

## JOURNAL OF THE SENATE

## Fifty-first Legislative Assembly

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Bismarck, January 20, 1989

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

The prayer was offered by Rev. Harlan Norem, Faith Lutheran Church, Bismarck.

Creator of us all - we, Your children, are not always wise or good or seriously committed to being Your people. May we acknowledge the difference between admiring You and obeying You.

We are so in the habit of coming to You in prayer when our need is desperate; when our health, or wisdom, or money have run out. Rather, let us come to You in gratitude for Your blessings, which we so easily take for granted; for if we do not have the grace to thank You for what we have, how can we have the nerve to ask for Your further blessings?

We thank You that this land is still governed by the people's representatives. And these days, as our state and national governments gear up for the 1989 session, we pray for Your special blessings of health, wisdom, and courage to be given President Bush, his appointees, to our Senators and Representative, and Lord, bless these chosen men and women gathered here with insight, compassion, and all the wisdom and courage they can hold. They know they need it, the people hope they get it, and, one thing more, dear Lord, don't let them ever lose their sense of humor. It makes their speeches - and their laws - easier to live with.

This prayer is offered in Jesus' name. Amen.

The roll was called and all Senators were present, except Senators David, Dotzenrod, Freborg, Naaden, Nething, Richard, Satrom, Tennefos, and Vosper.

A quorum was declared by the President.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)

MR. PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1094, HB 1136, HB 1154, HB 1180, HB 1239, HB 1256, HCR 3010.

SIGNING of BILLS and RESOLUTIONS (Patricia Conrad, Secretary)

THE SECRETARY ANNOUNCED that the President signed the following enrolled resolution: SCR 4023.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The President has signed and your signature is respectfully requested: SCR 4023.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2039, SB 2056, SB 2061, SB 2113, SB 2117, SB 2129, SB 2146, SB 2174, SB 2189, SB 2212, SB 2236, SB 2239, SB 2267, SB 2269.

CORRECTION and REVISION of the JOURNAL (Sen. Axtman, Chairman)

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully examined the Journal of the Twelfth Day and finds it to be correct.

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

#### ANNOUNCEMENT

SEN. HEIGAARD ANNOUNCED that the Honorable James E. Downey, Minister of Northern Affairs, and Minister responsible for Native Affairs, from the Province of Manitoba, is in the Senate Chamber.

SEN. HEIGAARD MOVED that the President appoint a committee of two to escort the Honorable James E. Downey to the rostrum, which motion prevailed.

THE PRESIDENT APPOINTED as such committee, Sens. J. Meyer and Krebsbach. The Honorable James E. Downey was escorted to the rostrum and introduced to the Assembly.

#### REMARKS OF THE HONORABLE JAMES E. DOWNEY

Mr. President, Honorable Senators, citizens of the United States, and good neighbor, North Dakota, to us in Manitoba; let me first of all say how pleased that I am to be here today to have the opportunity to say a few words to such a distinguished body. Let me as well bring greetings from our premier, Premier Gary Fillman, and his Cabinet ministers. I particularly, Mr. President and members of the Senate, want to say how pleased I am today to have been invited to North Dakota by Orlin Hanson and his good wife, who have been excellent neighbors and friends of ours, just across the border, for many years. There are a couple of other things - and I will promise to be very short - that was one of the prerequisites, of course, of being able to give this address, is to be sure that I was very short - being that it was on a Friday afternoon, but I have a short fishing story to tell, being that I am the minister responsible for northern and native affairs, where some of the best fishing holes are in all of this country, and our country.

Let me say that I am pleased to be here on the occasion of the meeting of the North Dakota-Saskatchewan Commission. I am particularly pleased that Manitoba has been proposed to be a member of the Boundary Advisory Commission. Having a Riding in which the Souris River flows, many of you may be more familiar with it as the Mouse River, which originates in Saskatchewan and flows through Minot, and, when it enters Canada, flows entirely through the constituency which I represent, that being the southwest corner of the province. I believe we would have had a lot less controversy and a lot more cooperation over the past few months and years if Manitoba had been a part of that Advisory Committee, and it would have been more of an objectively viewed project in Manitoba, and I say from my position it is objective, and we are pleased with it, rather than the way in which it has turned out.

Let me congratulate you as well on your Centennial celebrations. It is an extremely important event in any jurisdiction's life - a hundred years is a major milestone, and a time for friends and family to gather and congregate, and reestablish in our families the importance of our roots before we challenge the future, or take on the challenge of the future, which is so important to our young people of our nation.

Let me say as well I am pleased to be here on the historic date of the inauguration of your new President, and I am pleased to see that the people of the United States are again going through a system of supporting the

freedom and the opportunities that our country enjoys, of free election and the democratic process.

I am here as well to say to you that I am here for a little bit of other additional work, I am also responsible for a seed company out of Brandon, Manitoba, and I have the chairman of the board and the general manager here to look at some market opportunities, and of course that brings me to free trade, which I was a strong supporter of, as was Mr. Hanson, and look forward to many good trade opportunities for our nations to enjoy, and say that I am pleased to be here to be with them as the minister responsible.

Now I will conclude, Mr. President, and say thank you with a short story. I was up fishing last year - as I have the responsibility for two-thirds of Manitoba, the northern portion of it, where there are some of the best fishing holes, and it truly is true - I was fishing last year in a small lake up north of Flin Flan, where they were biting so good that I had to lie in the bottom of the boat to bait the hook. I appreciate the Reverend's comments today, that we do have to have and enjoy life and have a little levity, because that is what it is all about.

Thank you, the best to you, Senators, and to your country, and we look forward to the passage of a bill where we can further adopt and work together on matters of mutual interest and concern. Thank you, and have a good Centennial.

#### REQUEST

THE PRESIDENT REQUESTED that Sens. J. Meyer and Krebsbach escort Mr. Downey from the Chamber.

#### MOTION

SEN. HEIGAARD MOVED that the remarks of the Honorable James E. Downey be printed in the Senate Journal, which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Natural Resources (Sen. Krauter, Chairman) to which was referred SB 2045 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:

Page 2, line 2, after the underscored period insert "If the commissions retained by a county auditor entitled to retain twenty-five cents for the issuance of resident hunting, fishing, or fur-bearer licenses exceed two thousand dollars in any year, the county auditor may only retain fifteen cents for the issuance of each resident hunting, fishing, or fur-bearer license issued in the following year."

Remember accordingly

SB 2045 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2057 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 11, replace "immediately" with ", in accordance with rules adopted by the department,"

Page 1, line 12, overstrike "investigate, or cause to be investigated," and insert immediately thereafter "immediately initiate an investigation, or cause an investigation of"

Page 1, line 13, after "including" insert ", when appropriate,"

Page 2, line 5, remove "The interview may take place outside the presence of a person"

Page 2, remove lines 6 through 22

Page 2, line 27, remove ", orally and in writing,"

Page 2, remove line 29

Page 3, remove line 1

Page 3, line 2, remove "conduct an interview on school property."

Page 3, line 3, replace "contents" with "nature"

Page 3, line 5, replace ", or file the notification with the child's educational" with an underscored period

Page 3, remove lines 6 through 20

Page 3, line 21, remove "department's designee, or law enforcement agency."

Renumber accordingly

SB 2057 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2058 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 NOT PASS.

SB 2058 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Joint Constitutional Revision (Sen. Stromme, Chairman) to which was referred SB 2064 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SB 2064 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Human Services and Veterans Affairs (Sen. Kelsh, Chairman) to which was referred SB 2072 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 3, replace "dakota psychiatric resource" with "North Dakota mental health"

Page 1, line 11, replace "dakota psychiatric resource" with "North Dakota mental health"

Page 1, line 14, replace "dakota psychiatric resource" with "North Dakota mental health"

Page 1, line 15, replace "Dakota psychiatric resource" with "North Dakota mental health"

Page 1, line 18, replace "dakota psychiatric" with "North Dakota mental health"

Page 1, line 19, remove "resource"

Page 2, line 1, replace "dakota psychiatric resource" with "North Dakota mental health"

Page 2, line 2, replace "dakota psychiatric resource" with "North Dakota mental health"

Page 2, line 4, replace "resource" with "mental health"

Page 2, line 7, replace "dakota psychiatric resource" with "North Dakota mental health"

Renumber accordingly

SB 2072 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Robinson, Chairman) to which was referred SB 2080 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.

SB 2080 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Robinson, Vice Chairman) to which was rereferred SB 2285 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.

SB 2285 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Natural Resources (Sen. Krauter, Chairman) to which was referred SCR 4008 has had the same under consideration and recommends that the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION. The voice vote was unanimous.

SCR 4008 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## CONSIDERATION OF AMENDMENTS

SEN. D. MEYER MOVED that the amendments to SB 2030 as recommended by the Committee on State and Federal Government as printed on page 228 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2030 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2084 as recommended by the Committee on Education as printed on page 229 of the Senate Journal be adopted, and when so amended, recommends the same DO NOT PASS, which motion prevailed.

SB 2084 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 2111 as recommended by the Committee on Agriculture as printed on page 232 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2111 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 2202 as recommended by the Committee on State and Federal Government as printed on pages 229-230 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

SEN. J. MEYER MOVED that the amendments to SB 2231 as recommended by the Committee on Judiciary as printed on page 230 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2231 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2242 as recommended by the Committee on Industry, Business and Labor as printed on pages 230-231 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2242 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

## MOTIONS

SEN. HEIGAARD MOVED that SB 2155 and SB 2116, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SEN. D. MEYER MOVED that SB 2258, which is on the Eleventh order, be laid over two legislative days, which motion prevailed.

FIRST READING OF SENATE BILL

Sen. Olson introduced:

SB 2467: A BILL for an Act to create and enact a new section to chapter 57-55 of the North Dakota Century Code, relating to tax receipt documentation required for transfer of title of a mobile home; and to amend and reenact section 39-18-03 of the North Dakota Century Code, relating to transfer of title to mobile homes by the department of motor vehicles.

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

SECOND READING OF SENATE BILLS

SB 2240: A BILL for an Act to amend and reenact subsection 25 of section 20.1-02-05 of the North Dakota Century Code, relating to complimentary hunting and fishing licenses.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Nalewaja; Nelson; O'Connell; Olson; Peterson; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera

NAYS: Heinrich; Krebsbach; Meyer, W.; Naaden; Redlin; Wogsland; Yockim

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2240 passed and the title was agreed to.

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SB 2090: A BILL for an Act to create and enact a new section to chapter 50-09 of the North Dakota Century Code, relating to the Family Support Act of 1988; to amend and reenact sections 50-09-20, 50-09-20.1, and 50-09-21 of the North Dakota Century Code, relating to the appropriation of county funds for certain programs, state reimbursement of certain county expenditures, and the amount for which the county is liable.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2090 passed and the title was agreed to.

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SB 2130: A BILL for an Act to amend and reenact subsections 1 and 2 of section 26.1-40-14 and section 26.1-40-17 of the North Dakota Century Code, relating to uninsured and underinsured motorist coverage.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2130 passed and the title was agreed to.

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SB 2141: A BILL for an Act to amend and reenact section 57-55-01.2 of the North Dakota Century Code, relating to statements of full consideration for mobile homes.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper; Wogsland

SB 2141 passed and the title was agreed to.

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SB 2160: A BILL for an Act to create and enact a new subsection to section 20.1-03-04 of the North Dakota Century Code, relating to when fishing licenses are not required of residents.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Thane; Vosper

SB 2160 passed and the title was agreed to.

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SB 2163: A BILL for an Act to amend and reenact section 50-09-21 of the North Dakota Century Code, relating to the reimbursement of the county share of aid to dependent children, foster care, and subsidized adoption payments.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Heinrich; Nething; Richard; Tennefos; Vosper

SB 2163 passed and the title was agreed to.

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SB 2188: A BILL for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to snowmobile registration.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Holmberg; Ingstad; Maixner; Nething; Richard; Tennefos; Vosper

SB 2188 passed and the title was agreed to.

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SB 2194: A BILL for an Act to create and enact six new sections to chapter 43-15 of the North Dakota Century Code, relating to membership in the North Dakota pharmaceutical association.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Maixner; Nething; Richard; Tennefos; Vosper

SB 2194 passed and the title was agreed to.

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SB 2203: A BILL for an Act to create and enact a new section to chapter 43-15 of the North Dakota Century Code, relating to temporary suspension of a pharmacy permit or a certificate of registration of a pharmacist; and to repeal section 43-15-28 of the North Dakota Century Code, relating to cancellation of certificate of registration.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2203 passed and the title was agreed to.

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SB 2230: A BILL for an Act to amend and reenact section 38-08-16 of the North Dakota Century Code, relating to civil and criminal penalties for violation of gas and oil resource laws or rules; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2230 passed and the title was agreed to.

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SB 2265: A BILL for an Act to amend and reenact section 20.1-01-17 of the North Dakota Century Code, relating to posting of lands to prohibit hunting.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 11 YEAS, 35 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Heinrich; Lashkowitz; Lodoen; Mutch; Naaden; Nalewaja; Nelson; Olson; Streibel; Todd; Yockim

NAYS: Axtman; Ewen; Hanson; Heigaard; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; O'Connell;

Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjerm; Stromme; Tallackson; Thane; Waldera; Wogsland

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2265 lost.

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SB 2266: A BILL for an Act to amend and reenact section 15-27.2-05 of the North Dakota Century Code, relating to the effective date of annexations of school districts.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2266 passed and the title was agreed to.

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SB 2280: A BILL for an Act to create and enact a new section to chapter 15-21 of the North Dakota Century Code, relating to the confidentiality of the results of general educational development tests.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjerm; Streibel; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Tennefos; Vosper

SB 2280 passed and the title was agreed to.

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SB 2304: A BILL for an Act to amend and reenact subsections 1 and 2 of section 57-15-56 of the North Dakota Century Code, relating to priorities for use of revenues from tax levies for programs and activities for senior citizens; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 45 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; O'Connell; Olson; Peterson; Redlin; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: David; Dotzenrod; Freborg; Nething; Richard; Stromme; Tennefos; Vosper

SB 2304 passed and the title was agreed to.

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MOTIONS

SEN. HEIGAARD MOVED that the absent members 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, the Senate be on the Ninth order of business, and at the conclusion of the Ninth order, the Senate be on the Twelfth order of business, and at the conclusion of the Twelfth order, the Senate be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the Senate be on the Sixteenth order of business, and at the conclusion of the Sixteenth order, the Senate stand adjourned until 1:00 p.m., Monday, January 23, 1989, which motion prevailed.

FIRST READING OF SENATE BILL

Sen. Satrom and Reps. Wentz, Kretschmar introduced:

SB 2468: A BILL for an Act to amend and reenact sections 27-02-05.1, 27-03-01, subsection 1 of section 27-05-30, sections 27-06-01 and 27-20-05 of the North Dakota Century Code, relating to the status of supreme court and district court personnel.

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

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sen. Satrom and Rep. Martinson introduced:

SCR 4027: A concurrent resolution providing and designating Senate and House employees and fixing their compensation.

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

FIRST READING OF HOUSE BILLS

HB 1094: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to

postretirement benefit adjustments under the teachers' fund for retirement; to amend and reenact subsection 2 of section 15-39.1-10 and section 15-39.1-16 of the North Dakota Century Code, relating to computation and optional forms of retirement benefits under the teachers' fund for retirement; and to provide an effective date.

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

HB 1136: A BILL for an Act to amend and reenact subsection 19 of section 20.1-02-05 of the North Dakota Century Code, relating to dealing with game and fish department stocking and propagation of game birds.

Was read the first time and referred to the Committee on Natural Resources.

HB 1154: A BILL for an Act to create and enact a new subsection to section 20.1-03-12 of the North Dakota Century Code, relating to fees for nonresident fur-bearer and nongame hunting licenses; and to amend and reenact subsections 2 and 4 of section 20.1-03-07 of the North Dakota Century Code, relating to nonresidents taking fur-bearers.

Was read the first time and referred to the Committee on Natural Resources.

HB 1180: A BILL for an Act to create and enact a new section to chapter 36-04, a new subsection to section 36-04-10, and a new section to chapter 36-05 of the North Dakota Century Code, relating to notification by livestock dealers and livestock auction markets of nonsufficient funds checks to the commissioner of agriculture.

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

HB 1239: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-03 of the North Dakota Century Code, relating to the limitation on the aggregate of prizes that may be awarded in games of raffle or bingo conducted by eligible organizations upon local authorization.

Was read the first time and referred to the Committee on Political Subdivisions.

HB 1256: A BILL for an Act to amend and reenact section 43-04-31 of the North Dakota Century Code, relating to qualifications required to be a registered barber.

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

#### FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3010: A concurrent resolution urging the Federal Crop Insurance Corporation of the United States Department of Agriculture to increase the amount of indemnity on major crops to levels that reflect anticipated market price or target price, to maintain yield guarantee levels to at least the yield guarantee levels for 1988 and to move the last day of replant for small grains up ten days.

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

#### DOCTOR OF THE DAY SCHEDULE

January 23:	Erling D. Martinson, MD	- Family Practice	- Valley City
January 24:	Karen E. Aarestad, MD	- IM Resident	- Fargo
January 25:	Karen E. Aarestad, MD	- IM Resident	- Fargo
January 26:	Karen E. Aarestad, MD	- IM Resident	- Fargo
January 27:	Dale C. Moquist, MD	- Family Practice	- Grand Forks

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

PATRICIA CONRAD, Secretary