

JOURNAL OF THE SENATE

Fiftieth Legislative Assembly

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NINETEENTH DAY

Bismarck, January 30, 1987

The Senate convened at 12:30 p.m., with President Pro Tem Redlin presiding.

The prayer was offered by Reverend Larry Jahnke, New Song Community Church, Bismarck.

Father, we thank You today for these men and women who have given up precious time with their families, their businesses, and their friends to serve the people of this state. It is staggering to think about how the personal lives and occupations of thousands of North Dakota residents can be affected by this Senate body. Lord, we ask this afternoon for Your wisdom and Your guidance concerning the issues that will be discussed and voted on this day and in the days to come. We pray for our President, our Governor, and those in authority over us, that You would strengthen them today, give them wisdom, and shield them from unnecessary criticism. Teach us how to put the needs of others before our party loyalties and personal biases. In Jesus' name we pray, Amen.

ROLL CALL

The roll was called and all Senators were present, except Senators Axtman, Tennesos, and Tweten.

A quorum was declared by the President Pro Tem.

CORRECTION AND REVISION OF THE JOURNAL

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

SEN. J. MEYER, Chairman

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

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 1073, HB 1121, HB 1136, HB 1183, HB 1253, HB 1257

ROY GILBREATH, Chief Clerk

**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 2071, SB 2072, SB 2080, SB 2373, SCR 4030
PERRY GROTBORG, Secretary

SIGNING OF BILLS AND RESOLUTIONS

THE SECRETARY ANNOUNCED that the President Pro Tem signed the following:

SB 2111, SB 2217
PERRY GROTBORG, Secretary

**MESSAGE TO THE HOUSE
SENATE CHAMBER**

MR. SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2111, SB 2217
PERRY GROTBORG, Secretary

REPORTS OF STANDING COMMITTEES

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2039 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the word "an" and insert in lieu thereof the words "a continuing"

On page 1, line 7, after the word "Membership" insert the word "- Meetings"

On page 1, line 13, after the semicolon insert the words "chairperson of the governor's committee on children and youth; executive director of the Indian affairs commission;" and delete the words "state juvenile services" and insert in lieu thereof the words "the chief justice of the supreme court or a designee of the chief justice"

On page 1, delete lines 14 through 20

On page 1, line 21, delete the words "children and adolescents at risk"

On page 1, line 23, after the period insert the words "The children's coordinating cabinet shall meet at least once each month and may establish subcommittees as it deems necessary to carry out its purposes."

- On page 2, line 2, after the period insert the words "The governor may appoint one children's professional who is not employed by any agency, department, or office represented on the children's coordinating cabinet as coordinator of the children's coordinating cabinet."
- On page 3, line 23, after the word "cabinet" insert the words "shall review and consider the recommendations contained in the final report of the governor's commission on children and adolescents at risk, and"
- On page 3, line 24, delete the word "these" and insert in lieu thereof the words "the following"
- On page 4, line 16, after the word "services" insert the words "- Continuing appropriation"
- On page 4, line 23, delete the words "and may be expended only in"
- On page 4, line 24, delete the words "accordance with legislative appropriations"
- On page 4, line 25, delete the words "SECTION 7. APPROPRIATION."
- On page 4, line 26, delete the words and numerals "the sum of \$300,000, or" and insert in lieu thereof the words "any moneys that may become available through grants, gifts, or services"
- On page 4, line 27, delete the words "so much thereof as may be necessary,"
- On page 4, line 29, delete the words "for the biennium beginning July 1, 1987, and ending June 30, 1989"

And renumber the lines and pages accordingly

SEN. J. MEYER, Chairman

SB 2039 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 SB 2093 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 1, line 12, overstrike the word "sixteen" and insert immediately thereafter the word "fourteen"
- On page 1, line 18, overstrike the words "a three" and insert immediately thereafter the words "an eight"

On page 1, line 20, delete the words "a three" and insert in lieu thereof the words "an eight"

On page 3, line 27, delete the word "is" and overstrike the word "eight" and insert immediately thereafter the words "is ten"

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

SB 2093 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2362 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 21, delete the word "forty-eight" and insert in lieu thereof the words "one hundred twenty"

On page 3, line 13, delete the words "and with or without" and insert in lieu thereof the word "after"

And renumber the lines accordingly
SEN. J. MEYER, Chairman

SB 2362 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 SB 2398 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 3, delete the words "committee members" and insert in lieu thereof the words "district supervisors"

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

SB 2398 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2036 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. J. MEYER, Chairman

SB 2036 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2202 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. HILKEN, Chairman

SB 2202 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2236 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

SB 2236 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2237 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

SB 2237 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Natural Resources to which was referred SB 2280 has had the same under consideration and recommends by a vote of 3 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SEN. KRAUTER, Chairman

SB 2280 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2369 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. HILKEN, Chairman

SB 2369 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was referred SB 2430 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. HILKEN, Chairman

SB 2430 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Human Services and Veterans Affairs to which was referred SB 2462 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SEN. J. MEYER, Chairman

SB 2462 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Joint Constitutional Revision to which was referred SCR 4024 has had the same under consideration and recommends by a vote of 9 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

SEN. STROMME, Chairman

SCR 4024 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MADAM PRESIDENT: Your Committee on Transportation to which was rereferred SB 2431 has had the same under consideration and recommends by a vote of 7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

SEN. HILKEN, Chairman

SB 2431 was rereferred to the Committee on Appropriations.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2003 as recommended by the Committee on Appropriations as printed on page 461 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2003 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2010 as recommended by the Committee on Appropriations as printed on pages 461-462 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2010 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. W. MEYER MOVED that the amendments to SB 2032 as recommended by the Committee on Agriculture as printed on pages 462-463 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2032 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. W. MEYER MOVED that the amendments to SB 2159 as recommended by the Committee on Agriculture as printed on pages

463-464 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2159 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. W. MEYER MOVED that the amendments to SB 2205 as recommended by the Committee on Agriculture as printed on page 464 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2205 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2283 as recommended by the Committee on Appropriations as printed on pages 464-465 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2283 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2287 as recommended by the Committee on Industry, Business and Labor as printed on page 465 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2287 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. SATROM MOVED that the amendments to SB 2309 as recommended by the Committee on Finance and Taxation as printed on pages 465-466 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2309 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2338 as recommended by the Committee on Education as printed on page 466 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2338 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. D. MEYER MOVED that the amendments to SB 2375 as recommended by the Committee on State and Federal Government as printed on page 467 of the Senate Journal be adopted, and when so adopted, recommends the same DO NOT PASS, which motion prevailed.

SB 2375 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2402 as recommended by the Committee on Industry, Business and Labor as printed on page 467 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2402 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LASHKOWITZ MOVED that the amendments to SB 2404 as recommended by the Committee on Judiciary as printed on pages 468-469 of the Senate Journal be adopted, and when so adopted, recommends the same DO PASS, which motion prevailed.

SB 2404 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the Speaker has signed:

SB 2111, SB 2217

ROY GILBREATH, Chief Clerk

MOTIONS

SEN. KRAUTER MOVED that SB 2393 be returned to the Senate floor from the Committee on Natural Resources, which motion prevailed.

SEN. KRAUTER MOVED that SB 2393 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

SEN. HEIGAARD MOVED that the Senate request the return of SB 2253 from the House for the purpose of proper engrossment, which motion prevailed.

MESSAGE TO THE HOUSE
SENATE CHAMBER

MR. SPEAKER: I have the honor to request the return of the following:

SB 2253

PERRY GROTBORG, Secretary

MOTION

SEN. HEIGAARD MOVED that the minimum number of copies of SB 2296, SCR 4016, SCR 4017, and SCR 4020 be reprinted, which motion prevailed.

REQUEST

SEN. HEIGAARD REQUESTED a recorded roll call vote on the motion to reprint the minimum number of copies of SB 2296, SCR 4016, SCR 4017, and SCR 4020.

ROLL CALL

The question being on the motion to reprint the minimum number of copies of SB 2296, SCR 4016, SCR 4017, and SCR 4020, the roll was called and there were 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; 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; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Axtman; Tennefos

The motion to reprint SB 2296, SCR 4016, SCR 4017, and SCR 4020 prevailed.

MOTIONS

SEN. HEIGAARD MOVED that SB 2014 be moved to the foot of the calendar, which motion prevailed.

SEN. D. MEYER MOVED that SB 2278, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SEN. MAIXNER MOVED that SB 2188, which is on the Eleventh order, be rereferred to the Committee on Natural Resources, which motion prevailed.

SEN. MAIXNER MOVED that SB 2146 be returned to the Senate floor from the Committee on Natural Resources, which motion prevailed.

REQUEST

SEN. MAIXNER REQUESTED the unanimous consent of the Senate to withdraw SB 2146. There being no objection, it was so ordered by the President Pro Tem.

SECOND READING OF SENATE BILLS

SB 2115: A BILL for an Act to create and enact a new section to chapter 11-11, a new section to chapter 40-05, a new subsection to section 57-15-06.7, a new subsection to section 57-15-10, and a new section to chapter 57-15 of the North Dakota Century Code, relating to authorization and funding of county and city programs and activities for handicapped persons.

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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; 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; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Axtman; Tennefos

SB 2115 passed and the title was agreed to.

SB 2256: A BILL for an Act to create and enact a new section to chapter 54-18 of the North Dakota Century Code, relating to confidentiality of certain North Dakota mill and elevator and export trading company business.

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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; 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; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Axtman; Tennefos

SB 2256 passed and the title was agreed to.

MESSAGE FROM THE HOUSE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the Senate has requested:

SB 2253

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

SB 2277: A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century Code, relating to licensing of addiction counselors; to amend and reenact section 23-17.1-04, subsections 6, 7, and 9 of section 25-03.1-02, and subsection 3 of section 31-01-06.3 of the North Dakota Century Code, relating to the certification of addiction counselors, to the definitions of expert examiner, independent expert examiner, and mental health professional, and to the definition of counselor; and to provide a penalty.

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 35 YEAS, 16 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Nalewaja; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Kelly; Moore; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Reiten; Streibel; Tweten; Wright

ABSENT AND NOT VOTING: Axtman; Tennesfos

SB 2277 passed and the title was agreed to.

SB 2403: A BILL for an Act to create a new chapter to title 51 of the North Dakota Century Code, relating to allowing retail dealers to return merchandise upon discontinuance of a franchise.

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 51 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Adams; 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; Thane; Todd; Tweten; Vosper; Waldera; Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Axtman; Tennefos

SB 2403 passed and the title was agreed to.

SB 2186: A BILL for an Act to amend and reenact subsection 4 of section 20.1-03-11 of the North Dakota Century Code, relating to limitations on nonresident big game licenses.

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, 34 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Freborg; Hilken; Holmberg; Ingstad; Langley; Lips; Maxson; Meyer, W.; Mushik; Olson; Satrom; Shea; Stromme; Tallackson; Tweten; Yockim

NAYS: Adams; Bakewell; David; Heigaard; Heinrich; Keller; Kelly; Kelsh; Krauter; Lashkowitz; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Redlin; Reiten; Richard; Schoenwald; Stenehjem; Streibel; Thane; Todd; Vosper; Waldera; Wogsland; Wright

ABSENT AND NOT VOTING: Axtman; Tennefos

SB 2186 lost.

SB 2195: A BILL for an Act to create and enact a new section to chapter 23-09 of the North Dakota Century Code, relating to the state laboratories department's authority to accept

local enforcement and inspection; to amend and reenact sections 23-09-01, 23-09-02, 23-09-09, 23-09-11, 23-09-14, 23-09-16, 23-09-17, 23-09-18, 23-09-21, and 23-09-22 of the North Dakota Century Code, relating to hotels, lodging houses, restaurants, boardinghouses, and similar establishments; 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 22 YEAS, 29 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Heinrich; Hilken; Krauter; Langley; Lashkowitz; Lips; Maixner; Mathern; Meyer, J.; Meyer, W.; Mushik; Redlin; Satrom; Schoenwald; Shea; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: Adams; Bakewell; David; Freborg; Holmberg; Ingstad; Keller; Kelly; Kelsh; Lodoen; Maxson; Meyer, D.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Reiten; Richard; Stenehjem; Streibel; Stromme; Todd; Tweten; Vosper; Wright

ABSENT AND NOT VOTING: Axtman; Tennefos

SB 2195 lost.

MESSAGE TO THE HOUSE SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following properly engrossed:

SB 2253

PERRY GROTEBERG, Secretary

SECOND READING OF SENATE BILLS

SB 2288: A BILL for an Act to amend and reenact sections 51-07-01, 51-07-01.1, and 51-07-03 of the North Dakota Century Code, relating to sales and exchanges between wholesalers, manufacturers, distributors, and retailers.

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

ROLL CALL

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

YEAS: Adams; Bakewell; David; Dotzenrod; Freborg; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelly; Kelsh; Krauter; Langley; Lashkowitz; Lips;

Lodoen; Maixner; Mathern; Maxson; Meyer, J.; Moore;
 Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething;
 Olson; Peterson; Redlin; Reiten; Richard; Satrom;
 Schoenwald; Shea; Stenehjem; Streibel; Stromme;
 Tallackson; Thane; Todd; Tweten; Vosper; Waldera;
 Wogsland; Wright; Yockim

NAYS: Meyer, D.

ABSENT AND NOT VOTING: Axtman; Meyer, W.; Tennefos

SB 2288 passed and the title was agreed to.

SB 2300: A BILL for an Act to amend and reenact sections 40-49-05, 40-49-07, and 40-49-08 of the North Dakota Century Code, relating to coincidence of terms and election of office of park district commissioners and providing for sharing of costs of elections by cities and park districts.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Adams; Bakewell; David; 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; Thane; Todd; Tweten; Vosper; Waldera;
 Wogsland; Wright; Yockim

NAYS: None

ABSENT AND NOT VOTING: Axtman; Meyer, W.; Tennefos

SB 2300 passed and the title was agreed to.

SB 2412: A BILL for an Act to create and enact a new subsection to section 20.1-03-11 and a new section to chapter 20.1-08 of the North Dakota Century Code, relating to licenses issued to landowners to hunt elk and the governor's proclamation on the hunting of elk.

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

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 48 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: Langley; Mushik

ABSENT AND NOT VOTING: Axtman; Meyer, W.; Tennefos

SB 2412 passed and the title was agreed to.

MOTIONS

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

SEN. HEIGAARD MOVED that the Senate be on the Fifth order of business, and at the conclusion of the Fifth order of business, be on the Ninth order of business, and at the conclusion of the Ninth order of business, and after the reading of SB 2003, SB 2010, SB 2032, SB 2036, SB 2159, SB 2202, SB 2205, SB 2236, SB 2237, SB 2280, SB 2283, SB 2287, SB 2309, SB 2338, SB 2369, SB 2375, SB 2402, SB 2404, SB 2430, SB 2462, and SCR 4024 that the Senate stand adjourned until 1:00 p.m., Monday, February 2, 1987, which motion prevailed.

FIRST READING OF HOUSE BILLS

HB 1069: A BILL for an Act to create and enact a new section to chapter 16.1-10 of the North Dakota Century Code, relating to sales or distribution of materials at polling places on election day.

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

HB 1087: A BILL for an Act to amend and reenact section 16.1-01-12 of the North Dakota Century Code, relating to payment for circulation of an initiative, referendum, or recall petition; and to provide a penalty.

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

HB 1097: A BILL for an Act to amend and reenact section 44-08-06 of the North Dakota Century Code, relating to dimensions of a seal of a court or officer.

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

HB 1150: A BILL for an Act to provide for the appointment of guardians ad litem or child advocates in prosecution of sex offenses.

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

HB 1187: A BILL for an Act to amend and reenact section 65-05.1-06 of the North Dakota Century Code, relating to limiting vocational rehabilitation benefits to two years, except in extraordinary circumstances, and to relocation and remodeling expense.

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

HB 1219: A BILL for an Act to amend and reenact sections 24-09-01.1, 24-09-02, 24-09-04, 24-09-05, 24-09-08.1, and 24-09-09 of the North Dakota Century Code, relating to warning devices at railroad crossings.

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

HB 1226: A BILL for an Act to amend and reenact sections 19-03.1-30 and 62.1-02-01 of the North Dakota Century Code, relating to possession of firearms by a person granted a conditional discharge and defining those persons who are convicted of an offense; and to declare an emergency.

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

HB 1307: A BILL for an Act to amend and reenact sections 27-12-02 and 27-12-03 of the North Dakota Century Code, relating to membership of the state bar association of North Dakota.

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

HB 1322: A BILL for an Act to amend and reenact section 27-09.1-17 of the North Dakota Century Code, relating to protection of employment of jurors and witnesses.

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

CHAPLAINCY SCHEDULE

FEBRUARY

DATE	NAME AND CHURCH	PHONE
2	Jim Pomeroy Epworth United Methodist Church, Valley City	
3	Father Jeff Zwack Corpus Christi Catholic Church	255-4600
4	Richard Hagestuen First Lutheran Church, Mandan	663-3594
5	Barry Lee Church of God of Prophecy	222-1027
6	Ed Bartel Bismarck Baptist Church	223-4445

9	Richard Smith	
	St. Peters Lutheran, Minnewauken	
10	Art Scanson	255-1160
	McCabe United Methodist Church	
11	Dennis Buchholz	255-0521
	Lincoln Lutheran Ministry	
12	Arnie Schneider	221-6100
	State Penitentiary	
13	Father Patrick Moore	224-7000
	St. Alexius Medical Center	
16	Tom Shaffer	255-3148
	First Baptist Church	
17	Open	
18	Steve Sathre	223-3560
	Trinity Lutheran Church	
19	M.D. Wolff	223-4445
	Bismarck Baptist Church	
20	Ted Heaston	255-0500
	Evangel Temple	
25	Bob Schultz	223-5134
	Church of Christ	
26	Arlan Fiske	
	Minot	
27	Doug Roberts	223-2915
	United Church of Christ	

COMMUNICATION

Doctor of the Day Schedule

February 2:	Frederick K. Ness, M.D., Grand Forks Family Practice
February 3:	Frederick K. Ness, M.D., Grand Forks Family Practice
February 4:	Frederick K. Ness, M.D., Grand Forks Family Practice
February 5:	William M. Goodall, M.D., Grand Forks UND-Clinical Affairs
February 6:	William Buckingham, M.D., Bismarck Bismarck Family Practice Center

DELIVERY OF ENROLLED BILLS

THE PRESIDENT PRO TEM ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 2:30 p.m., January 30, 1987:

SB 2111, SB 2217

The Senate stood adjourned pursuant to Senator Heigaard's motion.

PERRY GROTEBERG, Secretary