the Senate Journal be adopted, and when so adopted, recommends that HB 1540 DO PASS, which motion prevailed.

MOTION

SEN. REITEN MOVED that the rules be suspended and that HB 1540 be placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A HOUSE BILL

HB 1540: A BILL 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.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Adams; Kelly

HB 1540 passed and the title was agreed to.

CONSIDERATION OF AMENDMENTS

SEN. WRIGHT MOVED that the amendments to HB 1574 as recommended by the Committee on Finance and Taxation as printed on page 1393 of the Senate Journal be adopted, and when so adopted, recommends that HB 1574 DO PASS, which motion prevailed.

MOTION

SEN. LIPS MOVED that the Senate reconsider the action by which SCR 4043 was defeated, which motion lost on a verification vote.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

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

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were 21 YEAS, 31 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Freborg; Holmberg; Kilander; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Todd; Vosper; Wenstrom

NAYS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Krauter; Kusler; Langley;

Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Redlin; Satrom; Shea; Tallackson; Thane; Tweten; Waldera; Walsh; Wogsland; Wright

ABSENT AND NOT VOTING: Stromme

SCR 4023 was declared lost.

MOTION

SEN. TWETEN MOVED that the vote by which SCR 4023 failed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGES FROM THE HOUSE
HOUSE CHAMBER

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

SB 2079

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith SB 2074, SB 2078, SB 2204, SB 2303, SB 2362, and SB 2470 which the House has amended:

HOUSE AMENDMENTS TO SB 2074

On page 2, line 9, after the word "services" insert the words ", the executive director of the North Dakota Indian affairs commission"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2078

On page 128, line 5, delete the word "service" and insert in lieu thereof the words "services covered under this section and section 26.1-36-09"

On page 128, line 8, delete the word "service" and insert in lieu thereof the words "services covered under this section and section 26.1-36-09"

On page 129, line 14, delete the word "service" and insert in lieu thereof the words "services covered under this section and section 26.1-36-08"

On page 129, line 17, delete the word "service" and insert in lieu thereof the words "services covered under this section and section 26.1-36-08"

On page 141, line 18, delete the word "upon" and insert in lieu thereof the words "any benefit payable under", and after the second word "policy" insert the words ", but in no event shall such transfer or succession operate to change the named insured or insureds covered under the policy"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2204

On page 2 of the engrossed bill, line 29, delete the words ", if requested to do so,", and delete the words "may be" and insert in lieu thereof the words ", due to income and resource considerations, reasonably anticipate the necessity to apply"

On page 2 of the engrossed bill, line 30, delete the word "eligible"

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2303

On page 2 of the engrossed bill, line 5, after the period insert the following new sentence: "A system installed in a single family rental dwelling must be maintained and inspected by the tenant occupying the single family rental dwelling."

And renumber the lines accordingly

HOUSE AMENDMENTS TO ENGROSSED SB 2362

On page 1 of the engrossed bill, line 10, delete the words "The political"

On page 1 of the engrossed bill, delete line 11

On page 1 of the engrossed bill, line 12, delete the words "rate charged for similar vehicles of the political subdivision."

On page 1 of the engrossed bill, line 26, delete the words "The premium charged the motor vehicles of the"

On page 1 of the engrossed bill, delete line 27

On page 1 of the engrossed bill, line 28, delete the words "state motor vehicles under the insurance policy."

And renumber the lines and pages accordingly

HOUSE AMENDMENTS TO SB 2470

On page 1, line 1, after the word "Act" insert the words "to create and enact a new section to chapter 50-25.1 of the North Dakota Century Code, relating to the disposition of reports of child abuse which do not implicate a person responsible for the child's health or welfare; and"

On page 1, after line 6, insert the following new section:

"SECTION 1. A new section to chapter 50-25.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Disposition of reports not implicating a person responsible for the child's health or welfare. Upon determination by the division or its designee that a report made under this chapter does not implicate a person responsible for a child's welfare, the division may refer the report to an appropriate law enforcement agency for investigation and disposition."

On page 1, line 16, delete the numerals "12.1-20-12.1" and insert in lieu thereof the numerals "12.1-20-08"

And renumber the lines, sections, and pages accordingly
ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4057: A concurrent resolution requesting the Congress of the United States to propose for ratification by the states an amendment to the Constitution of the United States to expressly prohibit the government of the United States from engaging in enterprise in competition with its citizens, establish the supreme law of the land, and repeal the sixteenth amendment.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4057 was declared lost on a voice vote.

SCR 4067: A concurrent resolution urging the Congress of the United States to appropriate funds for the restoration of the Fort Union fur trading post on the North Dakota-Montana border.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4067 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LIPS MOVED that the Senate do concur in the House amendments to SB 2007 as printed on page 1252 of the Senate Journal, which motion prevailed.

MOTION

SEN. LIPS MOVED that the rules be suspended, that SB 2007 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2007: A BILL for an Act making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; providing for a transfer; and declaring an emergency.

Which has been read.

ROLL CALL

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

YEAS: Berube; Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kilander; Krauter; Kusler; Langley; Lips; Maixner; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Olson; Redlin; Reiten; Satrom; Stenehjem; Stromme; Tallackson; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Adams; Bakewell; David; Freborg; Kelly; Lashkowitz; Lodoen; Moore; Mutch; Naaden; Nelson; Nething; Parker; Peterson; Shea; Streibel; Tennefos; Thane; Todd; Tweten; Vosper

ABSENT AND NOT VOTING: None

SB 2007 passed, the title was agreed to, but the emergency clause lost.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate do not concur in the House amendments to SB 2116 as printed on page 1342 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2116:

Sens. Olson, Stenehjem, Maixner

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2161 as printed on page 1342 of the Senate Journal, which motion prevailed.

MOTION

SEN. LODOEN MOVED that the rules be suspended, that SB 2161 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2161: A BILL for an Act to amend and reenact subsection 4 of section 55-10-02 of the North Dakota Century Code, relating to the state historic sites registry, additions to or deletions from that list, and the discretionary powers of the state historical board regarding that list.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Kelsh

SB 2161 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. WRIGHT MOVED that the Senate do concur in the House amendments to SB 2209 as printed on page 1299 of the Senate Journal, which motion prevailed.

MOTION

SEN. WRIGHT MOVED that the rules be suspended, that SB 2209 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2209: A BILL for an Act to amend and reenact subsection 1 of section 57-36-07 and sections 57-36-12 and 57-36-25 of the North Dakota Century Code, relating to packaging, discounts, and penalties for the tobacco products tax; 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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Kelsh

SB 2209 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. STENEHJEM MOVED that the Senate do concur in the House amendments to SB 2232 as printed on page 1343 of the Senate Journal, which motion prevailed.

MOTION

SEN. STENEHJEM MOVED that the rules be suspended, that SB 2232 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

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

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kilander; Krauter; Kusler;

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

NAYS: None

ABSENT AND NOT VOTING: Kelsh

SB 2232 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SB 2286 as printed on pages 1343-1344 of the Senate Journal, which motion prevailed.

MOTION

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2286 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2286: A BILL for an Act to amend and reenact subsection 4 of section 57-27-02 of the North Dakota Century Code, relating to the county auditor giving notice of expiration of the period of redemption after a tax sale.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Kelsh; Maixner

SB 2286 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. HOLMBERG MOVED that the Senate do concur in the House amendments to SB 2059 as printed on page 1371 of the Senate Journal, which motion prevailed.

MOTION

SEN. HOLMBERG MOVED that the rules be suspended, that SB 2059 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2059: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to licensng of certain games of chance by cities and counties.

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, 2 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Heinrich; Tweten

ABSENT AND NOT VOTING: Kelsh; Langley; Maixner; Meyer, W.

SB 2059 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. CHRISTENSEN MOVED that the Senate do concur in the House amendments to SB 2143 as printed on page 1371 of the Senate Journal, which motion prevailed.

MOTION

SEN. CHRISTENSEN MOVED that the rules be suspended, that SB 2143 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2143: A BILL for an Act to amend and reenact subsections 5 and 8 of section 16.1-11-22 of the North Dakota Century Code, relating to voting instructions placed on a ballot and a voting space on a ballot for marking the choice of candidates.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Kelsh; Langley; Maixner; Meyer, W.

SB 2143 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. PETERSON MOVED that the Senate do not concur in the House amendments to SB 2153 as printed on page 1371 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2153:

Sens. Freborg, Kelly, Heinrich

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. PETERSON MOVED that the Senate do not concur in the House amendments to SB 2267 as printed on page 1372 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2267:

Sens. Peterson, Bakewell, Wogsland

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. PETERSON MOVED that the Senate do not concur in the House amendments to SB 2279 as printed on page 1373 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SB 2279:

Sens. Freborg, Peterson, Wogsland

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. LODOEN MOVED that the Senate do concur in the House amendments to SB 2357 as printed on page 1373 of the Senate Journal, which motion prevailed.

MOTION

SEN. LODOEN MOVED that the rules be suspended, that SB 2357 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2357: A BILL for an Act to provide for the payment of interest on delinquent accounts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 46 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Freborg; Heinrich; Wogsland

ABSENT AND NOT VOTING: Kelsh; Langley; Meyer, W.; Mushik

SB 2357 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM HOUSE

SEN. KILANDER MOVED that the Senate do concur in the House amendments to SB 2427 as printed on page 1373 of the Senate Journal, which motion prevailed.

MOTION

SEN. KILANDER MOVED that the rules be suspended, that SB 2427 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF A SENATE BILL

SB 2427: A BILL for an Act to create and enact a new subsection to section 40-58-20 of the North Dakota Century Code, relating to tax increments in urban renewal areas.

Which has been read.

ROLL CALL

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

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

NAYS: Lashkowitz

ABSENT AND NOT VOTING: Kelsh; Langley; Meyer, W.

SB 2427 passed and the title was agreed to.

SECOND READING OF A HOUSE BILL

HB 1077: A BILL for an Act entering into the Dakota interstate low-level radioactive waste management compact; to designate North Dakota's representatives to the administrative body of the interstate compact; and to provide an appropriation.

Which has been read.

ROLL CALL

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

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

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

NAYS: None

ABSENT AND NOT VOTING: Berube

HB 1077 passed and the title was agreed to.

MOTIONS

SEN. NETHING MOVED that the vote by which HB 1077 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. NETHING MOVED that HB 1077 be messaged to the House immediately, which motion prevailed.

MESSAGE TO THE HOUSE SENATE CHAMBER

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

HB 1077

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

HB 1081: A BILL for an Act to amend and reenact sections 57-55-01.1, 57-55-02, 57-55-03, 57-55-04, 57-55-05, 57-55-06, 57-55-07, subsection 1 of section 57-55-10, and subsection 2 of section 57-55-11 of the North Dakota Century Code, relating to the payment of mobile home taxes and to tax permits.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David;
 Dotzenrod; Freborg; Heigaard; Heinrich; Hilken;
 Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter;
 Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner;
 Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; 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: Meyer, D.; Nothing

HB 1081 passed and the title was agreed to.

HB 1123: A BILL for an Act to amend and reenact subsection 1 of section 6-01-03 of the North Dakota Century Code, relating to compensation for members of the state banking board and the state credit union board.

Which has been read.

ROLL CALL

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

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Satrom; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: Freborg; Tennefos

ABSENT AND NOT VOTING: Meyer, D.; Reiten

HB 1123 passed and the title was agreed to.

HB 1191: A BILL for an Act to amend and reenact section 65-04-26 of the North Dakota Century Code, relating to the priority of the lien for bureau claims for premiums in default and penalties.

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; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nothing; Olson; Parker; Peterson; Redlin; Satrom; Shea;

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Kilander; Meyer, D.;
Reiten

HB 1191 passed and the title was agreed to.

HB 1202: A BILL for an Act to create and enact a new section to chapter 60-02 of the North Dakota Century Code, relating to a lien in favor of receipt holders of a public grain warehouseman; and to amend and reenact sections 60-02-01, 60-02-07, 60-02-09, 60-02-09.1, 60-02-10.1, 60-02-11, 60-02-19.1, 60-02-23, 60-02-25, 60-02-37, 60-02-40, and 60-02-41 of the North Dakota Century Code, relating to the licensing, bonding, and operation of public grain warehouses.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Adams

HB 1202 passed and the title was agreed to.

HB 1218: A BILL for an Act to amend and reenact subsections 3 and 4 of section 53-06.1-11 of the North Dakota Century Code, relating to allowable expenses of charitable organizations conducting games of chance.

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 41 YEAS, 11 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Christensen; Heinrich; Hilken; Holmberg; Moore; Nelson; Olson; Peterson; Redlin; Stenehjem; Tweten

ABSENT AND NOT VOTING: Tallackson

HB 1218 passed and the title was agreed to.

HB 1255: A BILL for an Act to create and enact a new section to chapter 29-34 of the North Dakota Century Code, relating to notices sent pursuant to the interstate agreement on detainers.

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 2 YEAS, 46 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Heigaard; Hilken

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

ABSENT AND NOT VOTING: Adams; Meyer, W.; Nething; Shea; Tallackson

HB 1255 was declared lost.

MOTION

SEN. WRIGHT MOVED that HB 1285 be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1390: A BILL for an Act to provide authority for the creation and operation of job development authorities or for a tax levy to support industrial development organizations; and to create and enact a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to a county tax levy for operation of job development authorities or for support of industrial development organizations.

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, 17 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Freborg; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lips; Lodoen; Matchie; Meyer, W.; Mushik; Naaden; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Tennefos; Thane; Todd; Tweten; Waldera; Walsh; Wenstrom; Wright

NAYS: Dotzenrod; Heigaard; Heinrich; Hilken; Langley; Lashkowitz; Maixner; Meyer, D.; Meyer, J.; Moore; Mutch; Nelson; Shea; Streibel; Stromme; Vosper; Wogsland

ABSENT AND NOT VOTING: Tallackson

HB 1390 passed and the title was agreed to.

HB 1483: A BILL for an Act to amend and reenact section 4-28-05 of the North Dakota Century Code, relating to compensation of the members of the North Dakota state wheat commission.

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, 1 NAY, 4 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos;

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

NAYS: Wogsland

ABSENT AND NOT VOTING: Heigaard; Maixner; Meyer, D.;
Tallackson

HB 1483 passed and the title was agreed to.

HB 1509: A BILL for an Act to amend and reenact section 14-09-08 of the North Dakota Century Code, relating to the mutual duty to support children.

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

NAYS: Naaden; Shea; Stromme

ABSENT AND NOT VOTING: Heigaard; Maixner; Meyer, D.;
Reiten; Tallackson

HB 1509 passed and the title was agreed to.

HB 1525: A BILL for an Act making an appropriation for defraying the expense of the purchase of certain lands by the Carrington experiment station, the Hettinger experiment station, the Langdon experiment station, and the Williston experiment station.

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; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad;

Kelly; Kelsh; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Matchie; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

NAYS: None

ABSENT AND NOT VOTING: Berube; Maixner; Meyer, D.; Tallackson

HB 1525 passed and the title was agreed to.

HB 1568: A BILL for an Act to establish a charitable gambling study commission, to provide for a study of charitable gambling, and to require the commission to make recommendations; to make an appropriation; and to provide an expiration date.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 8 YEAS, 38 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Ingstad; Kusler; Lashkowitz; Matchie; Meyer, J.; Mushik; Nelson

NAYS: Adams; Bakewell; Christensen; David; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Kelly; Kelsh; Kilander; Krauter; Langley; Lips; Lodoen; Meyer, W.; Moore; Mutch; Olson; Parker; Peterson; Reiten; Satrom; Shea; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Berube; Maixner; Meyer, D.; Naaden; Nething; Redlin; Tallackson

HB 1568 was declared lost.

HB 1586: A BILL for an Act to create and enact a new section to chapter 27-05 of the North Dakota Century Code, relating to the appointment of judicial referees; to amend and reenact subsection 2 of section 14-02.1-03.1, subsection 3 of section 27-20-05, and section 27-20-06 of the North Dakota Century Code, relating to juvenile court referees; and to

repeal section 27-20-07 of the North Dakota Century Code, relating to juvenile court referees.

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, 5 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: David; Mutch; Streibel; Tennefos; Vosper

ABSENT AND NOT VOTING: Berube; Maixner; Meyer, D.; Tallackson

HB 1586 passed and the title was agreed to.

HB 1616: A BILL for an Act to create and enact two new sections to chapter 8-10 of the North Dakota Century Code, relating to telephone solicitations or advertisements; and to provide a penalty.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 18 YEAS, 33 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Christensen; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Kelsh; Matchie; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Satrom; Shea; Waldera; Walsh; Wogsland

NAYS: Adams; Bakewell; Berube; David; Freborg; Ingstad; Kelly; Kilander; Krauter; Kusler; Langley; Lashkowitz; Lips; Lodoen; Mutch; Naaden; Nelson; Nething; Olson; Parker; Peterson; Redlin; Reiten; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Tweten; Vosper; Wenstrom; Wright

ABSENT AND NOT VOTING: Maixner; Tallackson

HB 1616 was declared lost.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred SB 2508 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

SB 2508 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Industry, Business and Labor to which was referred HB 1199 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "Act" insert the words "to create and enact a new subsection to section 65-01-02 of the North Dakota Century Code, relating to the definition of orphan; and"

On page 1, line 11, delete the word "living"

On page 1, line 14, delete the word "living"

On page 1, line 16, delete the word "living"

On page 1, after line 24, insert the following new section:

"SECTION 2. A new subsection to section 65-01-02 of the 1983 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

"Orphan" means a child who has no lawful parent."

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

HB 1199 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 1203 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. REITEN, Chairman

HB 1203 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 1274 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. CHRISTENSEN, Chairman

HB 1274 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 1295 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 11, remove the overstrike over the words "~~physical ex~~"

On page 3, line 9, remove the overstrike over the words "~~his physical ex~~"

And renumber the lines accordingly

SEN. CHRISTENSEN, Chairman

HB 1295 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 1334 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 engrossed bill, line 2, delete the words "persons licensed by the"

On page 1 of the engrossed bill, line 3, delete the words "federal communications commission" and insert in lieu thereof the words "amateur radio communications"

On page 1 of the engrossed bill, line 18, delete the words "or otherwise interferes with" and insert in lieu thereof the words ", diverts from,"

On page 3 of the engrossed bill, delete lines 1 through 4 and insert the following:

"SECTION 4. Amateur radio communications - Exemption. This Act shall not be construed to prevent the manufacture, importation, distribution, sale, offer for sale or rental, possession for sale, or advertisement for sale, any device, plan or kit for a device, or printed circuit, used by federally licensed amateur radio (ham) operators for amateur radio communications as permitted under 47 CFR 91.7 et seq."

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

Engrossed HB 1334 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 1382 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1382 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1402 has had the same under consideration and recommends that the same DO PASS.

SEN. PETERSON, Chairman

HB 1402 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1403 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. PETERSON, Chairman

HB 1403 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 1431 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 3 of the engrossed bill, line 6, overstrike the word "of" and insert immediately thereafter the word "under"

On page 3 of the engrossed bill, line 16, after the word "execution" insert the words "and notice of levy"

On page 3 of the engrossed bill, line 22, delete the third word "of" and insert in lieu thereof the words "under an"

And renumber the lines and pages accordingly

SEN. CHRISTENSEN, Chairman

Engrossed HB 1431 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 1500 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 14, delete the word "individually" and insert in lieu thereof the word "jointly"

And renumber the lines accordingly

SEN. REITEN, Chairman

Engrossed HB 1500 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 1507 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1507 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Education to which was referred HB 1513 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. PETERSON, Chairman

HB 1513 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 1539 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 10, overstrike the words "A person"

On page 1, line 17, after the numerals "~~41-09-28~~" insert the words "An owner of property who creates a security interest in such property"

On page 1, line 20, after the word "to" insert the word "the"

And renumber the lines and pages accordingly

SEN. REITEN, Chairman

HB 1539 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on State and Federal Government to which was referred Engrossed HB 1552 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 27, after the word "to" insert the words "administrative, planning, fire protection, parks, recreation,"

On page 2 of the engrossed bill, line 3, delete the words "housing, services or"

On page 2 of the engrossed bill, delete line 4

On page 2 of the engrossed bill, line 5, delete the words
"administrative or planning services,"

And renumber the lines and pages accordingly

SEN. LODOEN, Chairman

Engrossed HB 1552 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 1607 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1607 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 1651 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HB 1651 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 1654 has had the same under consideration and recommends that the same DO PASS.

SEN. REITEN, Chairman

HB 1654 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 HCR 3020 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

HCR 3020 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 HCR 3022 has had the same under consideration and recommends that the same DO PASS.

SEN. CHRISTENSEN, Chairman

HCR 3022 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 HCR 3036 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

HCR 3036 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 HCR 3051 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

HCR 3051 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 HCR 3056 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. CHRISTENSEN, Chairman

HCR 3056 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF A HOUSE BILL

HB 1657: A BILL for an Act to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to tax collection agreements with home rule cities.

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

MOTIONS

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

SEN. NETHING MOVED that at the conclusion of the Fifth order of business, the Thirteenth order of business and after the reading of SB 2508, SCR 4021, SCR 4022, HB 1005, HB 1159, HB 1203, HB 1274, HB 1285, HB 1363, HB 1382, HB 1402, HB 1403, HB 1507, HB 1513, HB 1537, HB 1574, HB 1607, HB 1645, HB 1648, HB 1649, HB 1651, HB 1654, HCR 3020, HCR 3022, HCR 3034, HCR 3036, HCR 3051, HCR 3056, HCR 3074, HCR 3078, HCR 3080, HCR 3082, HCR 3083, HCR 3084, HCR 3087, the Senate adjourn and convene at 1:00 p.m., Thursday, March 14, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary