

FRIDAY, MARCH 15, 1985

1457

JOURNAL OF THE SENATE

Forty-ninth Legislative Assembly

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FORTY-SEVENTH DAY

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

The prayer was offered by Reverend Jeff Baxter, First Presbyterian Church, Wilton, North Dakota.

Most Holy God, we come before You as servants who have the needs of Your children on our hearts and minds. Hear us, we pray, as we seek the mind of Jesus Christ, who came to us not to be served but to serve and give his life for us all.

Teach us to follow the words of the prophet, that we may do justly, love mercy, and walk humbly with You, our God. So may we find peace and success as You lead us and guide us, in Jesus' name. Amen.

ROLL CALL

The roll was called and all members were present, except Senators Christensen, Langley, W. Meyer, Moore, Nething.

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-sixth day and finds the same to be correct.

SEN. DAVID, Chairman

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

MESSAGES TO THE HOUSE
SENATE CHAMBER

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

SCR 4067

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1123, HB 1191, HB 1483, HB 1509, HB 1525, HB 1586
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1255, HB 1568, HB 1616
LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1081, HB 1202, HB 1540
LEO LEIDHOLM, Secretary

CONSIDERATION OF AMENDMENTS

SEN. REITEN MOVED that the amendments to HB 1072 as recommended by the Committee on Industry, Business and Labor as printed on pages 1448-1449 of the Senate Journal be adopted, and when so adopted, recommends that HB 1072 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to HB 1287 as recommended by the Committee on Industry, Business and Labor as printed on page 1449 of the Senate Journal be adopted, and when so adopted, recommends that HB 1287 DO PASS, which motion prevailed.

SEN. REITEN MOVED that the amendments to HB 1290 as recommended by the Committee on Industry, Business and Labor as printed on page 1449 of the Senate Journal be adopted, and when so adopted, recommends that HB 1290 DO PASS, which motion prevailed.

SEN. PETERSON MOVED that the amendments to HB 1347 as recommended by the Committee on Education as printed on page 1450 of the Senate Journal be adopted, and when so adopted, recommends that HB 1347 DO PASS, which motion prevailed.

MOTION

SEN. PARKER MOVED that consideration of proposed amendments to HB 1378 be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. MOORE MOVED that the amendments to HB 1521 as recommended by the Committee on Natural Resources as printed on page 1452 of the Senate Journal be adopted, and when so adopted, recommends that HB 1521 DO PASS, which motion prevailed on a verification vote.

SEN. CHRISTENSEN MOVED that the amendments to HB 1571 as recommended by the Committee on Judiciary as printed on pages 1452-1453 of the Senate Journal be adopted, and when so adopted, recommends that HB 1571 DO PASS, which motion prevailed.

SEN. CHRISTENSEN MOVED that the amendments to HCR 3037 as recommended by the **Committee on Judiciary** as printed on page 1453 of the Senate Journal be adopted, and when so adopted, recommends that HCR 3037 DO PASS, which motion prevailed.

SEN. MOORE MOVED that the amendments to HCR 3065 as recommended by the **Committee on Natural Resources** as printed on page 1454 of the Senate Journal be adopted, and when so adopted, recommends that HCR 3065 DO PASS, which motion prevailed.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

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.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4071 was declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. STENEHJEM MOVED that the Senate do not concur in the House amendments to SB 2204 as printed on page 1407 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 2204:

Sens. Stenehjem, Christensen, Heinrich

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. MUTCH MOVED that the Senate do not concur in the House amendments to SB 2223 as printed on page 1299 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 2223:

Sens. Kilander, Parker, Lashkowitz

MOTIONS

SEN. NELSON MOVED that HB 1005, HB 1513, and HB 1574 which are on the Fourteenth order be laid over one legislative day, which motion prevailed.

SEN. PETERSON MOVED that HB 1314 which is on the Fourteenth order be rereferred to the Committee on Education, which motion prevailed.

SEN. PARKER MOVED that HB 1363, HB 1507, and HB 1654 which are on the Fourteenth order be laid over one legislative day, 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 2067, SB 2242, SB 2281, SB 2319, SB 2332, SB 2389,
SB 2425, SB 2426, SB 2451, SB 2472, SB 2476

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 2351, SB 2383, SB 2487

ROY GILBREATH, Chief Clerk

SECOND READING OF A HOUSE BILL

HB 1159: A BILL for an Act to prohibit certain tort actions based on claims of wrongful life.

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, 3 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Moore; Redlin; Walsh

ABSENT AND NOT VOTING: Langley; Meyer, J.; Nothing

HB 1159 passed and the title was agreed to.

POINT OF PERSONAL PRIVILEGE

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

The Senate passed HB 1159 today. I have been asked why I voted NO. I responded that I was of the opinion that I voted YES. I have checked the record and found that I am recorded as voting NO. I ask that the Journal show that I favored HB 1159.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS
ON CONSENT CALENDAR

- HCR 3020: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a central filing office for criminal judgments.
- HCR 3034: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating the statutory authority and administration of financial institutions organized under state laws in light of federal changes regarding regulation of financial institutions.
- HCR 3036: A concurrent resolution directing the Legislative Council to study the impacts and problems associated with numerous specific kinds and types of statutory liens and various types of property that are exempt from attachment or mesne process and levy or sale upon execution and other final process issued from any court and the various priorities and rights they create.
- HCR 3051: A concurrent resolution directing the Legislative Council to study the desirability and feasibility of establishing a state-sponsored legal services corporation to provide legal services to persons with low incomes.
- HCR 3056: A concurrent resolution directing the Legislative Council to study methods of controlling pornography in this state, with an emphasis on educating the public regarding the harmful effects of pornography.
- HCR 3070: A concurrent resolution directing the Legislative Council to study the problems of solid waste disposal in landfills in North Dakota.
- HCR 3078: A concurrent resolution directing the Legislative Council to study the regulation of property and casualty insurance plans created by local groups or associations.
- HCR 3082: A concurrent resolution directing the Legislative Council to study the cancellation, nonrenewal, and declination procedures and requirements for property and casualty insurance and automobile insurance.

HCR 3090: A concurrent resolution directing the Legislative Council to study the Pembina River Basin, including soil, water, wildlife, and ecological resource management needs and the potential for the development of recreational and historical resources.

Which have been read.

The question being on the final adoption of the resolutions.

The resolutions were adopted on a voice vote.

REPORT OF PROCEDURAL COMMITTEE

MADAM PRESIDENT: Your procedural Committee on Delayed Bills has approved a concurrent resolution congratulating the Fargo North Spartans team, students, fans, coaches, faculty, and administration for their championship victory in the 1985 North Dakota High School Class A Basketball Tournament.

SEN. TENNEFOS, Chairman

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

FIRST READING OF A SENATE CONCURRENT RESOLUTION

Sens. Lashkowitz, Matchie, Peterson, Kilander introduced:
(Approved by the Committee on Delayed Bills)

SCR 4072: A concurrent resolution congratulating the Fargo North Spartans team, students, fans, coaches, faculty, and administration for their championship victory in the 1985 North Dakota High School Class A Basketball Tournament.

MOTION

SEN. LASHKOWITZ MOVED that the rules be suspended, that SCR 4072 not be printed, not be referred to committee, but be read in its entirety, printed in the Journal, and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Lashkowitz, Matchie, Peterson, Kilander introduced:

SENATE CONCURRENT RESOLUTION No. 4072

A concurrent resolution congratulating the Fargo North Spartans team, students, fans, coaches, faculty, and administration for their championship victory in the 1985 North Dakota High School Class A Basketball Tournament.

WHEREAS, the Fargo North Spartans completed their basketball season by winning a series of games, culminating in a championship victory in the North Dakota High School Class A Basketball Tournament; and

WHEREAS, the Fargo North team, students, fans, coaches, faculty, and administration exemplified the ability and spirit which make high school sports great; and

WHEREAS, the Fargo North Spartans' outstanding season and state championship are accomplishments of which the team, students, fans, coaches, faculty, and administration may be justifiably proud;

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

That the Forty-ninth Legislative Assembly takes great pleasure in extending its heartiest congratulations to the Fargo North Spartans for winning the 1985 North Dakota High School Class A Basketball Tournament Championship; and

BE IT FURTHER RESOLVED, that the Secretary of State send an enrolled copy of this resolution to Dr. Vern Bennett, Superintendent of Schools at Fargo, to Mr. Donald Dehne, Principal of Fargo North High School, and to Mr. Ray Callaghan, Coach of the Fargo North Spartans basketball team.

SECOND READING OF A SENATE CONCURRENT RESOLUTION

SCR 4072: A concurrent resolution congratulating the Fargo North Spartans team, students, fans, coaches, faculty, and administration for their championship victory in the 1985 North Dakota High School Class A Basketball Tournament.

Was read the second time.

The question being on the final adoption of the resolution.

SCR 4072 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1203: A BILL for an Act to amend and reenact subsection 6 of section 43-17-31 of the North Dakota Century Code, relating to the grounds for suspension or revocation of a license to practice medicine.

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, 48 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Holmberg; Shea

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; Olson; Parker; Peterson; Redlin; Reiten; Satrom; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd;

Tweten; Vosper; Waldera; Walsh; Wenstrom; Wogsland;
Wright

ABSENT AND NOT VOTING: Langley; Meyer, J.; Nething

HB 1203 was declared lost.

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

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 3 YEAS, 45 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Lashkowitz; Maixner; Shea

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

ABSENT AND NOT VOTING: Dotzenrod; Langley; Meyer, J.; Nething; Wogsland

HB 1274 was declared lost.

EXPLANATION OF VOTE - HOUSE BILL NO. 1274

SEN. MAIXNER: Madam President, I rise to explain my vote on HB 1274. This is the last bill alive dealing with the visitation rights. I believe that this is a problem with which we have not dealt this session. My vote is an expression of my concern about this issue.

SECOND READING OF HOUSE BILLS

HB 1382: A BILL for an Act to create and enact a new section to chapter 54-52.2 of the North Dakota Century Code, relating to the appointment of an executive director and other personnel by the state deferred compensation committee; and to amend and reenact sections 54-52.2-01 and 54-52.2-03 of

the North Dakota Century Code, relating to the deferred compensation program for public employees.

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, 5 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Adams; David; Freborg; Heinrich; Nelson

ABSENT AND NOT VOTING: Langley; Meyer, J.; Nothing

HB 1382 passed and the title was agreed to.

HB 1402: A BILL for an Act to amend and reenact section 15-53.1-41 of the North Dakota Century Code, or in the alternative to amend and reenact section 15-27.4-01 of the North Dakota Century Code as created by Senate Bill No. 2065, as approved by the forty-ninth legislative assembly, relating to the dissolution of school districts; to repeal section 15-53.1-05.2 of the North Dakota Century Code, or in the alternative to repeal section 15-27.2-03 of the North Dakota Century Code as created by Senate Bill No. 2065, as approved by the forty-ninth legislative assembly, relating to proposed annexations involving ten percent or more of the school district's assessed valuation; 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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Langley; Meyer, J.; Nething;
Stromme

HB 1402 passed, the title was agreed to, and the emergency clause carried.

HB 1403: A BILL for an Act to amend and reenact section 15-59-07.2 of the North Dakota Century Code, relating to state reimbursement for special education boarding care costs; and to repeal section 15-59-07.1 of the North Dakota Century Code, relating to the state reimbursement of out-of-state boarding care costs.

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

ROLL CALL

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

YEAS: Kusler; Mushik; Redlin; Waldera

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

ABSENT AND NOT VOTING: Langley; Meyer, J.; Nething

HB 1403 was declared lost.

POINT OF PERSONAL PRIVILEGE

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

Madam President and members of the assembly:

Sen. Langley is not present today so I will annex Minnewaukan today.

Jim Sears, a senior at Minnewaukan High School, is sitting with me today. He recently was selected as one of North Dakota's representatives by the John Philip Sousa Foundation to be a participant in the John Philip Sousa Honor Band of Washington, D.C. The Honor Band is composed of 100 members representing the 50 states and will play in concert during the second week of May 1985, in Washington, D.C. Madam President, may Jim Sears stand and be recognized by the assembly?

SECOND READING OF HOUSE BILLS

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

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; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; 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: Ereborg; Langley; Meyer, J.;
Nothing

HB 1537 passed and the title was agreed to.

HB 1607: A BILL for an Act to create and enact a new section to chapter 41-04 of the North Dakota Century Code, relating to the privilege of setoff between accounts at financial institutions and to define the term "financial institution".

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; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; 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: Freborg; Langley; Meyer, J.; Nething; Tallackson

HB 1607 passed and the title was agreed to.

MOTION

SEN. OLSON MOVED that HB 1651 be placed at the foot of the calendar, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3022: A concurrent resolution directing the Legislative Council to study the need for revision of statutes and the Senate and House rules in light of the 1984 amendments to Article IV of the Constitution of North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3022 was declared adopted on a voice vote.

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

Which has been read and is placed on the calendar without recommendation.

The question being on the final adoption of the resolution.

HCR 3080 was declared adopted on a division vote.

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

Which has been read.

The question being on the final adoption of the resolution.

HCR 3083 was declared adopted on a voice vote.

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

Which has been read.

The question being on the final adoption of the resolution.

HCR 3084 was declared adopted on a voice vote.

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

Which has been read.

The question being on the final adoption of the resolution.

HCR 3087 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1199: A BILL for an Act 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 to amend and reenact subsection 6 of section 65-01-02, and sections 65-05-09 and 65-05-17 of the North Dakota Century Code, relating to the definition of child and workmen's compensation benefits payments for children of disabled or deceased employees.

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

NAYS: None

ABSENT AND NOT VOTING: Langley; Meyer, J.; Nething; Stenehjem

HB 1199 passed and the title was agreed to.

HB 1295: A BILL for an Act to amend and reenact section 27-09.1-02, subsection 1 of section 27-09.1-07, and subsection 2 of section 27-09.1-08 of the North Dakota Century Code, relating to disqualification from jury service by physical disability or inability to communicate and understand English given reasonable accommodations.

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

NAYS: None

ABSENT AND NOT VOTING: Langley; Meyer, J.; Nething; Stenehjem

HB 1295 passed and the title was agreed to.

HB 1334: A BILL for an Act to provide criminal and civil penalties for theft of cable television and an exemption for amateur radio communications.

Which has been read.

CONFLICT OF INTEREST

SEN. TENNEFOS STATED he had a conflict of interest on this bill.

MOTION

SEN. STREIBEL MOVED that Senator Tennesfos be allowed to vote on this bill, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 30 YEAS, 18 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; Christensen; David; Ingstad; Kelly; Kelsh; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Meyer, D.; Meyer, W.; Mutch; Olson; Parker; Redlin; Reiten; Streibel; Stromme; Tallackson; Tennesfos; Thane; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom

NAYS: Berube; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Kilander; Maixner; Matchie; Moore; Mushik; Naaden; Nelson; Peterson; Satrom; Shea; Wogsland; Wright

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.; Nething; Stenehjem

HB 1334 passed and the title was agreed to.

HB 1418: A BILL for an Act to amend and reenact sections 20.1-02-18.2 and 47-05-02.1 of the North Dakota Century Code, relating to the duration of federal waterfowl production area easements.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 47 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING.

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

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

NAYS: Redlin

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.; Nething; Stenehjem

HB 1418 passed and the title was agreed to.

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

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Ingstad; Langley; Maixner; Meyer, D.; Meyer, J.; Nething; Shea; Stenehjem

HB 1431 passed and the title was agreed to.

HB 1441: A BILL for an Act to amend and reenact section 26-03.1-04.1 of the North Dakota Century Code or in the alternative to amend and reenact section 26.1-36-06 of the North Dakota Century Code as amended by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly relating to certain options required in group policies.

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, 1 NAY, 7 ABSENT AND NOT VOTING.

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

NAYS: Heinrich

ABSENT AND NOT VOTING: Holmberg; Langley; Maixner; Meyer, J.; Nething; Stenehjem; Vosper

HB 1441 passed and the title was agreed to.

HB 1471: A BILL for an Act to amend and reenact section 47-16-39.1 of the North Dakota Century Code, relating to the failure of an oil and gas operator to pay oil or gas royalties.

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 17 YEAS, 31 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berube; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Kusler; Lashkowitz; Maixner; Matchie; Meyer, D.; Mushik; Parker; Shea; Thane; Wogsland

NAYS: Adams; Bakewell; Christensen; David; Freborg; Ingstad; Kelly; Kilander; Lips; Lodoen; Meyer, W.; Moore; Mutch; Naaden; Nelson; Olson; Peterson; Redlin; Reiten; Satrom; Streibel; Stromme; Tallackson; Tennefos; Todd; Tweten; Vosper; Waldera; Walsh; Wenstrom; Wright

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.; Nething; Stenehjem

HB 1471 was declared lost.

HB 1500: A BILL for an Act to create and enact section 57-38-60.1 of the North Dakota Century Code, relating to corporate officer liability for compliance with income tax laws; and to amend and reenact section 57-38-61 of the North Dakota Century Code, relating to corporate officer liability for withholding tax.

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

NAYS: None

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.; Nething; Stenehjem

HB 1500 passed and the title was agreed to.

MOTION

SEN. REITEN MOVED that HB 1516, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1539: A BILL for an Act to amend and reenact section 12.1-23-08 of the North Dakota Century Code, relating to defrauding secured creditors and theft of secured property.

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, 1 NAY, 5 ABSENT AND NOT VOTING.

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

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

NAYS: Maixner

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.;
 Nething; Stenehjelm

HB 1539 passed and the title was agreed to.

HB 1552: A BILL for an Act to create and enact a new subsection to section 57-62-05 of the North Dakota Century Code, relating to duties of the director of the energy development impact office regarding grants to coal or oil and gas development impacted political subdivisions; and to amend and reenact section 57-62-06 of the North Dakota Century Code, relating to the coal and oil and gas development impact aid program.

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 25 YEAS, 23 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Adams; David; Dotzenrod; Ereborg; Ingstad; Kelly;
 Kilander; Lodoen; Matchie; Meyer, D.; Moore; Mutch;
 Naaden; Nelson; Olson; Parker; Peterson; Stromme;
 Tallackson; Tennefos; Thane; Todd; Tweten; Vosper;
 Wright

NAYS: Bakewell; Berube; Christensen; Heigaard; Heinrich;
 Hilken; Kelsh; Krauter; Kusler; Lashkowitz; Lips;
 Maixner; Meyer, W.; Mushik; Redlin; Reiten; Satrom;
 Shea; Streibel; Waldera; Walsh; Wenstrom; Wogsland

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.;
 Nething; Stenehjelm

HB 1552 was declared lost for want of a Constitutional majority.

HB 1560: A BILL for an Act to create and enact a new chapter to title 35 of the North Dakota Century Code, relating to agricultural commodity dealer liens; and to amend and reenact section 11-18-14 of the North Dakota Century Code, relating to crop lien records.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 4 YEAS, 43 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Krauter; Maixner; Shea; Tallackson

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

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.; Nething; Stenehjem; Wenstrom

HB 1560 was declared lost.

HB 1580: A BILL for an Act to amend and reenact section 61-24.3-03 of the North Dakota Century Code, relating to authorization of the southwest pipeline project.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 17 YEAS, 29 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Heigaard; Kilander; Lips; Moore; Mutch; Olson; Parker; Redlin; Reiten; Satrom; Tennefos; Todd; Waldera; Wright

NAYS: Berube; Dotzenrod; Freborg; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Krauter; Kusler; Lashkowitz; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, W.; Mushik; Naaden; Nelson; Shea; Streibel; Stromme; Tallackson; Thane; Tweten; Vosper; Walsh; Wenstrom; Wogsland

ABSENT AND NOT VOTING: Christensen; Holmberg; Langley; Meyer, J.; Nething; Peterson; Stenehjem

HB 1580 was declared lost.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3015: A concurrent resolution for the amendment of section 2 of article III of the Constitution of the State of North Dakota, relating to the contents of initiated measures.

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

YEAS: Freborg; Mutch; Tweten; Vosper

NAYS: Adams; Bakewell; Berube; Christensen; David; Dotzenrod; Heigaard; Heinrich; Hilken; Ingstad; Kelly; Kelsh; Kilander; Krauter; Kusler; Lashkowitz; Lips; Lodoen; Maixner; Matchie; Meyer, D.; Meyer, W.; Moore; Mushik; Naaden; Nelson; Olson; Parker; Peterson; Reiten; Satrom; Shea; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Waldera; Walsh; Wenstrom; Wogsland; Wright

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.; Nething; Redlin; Stenehjem

HCR 3015 was declared lost.

MOTION

SEN. NELSON MOVED that HCR 3024 which is on the Fourteenth order be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3086: A concurrent resolution directing the Legislative Council to study the duties, qualifications, and authority of the State Forester, the location of the office of the State Forester, and the placement of the State Forest Service under the jurisdiction of the Board of Higher Education.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3086 was declared adopted on a voice vote.

HCR 3089: A concurrent resolution directing the Legislative Council to study grain warehousemen insolvencies and insolvencies of grain buying or commission firms, and the

feasibility of providing bond coverage for credit-sales contracts.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3089 was declared adopted on a voice vote.

SECOND READING OF A HOUSE BILL

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

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, 2 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Thane; Walsh

ABSENT AND NOT VOTING: Holmberg; Langley; Meyer, J.; Nething; Redlin; Stenehjem

HB 1651 passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2509 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MUTCH, Chairman

SB 2509 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1043 has had the same under consideration and

recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. VOSPER, Chairman

HB 1043 was rereferred to the Committee on Appropriations.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1070 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 5, after the third comma insert the numerals "20.1-01-26,"

On page 1 of the engrossed bill, line 12, after the word "violations" insert the words "and the suspension of hunting, trapping, or fishing privileges"

On page 3 of the engrossed bill, after line 33, insert the following new section:

"SECTION 6. AMENDMENT. Section 20.1-01-26 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

20.1-01-26. Suspension of hunting, trapping, or fishing privileges - Surrender and return of license. In addition to the penalty provided upon conviction under this title, the court may suspend the defendant's hunting, trapping, or fishing privileges for up to two years. Upon conviction for a violation of section 20.1-01-18, the court shall suspend the defendant's hunting, fishing, and trapping privileges for a period of six months to two years. At the time of the suspension, the court shall determine whether the defendant must successfully complete the course of instruction provided for in section 20.1-03-01.1, as prescribed by the proper state or provincial natural resources or wildlife management agency, before the defendant may purchase a new or obtain the return of a valid hunting license.

Upon imposition of such suspension, the court shall take any hunting, trapping, or fishing license or permit held by the defendant and forward it, together with a certified copy of the suspension order, to the commissioner. Upon Except as otherwise provided in this section, upon expiration of the suspension, the commissioner shall return the defendant's person's license or permit if it is still valid. No person shall may purchase, or attempt to purchase, a hunting, trapping, or fishing license or permit during a suspension period. If the court so ordered, no person who has had a hunting license suspended may purchase or attempt to purchase a hunting license nor may the commissioner return a valid

hunting license until the person has successfully completed the course of instruction provided for in section 20.1-03-01.1 and as prescribed by the proper state or provincial natural resources or wildlife management agency. A certificate of completion for a similar course issued by any other state or province of Canada is sufficient to meet this requirement. The person shall file proof of that completion with the court.

For the purpose of this section, the term "conviction" includes an admission or adjudication of a noncriminal violation."

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

HB 1070 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1078 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 reengrossed bill, line 2, delete the word "and"

On page 1 of the reengrossed bill, line 3, after the word "compact" insert the words "; and to provide a contingent effective date"

On page 15 of the reengrossed bill, after line 2, insert the following new section:

"SECTION 3. EFFECTIVE DATE. This Act becomes effective on July 1, 1987, unless the state of South Dakota, pursuant to chapter 240, 1984 Session Laws of South Dakota, has ratified and approved the Dakota interstate low-level radioactive waste compact as created by, and in substantially form and substance as, House Bill No. 1077 as enacted by the forty-ninth legislative assembly of North Dakota, in which event this Act does not become effective."

And renumber the lines and pages accordingly
SEN. MOORE, Chairman

HB 1078 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1135 has had the same under consideration and recommends that the same DO PASS.

SEN. VOSPER, Chairman

HB 1135 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1143 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1143 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1146 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MUTCH, Chairman

HB 1146 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 1189 has had the same under consideration and recommends that the same DO PASS, and be rereferred to the Committee on Appropriations.

SEN. STENEHJEM, Chairman

HB 1189 was rereferred to the Committee on Appropriations.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred HB 1211 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1211 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 1284 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1284 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 1314 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 11, delete the word "a" and insert in lieu thereof the word "an"

On page 1 of the engrossed bill, line 12, delete the words "standing and continuing"

- On page 2 of the engrossed bill, line 27, delete the words "eligible to make contracts" and insert in lieu thereof the words "which has contracted with a school district"
- On page 2 of the engrossed bill, line 28, delete the words "that student or the students" and insert in lieu thereof the words "the commercial driver training school"
- On page 2 of the engrossed bill, line 29, delete the word "parents", and after the word "training" insert the words "according to the terms of the contract"
- On page 4 of the engrossed bill, after line 7, insert the following new section:

"SECTION 8. APPROPRIATION. There is hereby appropriated out of the driver education fund established pursuant to section 1 of this Act the sum of \$100,000, or so much thereof as may be necessary, to the superintendent of public instruction for the purpose of administering the driver education fund created by this Act for the biennium beginning July 1, 1985, and ending June 30, 1987."

And renumber the lines and pages accordingly

SEN. PETERSON, Chairman

HB 1314 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1404 has had the same under consideration and recommends that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. VOSPER, Chairman

HB 1404 was rereferred to the Committee on Appropriations.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred HB 1426 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1426 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 1454 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1454 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1472 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

- On page 1, line 15, remove the overstrike over the word "any", and delete the word "all", and delete the underscored comma
- On page 1, line 16, delete the words "disbursements, and" and insert in lieu thereof the word "or"
- On page 1, line 17, after the word "section" insert an underscored comma, and delete the second underscored comma
- On page 1, delete line 18
- On page 1, line 19, delete the words "documentary evidence, and witness fees and expenses"
- On page 1, line 21, delete the words "all fees," and insert in lieu thereof the word "these", and delete the second underscored comma
- On page 1, line 22, delete the word "disbursements," and delete the words "incurred by the person"
- On page 1, line 23, delete the word "expressly", delete the words "a particular" and insert in lieu thereof the word "the", and delete the word "manifestly"
- On page 1, line 24, delete the word "and" and insert in lieu thereof the word "or"

And renumber the lines and pages accordingly

SEN. MOORE, Chairman

HB 1472 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 HB 1480 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HB 1480 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 1492 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Chairman

HB 1492 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 1493 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, after the word "process" insert the words "and bankruptcy exemptions"

On page 1, line 20, overstrike the word "Additional", and delete the word "absolute" and insert in lieu thereof the word "Bankruptcy"

On page 1, line 23, after the word "state" insert the words "who has filed for bankruptcy"

On page 1, line 24, after the word "select" insert the words "the following bankruptcy exemptions"

And renumber the lines and pages accordingly

SEN. WRIGHT, Chairman

HB 1493 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred HB 1542 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. STENEHJEM, Chairman

HB 1542 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 1546 has had the same under consideration and recommends that the same DO PASS.

SEN. STENEHJEM, Chairman

HB 1546 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred HB 1557 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MUTCH, Chairman

HB 1557 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 1565 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, delete the words "create and enact a new section to chapter 65-05"
- On page 1 of the engrossed bill, delete line 2
- On page 1 of the engrossed bill, line 3, delete the words "workmen's compensation benefits; to"
- On page 1 of the engrossed bill, line 4, delete the word "and" and insert in lieu thereof a comma, and after the numerals "65-05-17" insert the words ", and sections 65-05.2-01 and 65-05.2-02"
- On page 1 of the engrossed bill, line 5, delete the word "and" and insert in lieu thereof a comma
- On page 1 of the engrossed bill, line 6, delete the words "; to repeal chapter 65-05.2 of"
- On page 1 of the engrossed bill, delete lines 7 and 8
- On page 1 of the engrossed bill, line 9, delete the word "Act" and insert in lieu thereof the words "and to supplementary workmen's compensation benefits"
- On page 1 of the engrossed bill, delete lines 12 through 28
- On page 2 of the engrossed bill, delete lines 1 through 12
- On page 3 of the engrossed bill, delete lines 21 through 25 and insert in lieu thereof the following two sections:

"SECTION 3. AMENDMENT. Section 65-05.2-01 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-05.2-01. Eligibility for supplementary benefits. Any workmen's compensation claimant who was receiving temporary total disability benefits, permanent total disability benefits, or death benefits as of July 1, ~~1975~~ 1980, and is receiving such benefits as of July 1, ~~1979~~ 1985, is eligible for supplementary benefits. Eligibility for supplementary benefits starts on July 1, ~~1979~~ 1985, and lasts for as long as the claimant is entitled to workmen's compensation benefits.

SECTION 4. AMENDMENT. Section 65-05.2-02 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

65-05.2-02. Supplementary benefits - Amount. if a claimant was eligible for the maximum permanent total disability or death benefits in effect at the time of injury, supplementary benefits are fifty percent of the

difference between the amount of benefits which the claimant was originally receiving and the maximum amount of benefits in effect on July 1, 1975. Supplementary benefits for a claimant who was eligible for less than the maximum permanent total disability or death benefits in effect at the time of the injury shall be fifty percent of the difference between the amount of benefits the claimant was originally receiving and the benefits in effect on July 1, 1975, in the same proportion as the claimant's present benefits bear to the maximum benefits in effect at the time of injury. Claimants who are eligible for supplementary benefits and who are receiving temporary total disability benefits or permanent total disability benefits shall receive a weekly benefit in an amount not less than one hundred forty-three dollars per week. Claimants who are eligible for supplementary benefits and who are receiving death benefits shall receive a weekly benefit in an amount not less than eighty-four dollars per week."

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

HB 1565 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Agriculture to which was referred HB 1636 has had the same under consideration and recommends that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION.

SEN. VOSPER, Chairman

HB 1636 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HB 1639 has had the same under consideration and recommends that the same DO PASS.

SEN. MOORE, Chairman

HB 1639 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred HCR 3027 has had the same under consideration and recommends that the same DO NOT PASS.

SEN. MOORE, Chairman

HCR 3027 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 HCR 3069 has had the same under consideration and recommends that the same DO PASS.

SEN. MUTCH, Chairman

HCR 3069 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Social Services and Veterans Affairs to which was referred HCR 3079 has had the same under consideration and recommends that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

SEN. STENEHJEM, Chairman

HCR 3079 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

**MESSAGE TO THE HOUSE
SENATE CHAMBER**

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2204 and SB 2223 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2204: Sens. Stenehjem, Christensen, Heinrich
SB 2223: Sens. Kilander, Parker, Lashkowitz

LEO LEIDHOLM, Secretary

COMMUNICATION

Doctor of the Day Schedule

March 18	- Donald J. Martindale, M.D.	- Fargo
	Family Practice Resident	
March 19	- Clayton E. Jensen, M.D.	- Fargo
	Family Practice	
March 21	- Harold W. Evans, M.D.	- Grand Forks
	Internal Medicine	
March 22	- Dennis E. Wolf, M.D.	- Dickinson
	Family Practice	

MOTIONS

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

SEN. NELSON MOVED that at the conclusion of the Fifth order of business, and after the reading of SCR 4022, SB 2509, HB 1005, HB 1072, HB 1135, HB 1143, HB 1146, HB 1211, HB 1284, HB 1287, HB 1290, HB 1347, HB 1363, HB 1426, HB 1454, HB 1480, HB 1492, HB 1507, HB 1513, HB 1516, HB 1521, HB 1542, HB 1546, HB 1557, HB 1571, HB 1574, HB 1636, HB 1639, HB 1654, HCR 3024, HCR 3027,

HCR 3037, HCR 3065, HCR 3069, and HCR 3079, the Senate adjourn and convene at 1:00 p.m., Monday, March 18, 1985, which motion prevailed.

LEO LEIDHOLM, Secretary