

Second Day of
Legislative Organizational and Special Session

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

* * * * *

Bismarck, December 3, 1986

The Senate convened at 9:00 a.m., President Meiers presiding.

The prayer was offered by Reverend John Nicolai from Trinity Lutheran Church, Bismarck.

Eternal and almighty God, we turn to You this morning hour, grateful for last night's rest and the blessing of a new day. Lead and guide these Senators as they continue to seek and find solutions to the economic needs of our state. We do not understand as clearly as we would like and therefore seek Your gracious and all-knowing direction. Grant these leaders love in their interaction one with another, wisdom in their deliberations, and direction in their decisions. In Jesus' Name, Amen.

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

A quorum was declared by the President.

MOTIONS

SEN. HEIGAARD MOVED to amend the Select Committee on Appropriations by replacing Sen. Nelson with Sen. Tennefos, which motion prevailed.

The President declared the substitution be made.

SEN. HEIGAARD MOVED that a committee of three be appointed to act as a Committee on Revision and Correction of the Journal, which motion prevailed.

THE PRESIDENT APPOINTED Sens. J. Meyer, Axtman, and Nalewaja.

SEN. HEIGAARD MOVED that a committee of five be appointed to act as a Committee on Employment, which motion prevailed.

THE PRESIDENT APPOINTED Sens. Satrom, W. Meyer, Kelsh, Naaden, and Mutch.

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 1:00 p.m., for the purpose of joining the House of

Representatives in the House chamber for a Joint Session, which motion prevailed.

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

REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the First day and finds the same to be correct.

SEN. J. MEYER, Chairman

MOTION

SEN. MAIXNER MOVED that the seniority table be corrected and the report approved at a later time, which motion prevailed.

MOTION

SEN. MAIXNER MOVED that the Senate stand in recess until 4:00 p.m., which motion prevailed.

REVISION AND CORRECTION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Revision and Correction of the Journal has carefully reexamined the Journal of the First day and recommends that the same be corrected as follows:

On page 13, line 18, delete the word "select"

SEN. J. MEYER MOVED that since a copy of the other revisions and corrections of the Journal of the First day has been given to each Senator, reading of the same be dispensed with and the report be adopted, which motion prevailed.

1987
MEMBERS OF SENATE
(1987 Session not included)

DEMOCRAT

1987

MEMBERS OF SENATE

(1987 Session not included)

SENATE SENIORITY TABLE:

NAME	SESSIONS SERVED	TOTAL SENATE SESSIONS	TOTAL LEGISLATIVE SESSIONS
Redlin, Rolland W.	1959-61-63-73-75-77-79- 81-83-85	10	10
Lashkowitz, Herschel	1965-75-77-79-81-83-85	7	7

Tallackson, Harvey D.	1977-79-81-83-85	5	5
Heinrich, Bonnie	1977-79-[Nov. 81]-83-85	4	4
Dotzenrod, James A.	1979-81-83-85	4	4
Krauter, Adam	1977-79-83-85	4	4
Stromme, Floyd	1981-83-85	3	3
Heigaard, William S.	(House 1981)-[Nov. 81]-83 85	2	3
Maixner, Rick	(House 1977-79)-83-85	2	4
Hilken, E. Gene	1983-85	2	2
Meyer, Dean J.	1983-85	2	2
Meyer, Jerry	1983-85	2	2
Satrom, Joseph A.	1983-85	2	2
Waldera, Jerry	1983-85	2	2
Wogsland, Dan	1983-85	2	2
Mushik, Corliss	(House 1971-75-77-79- 81-83)-85	1	7
Meyer, Walter A.	(House 1975-77-79-81-83)- 85	1	6
Langley, Byron	(House 1973-75-77-79)-85	1	5
Kelsh, Jerome	1985	1	1
Shea, R. V.	1985	1	1
Richard, Allen	(House 1977-79-81-83-85)	0	5
Keller, Joe	(House 1983-85)	0	2
Schoenwald, Larry W.	(House 1983)	0	1
Axtman, Ben		0	
Mathern, Tim		0	
Maxson, Jim		0	
Yockim, Jim		0	

REPUBLICAN

1987

MEMBERS OF SENATE

SENATE SENIORITY TABLE:

NAME	SESSIONS SERVED	TOTAL SENATE SESSIONS	TOTAL LEGISLATIVE SESSIONS
Lips, Evan E.	1961-63-65-67-69-71-73- 75-77-79-81-83-85	13	13
Mutch, Duane	1959-61-63-65-67-69-71- 73-75-79-81-83-85	13	13
Nething, David E.	1967-69-71-73-75-77-79- 81-83-85	10	10
Thane, Russell T.	1971-73-75-77-79-81-83- 85	8	8
Naaden, Pete	1973-75-77-79-81-83-85	7	7
Reiten, Chester	1973-75-77-79-81-83-85	7	7
Wright, Stanley	1973-75-77-79-81-83-85	7	7
Peterson, Curtis N.	1973-77-79-81-83-85	6	6
Vosper, F. Kent	1975-77-79-81-83-85	6	6
Lodoen, Clayton A.	(House 1973)-77-79-81- 83-85	5	6
Tennefos, Jens J.	(House 1975)-77-79-81- 83-85	5	6
Holmberg, Ray	1977-79-81-83-85	5	5
Nelson, Gary J.	1977-79-81-83-85	5	5
Streibel, Bryce	(House 1957-59-63-65-67- 69-71-73)-81-83-85	3	11
Tweten, Malcolm S.	(House 1973-75-77-79)- 81-83-85	3	7
Stenehjem, Wayne	(House 1977-79)-81-83-85	3	5
Moore, Don	(House 1971)-81-83-85	3	4

Adams, Mark	1981-83-85	3	3
Bakewell, Bruce	1981-83-85	3	3
Kelly, Earl M.	1965-67-85	3	3
David, Ray	1983-85	2	2
Olson, John M.	1983-85	2	2
Todd, Art	1983-85	2	2
Freborg, Layton W.	(House 1973-75-79-81)-85	1	5
Ingstad, Jack	1985	1	1
Nalewaja, Donna	(House 1983-85)	0	2

SEN. J. MEYER, Chairman

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 4:30 p.m., which motion prevailed.

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

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 5:30 p.m., which motion prevailed.

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

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your Select Committee on Finance and Taxation to which was referred SB 2905 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 16, after the word "Laws" delete the words ", and the property failed to qualify for the"

On page 1, line 17, delete the word "exemption"

And renumber the lines and pages accordingly

SEN. SATROM, Chairman

The proposed amendments to SB 2905 were adopted.

REPORT OF PROCEDURAL COMMITTEE

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

SB 2905

SEN. KRAUTER, Chairman

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

SB 2905 was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2905: A BILL for an Act to provide a property tax exemption for certain residential property which failed to qualify for a previously granted property tax exemption; and to provide an effective date and an expiration date.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2905 passed and the title was agreed to.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1902

ROY GILBREATH, Chief Clerk

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your Select Committee on Appropriations to which was referred SB 2902 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, delete the word "repeal" and insert in lieu thereof the words "amend and reenact"

On page 1, line 6, delete the word "REPEAL" and insert in lieu thereof the word "AMENDMENT"

On page 1, line 7, delete the word "repealed." and insert in lieu thereof the words "amended and reenacted to read as follows:"

On page 1, after line 7, insert the following section:

"61-24.3-03.1. Preference for resident pipeline manufacturers and bidders for labor and services. Any contracts for the purchase of pipeline materials, labor, or services awarded by the state water commission in regard to the construction of the southwest water pipeline project must be awarded to North Dakota resident pipeline manufacturers and North Dakota resident bidders for labor and services making the lowest responsible bids if those bids do not exceed by more than five percent the lowest responsible bid submitted by a nonresident pipeline manufacturer or bidder for labor or services. As used in this section, "North Dakota resident pipeline manufacturers and bidders for labor or services" means bidders or sellers who have maintained a bona fide place of business within this state for at least five years prior to the date on which the contract bid on is awarded. If the state water commission awards any contract for pipeline materials, labor, or services in regard to construction of the southwest water pipeline project to a nonresident bidder, the commission shall publicly give notice in a newspaper of general circulation regarding the specific reasons why it did not award the contract to a resident bidder. This section shall not apply to contracts that involve federal moneys where a preference would be contrary to federal laws or regulations or to architect, engineer, professional right of way, and land surveying services."

And renumber the lines and pages accordingly

SEN. TALLACKSON, Chairman

The proposed amendments to SB 2902 were adopted.

REPORT OF PROCEDURAL COMMITTEE

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

SB 2902

SEN. KRAUTER, Chairman

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

SB 2902 was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2902: A BILL for an Act to amend and reenact section 61-24.3-03.1 of the North Dakota Century Code, relating to a preference for residents on Southwest Pipeline Project contracts; and to provide an effective date.

Which has been read and has committee recommendation of DO PASS.

ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2902 passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your Select Committee on Appropriations to which was referred SB 2903 has had the same under consideration and recommends that the same DO PASS.

SEN. TALLACKSON, Chairman

SB 2903 was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2903: A BILL for an Act to amend and reenact subsection 2 of section 54-10-01 and sections 54-10-13 and 54-10-14 of the North Dakota Century Code, relating to the powers of the state auditor and audit requirements for political subdivisions; and to provide an effective date.

Which has been read.

ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2903 passed and the title was agreed to.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: Your Select Committee on Appropriations to which was referred SB 2904 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 21, delete the numerals "5,445,000" and insert in lieu thereof the numerals "264,000"

On page 2, line 9, delete the numerals "3,000,000" and insert in lieu thereof the numerals "2,000,000"

On page 2, line 13, delete the numerals "3,000,000" and insert in lieu thereof the numerals "2,000,000"

On page 2, line 25, remove the overstrike over the word "~~four~~" and delete the word "three"

On page 2, line 26, delete the word "seventy" and insert in lieu thereof the word "ten"

And renumber the lines accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Department of Public Instruction

This amendment reduces the reduction in the general fund appropriation to the Department of Public Instruction by \$5,181,000; changing the proposed reduction from \$5,445,000 to \$264,000. The proposed per-pupil payments of \$1,370 are increased by \$40 to \$1,410 per pupil for the 1986-87 school year.

Coal Development Impact Fund

This amendment reduces the reduction in appropriation authority of the Energy Development Impact Office from the coal development impact fund by \$1 million from \$3 million to \$2 million. This results in the transfer from the coal development impact fund to the general fund being reduced by \$1 million from \$3 million to \$2 million.

SEN. TALLACKSON, Chairman

The proposed amendments to SB 2904 were adopted.

REPORT OF PROCEDURAL COMMITTEE

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

SB 2904

SEN. KRAUTER, Chairman

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

SB 2904 was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2904: A BILL for an Act to provide for the reduction in general fund appropriation authority; to provide for a reduction in coal development impact fund appropriation authority; to provide for a transfer of coal development impact funds; to amend and reenact subsection 2 of section 15-40.1-06 of the North Dakota Century Code, relating to educational support per pupil; and to provide an effective date.

Which has been read and has committee recommendation of DO PASS.

REQUEST

SEN. WRIGHT REQUESTED that the question be divided on SB 2904, and that the following divisions be voted upon separately as follows:

SECTIONS 2 and 3

SECTIONS 1, 4, and 5

The request was granted by the President.

ROLL CALL

The question being on Sections 2 and 3 of SB 2904, the roll was called and there were 34 YEAS, 19 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Mushik; Nalewaja; Nelson; Olson; Peterson; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Tweten; Wogsland;

NAYS: Bakewell; David; Freborg; Keller; Kelly; Krauter; Meyer, D.; Moore; Mutch; Naaden; Nething; Reiten; Streibel; Tennefos; Todd; Vosper; Waldera; Wright; Yockim

ABSENT AND NOT VOTING: None

Sections 2 and 3 remained in the bill.

ROLL CALL

The question being on Sections 1, 4, and 5 of SB 2904, the roll was called and there were 53 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Axtman; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

Sections 1, 4, and 5 of SB 2904 passed.

ROLL CALL

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

YEAS: Adams; Axtman; Bakewell; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Richard; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: David; Meyer, W.

ABSENT AND NOT VOTING: None

SB 2904 passed and the title was agreed to.

RECOGNITION

THE PRESIDENT ANNOUNCED that a former Governor and Speaker of the House was in the chambers, and requested that the Senate recognize former Governor Arthur A. Link and Mrs. Link, and former Governor Link and Mrs. Link were thereupon introduced to the Senate.

REPORT OF SELECT COMMITTEE

MADAM PRESIDENT: A majority of your Select Committee on Finance and Taxation to which was referred SB 2901 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 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 1, line 23, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 2, line 14, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 2, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 6, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 15, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 4, line 22, after the word "machinery" insert the words ", farm machinery repair parts,"

- On page 5, line 4, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 7, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 5, line 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 16, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 5, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- And renumber the lines and pages accordingly

SEN. SATROM, Chairman

MADAM PRESIDENT: A minority of your Select Committee on Finance and Taxation to which was referred SB 2901 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 4, after the word "date" insert the words "and an expiration date"
- On page 1, line 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 1, line 23, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 2, line 14, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 2, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 6, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 15, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 4, line 22, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 4, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 7, remove the overstrike over the word "~~three~~" and delete the word "four"

- On page 5, line 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 16, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 5, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, delete lines 34 and 35 and insert in lieu thereof the following new section:

"SECTION 6. EFFECTIVE DATE - EXPIRATION DATE. The provisions of this Act become effective January 1, 1987, and are ineffective after July 30, 1987. The provisions of sections 57-39.2-02.1, 57-39.2-03.2, 57-39.2-08.2, 57-40.2-02.1, and 57-40.3-02 as those sections existed on December 31, 1986, shall be in effect after June 30, 1987."

And renumber the lines and pages accordingly

SEN. SATROM, Chairman

MOTIONS

SEN. MAIXNER MOVED that the report of the minority be substituted for the report of the majority.

SEN. NETHING MOVED to suspend the rules and that the minority report be deemed an amendment and placed on Sixth order and requested a recorded roll call vote on the motion.

ROLL CALL

The question being on Sen. Nething's motion, the roll was called and there were 41 YEAS, 12 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Langley; Lashkowitz; Lodoen; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Reiten; Schoenwald; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Todd; Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Axtman; Dotzenrod; Heigaard; Krauter; Lips; Maixner; Mushik; Richard; Satrom; Shea; Stromme; Wogsland

ABSENT AND NOT VOTING: None

Sen. Nething's motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LASHKOWITZ MOVED that SB 2901 be amended as follows:

- On page 1, line 4, after the word "date" insert the words "and an expiration date"
- On page 1, line 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 1, line 23, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 2, line 14, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 2, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 6, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 4, line 15, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 4, line 22, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 4, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 7, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 5, line 13, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, line 16, remove the overstrike over the word "~~three~~" and delete the word "four"
- On page 5, line 18, after the word "machinery" insert the words ", farm machinery repair parts,"
- On page 5, delete lines 34 and 35 and insert in lieu thereof the following new section:

"SECTION 6. EFFECTIVE DATE - EXPIRATION DATE. The provisions of this Act become effective January 1, 1987, and are ineffective after July 30, 1987. The provisions of sections 57-39.2-02.1, 57-39.2-03.2, 57-39.2-08.2, 57-40.2-02.1, and 57-40.3-02 as those sections existed on December 31, 1986, shall be in effect after June 30, 1987."

And renumber the lines and pages accordingly

REQUEST

SEN. NETHING REQUESTED a recorded roll call vote on the motion to adopt the proposed minority amendments to SB 2901, which request was granted.

ROLL CALL

The question being on Sen. Lashkowitz's motion that the amendment included in the proposed minority report to SB 2901 be adopted, the roll was called and there were 25 YEAS, 28 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; Heinrich; Kelly; Kelsh; Lashkowitz; Lodoen; Meyer, D.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Peterson; Reiten; Streibel; Tennefos; Thane; Tweten; Vosper; Waldera; Wright; Yockim

NAYS: Axtman; Dotzenrod; Freborg; Heigaard; Hilken; Holmberg; Ingstad; Keller; Krauter; Langley; Lips; Maixner; Mathern; Maxson; Meyer, J.; Mushik; Nalewaja; Olson; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Todd; Wogsland

ABSENT AND NOT VOTING: None

The motion to adopt the proposed minority amendments to SB 2901 failed.

The question was then on the adoption of the proposed majority report amendments. On a voice vote, the motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

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

SB 2901

SEN. KRAUTER, Chairman

SB 2901 was placed on the Eleventh order of business.

SECOND READING OF SENATE BILL

SB 2901: A BILL for an Act to amend and reenact sections 57-39.2-02.1, 57-39.2-03.2, 57-39.2-08.2, 57-40.2-02.1, and 57-40.3-02 of the North Dakota Century Code, relating to the rate of sales tax, use tax, and motor vehicle excise tax; and to provide an effective date.

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 27 YEAS, 26 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Keller; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Redlin; Richard; Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad; Kelly; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Stenehjem; Streibel; Tennefos; Thane; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: None

SB 2901 passed and the title was agreed to.

**MESSAGE TO THE HOUSE
SENATE CHAMBER**

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

SB 2901, SB 2902, SB 2903, SB 2904, SB 2905

PERRY GROTEBERG, Secretary

**MESSAGE FROM THE HOUSE
HOUSE CHAMBER**

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1901, HB 1903

ROY GILBREATH, Chief Clerk

FIRST READING OF HOUSE BILLS

HB 1901: A BILL for an Act to amend and reenact section 57-38-29, subsection 2 of section 57-38-30.3, sections 57-38-59, 57-38-60, 57-38-60.1, 57-38-61, and 57-38-62 of the North Dakota Century Code, relating to the rate of income tax on individuals and general income tax withholding and payment of estimated tax for income tax purposes; to repeal section 57-38-58 of the North Dakota Century Code, relating to definitions for withholding purposes; and to provide an effective date.

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

HB 1902: A BILL for an Act to provide authority to the Grafton State School to transfer excess revenue to San Haven; and to provide an effective date.

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

HB 1903: A BILL for an Act to create and enact thirteen new sections to chapter 14-09 of the North Dakota Century Code, relating to income withholding for the enforcement of child support obligations; to amend and reenact section 14-09-09.3 of the North Dakota Century Code, relating to income payor's obligations in child support enforcement; to repeal sections 14-09-09.1, 14-09-09.2, 14-09-09.4, 14-09-09.6, 14-09-09.8, and 14-09-09.9 of the North Dakota Century Code, relating to wage assignments for the enforcement of child support and enforcement of out-of-state orders for wage withholding; and to provide an effective date.

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

MOTION

SEN. HEIGAARD MOVED that at the conclusion of the Thirteenth order of business the Senate adjourn until 9:00 a.m., on December 4, 1986, which motion prevailed.

PERRY GROTBORG, Secretary