

JOURNAL OF THE SENATE

Fifty-first Legislative Assembly

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Bismarck, January 27, 1989

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

The prayer was offered by Rev. James Kraemer, Church of the Nazarene, Mandan.

Our eternal heavenly Father, we are thankful today for our great state, for those leaders before us who used their wisdom, insights, and abilities to get through both good and difficult times. We are thankful for Your guidance in these lives through the last 100 years, that has given us a quality of life in which we can raise our families today, see progress today, and fulfilled life today.

We pray for these men and women that have been elected to represent us. We pray that You will lead them and guide them. Continue to give them wisdom and insight in the important and maybe difficult matters of this day and the days ahead. Keep them well and strong, not only in mind, but also in body. Watch over their families and meet their needs. And we pray for this, our centennial year, that through decisions made now we can enjoy the quality of life for our families and loved ones that North Dakota has stood firm upon. This day is in Your hands and we thank You for it. In Jesus' name. Amen.

The roll was called and all Senators were present, except Senators Krebsbach, Mathern, and Tallackson.

A quorum was declared by the President.

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 Seventeenth Day and finds it to be correct.

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

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2012, SB 2108, SB 2124, SB 2180, SB 2191, SB 2226, SB 2234, SB 2261, SB 2285, SB 2331, SB 2388, SB 2446, SCR 4008.

SIGNING of BILLS and RESOLUTIONS (Patricia Conrad, Secretary)

THE SECRETARY ANNOUNCED that the President signed the following enrolled bill: HB 1080.

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

MR. SPEAKER: The President has signed: HB 1080.

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 1053, HB 1071, HB 1183, HB 1242, HB 1291, HB 1383, HB 1389, HB 1411, HB 1446, HB 1470, HB 1473.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

January 27, 1989

The Honorable Lloyd B. Omdahl
President of the Senate
Senate Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Mr. President:

Pursuant to a request by the Secretary of the Senate, I am herewith returning SB 2082.

Sincerely,

GEORGE A. SINNER
Governor

MOTION

SEN. LODDEN MOVED that SB 2036, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LANGLEY MOVED that the amendments to SB 2093 as recommended by the Committee on Industry, Business and Labor as printed on page 311 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

SEN. TALLACKSON MOVED that the amendments to SB 2095 as recommended by the Committee on Appropriations as printed on pages 311-312 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2095 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2096 as recommended by the Committee on Appropriations as printed on pages 312-313 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2096 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

SEN. HEIGAARD MOVED that SB 2105, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. LANGLEY MOVED that the amendments to SB 2122 as recommended by the Committee on Industry, Business and Labor as printed on page 314 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2122 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2275 as recommended by the Committee on Education as printed on pages 314-315 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2275 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2286 as recommended by the Committee on Industry, Business and Labor as printed on page 315 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2286 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2377 as recommended by the Committee on Education as printed on page 315 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2377 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to SB 2393 as recommended by the Committee on Industry, Business and Labor as printed on pages 315-316 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations, which motion prevailed.

SB 2393 was rereferred to the Committee on Appropriations.

SEN. TALLACKSON MOVED that the amendments to SB 2405 as recommended by the Committee on Appropriations as printed on page 316 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2405 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Robinson introduced:

SCR 4036: A concurrent resolution directing the Legislative Council to study the feasibility of establishing an unused pesticide and pesticide container disposal program.

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

Sens. Yockim, Waldera, D. Meyer and Reps. Nelson, Haugen, Gerhardt introduced:

SCR 4037: A concurrent resolution requesting the United States Congress and the United States Customs Service to assume the responsibility for establishing and operating a twenty-four-hour port of entry at Fortuna, North Dakota.

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

Sen. Keller and Reps. O'Shea, L. Hanson, Martin introduced:

SCR 4038: A concurrent resolution designating the Trophy Takers Salmon Club's Blackjaw Fever Salmon Derby as the official North Dakota salmon derby.

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

SECOND READING OF SENATE BILLS

SB 2290: A BILL for an Act to create and enact two new subsections to section 57-02-08 of the North Dakota Century Code, providing partial exemptions from property taxes for new single family residential property and condominiums and townhouses which meet certain qualifications; and to provide an effective date and an expiration date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 12 YEAS, 38 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Freborg; Heinrich; Holmberg; Kelsh; Lashkowitz; Nelson; Peterson; Redlin; Schoenwald; Shea; Stenehjem; Yockim;

NAYS: Axtman; David; Dotzenrod; Ewen; Hanson; Heigaard; Hilken; Ingstad; Keller; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nething; O'Connell; Olson; Richard; Robinson; Satrom; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland

ABSENT AND NOT VOTING: Mathern; Maxson; Tallackson

SB 2290 lost.

SB 2394: A BILL for an Act to amend and reenact section 43-11-03 of the North Dakota Century Code, relating to the state board of cosmetology.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Tallackson

SB 2394 passed and the title was agreed to.

SB 2306: A BILL for an Act to amend and reenact section 30.1-28-11 of the North Dakota Century Code, relating to the appointment of a guardian of an incapacitated person.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Tallackson

SB 2306 passed and the title was agreed to.

SB 2307: A BILL for an Act to amend and reenact subsection 1 of section 30.1-18-06 of the North Dakota Century Code, relating to the duties of personal representatives of decedents' estates.

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 48 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

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

NAYS: Heinrich

ABSENT AND NOT VOTING: Maixner; Mathern; Maxson; Tallackson

SB 2307 passed and the title was agreed to.

SB 2348: A BILL for an Act to amend and reenact section 16.1-10-04.1 of the North Dakota Century Code, relating to the disclosure of names on political advertisements.

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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Maixner; Mathern; Maxson; Tallackson

SB 2348 passed and the title was agreed to.

SB 2374: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-11 of the North Dakota Century Code, relating to temporary restricted licenses and ignition interlock devices.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Tallackson

SB 2374 passed and the title was agreed to.

SB 2375: A BILL for an Act to amend and reenact subsection 2 of section 16.1-11-30 of the North Dakota Century Code, relating to the name of the democratic party entitled to a separate column on the primary election ballot.

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, 5 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: David; Mutch; Naaden; Nalewaja; Vosper

ABSENT AND NOT VOTING: Mathern; Maxson; Tallackson

SB 2375 passed and the title was agreed to.

SB 2406: A BILL for an Act to amend and reenact subsection 10 of section 27-20-02 of the North Dakota Century Code, relating to the definition of an unruly child under the Uniform Juvenile Court Act.

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 50 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Tallackson

SB 2406 passed and the title was agreed to.

SB 2429: A BILL for an Act to create and enact a new section to chapter 49-01 of the North Dakota Century Code, relating to restrictions on employment of public service commissioners; 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 NOT PASS, the roll was called and there were 23 YEAS, 27 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Ewen; Hanson; Heigaard; Heinrich; Hilken; Keller; Kelsh; Krauter; Lashkowitz; Maixner; Meyer, W.; Mushik; O'Connell; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Waldera; Wogsland; Yockim

NAYS: David; Dotzenrod; Freborg; Holmberg; Ingstad; Kinnoin; Krebsbach; Langley; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper

ABSENT AND NOT VOTING: Mathern; Maxson; Tallackson

SB 2429 lost.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4012: A concurrent resolution designating Saturday, May 13, 1989, as "Centennial Youth Day".

The question being on the final adoption of the resolution, which has been read and has committee recommendation of DO PASS.

SCR 4012 was declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

SB 2137: A BILL for an Act to amend and reenact sections 37-15-02 and 37-15-14.1 of the North Dakota Century Code, relating to the object of the veterans' home and membership contributions for residents of the veterans' home.

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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Shea; Tallackson

SB 2137 passed and the title was agreed to.

SB 2158: A BILL for an Act to amend and reenact section 49-10.1-13 of the North Dakota Century Code, relating to clearance between a rail line and adjacent or overhead structures.

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 0 YEAS, 49 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Stenehjem; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Mathern; Maxson; Shea; Tallackson

SB 2158 lost.

SB 2279: A BILL for an Act providing an appropriation for defraying the expenses of the department of human services' service payments to the elderly and disabled program; and declaring an emergency.

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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Shea; Tallackson

SB 2279 passed, the title was agreed to, and the emergency clause carried.

SB 2314: A BILL for an Act to create and enact a new section to chapter 20.1-13 of the North Dakota Century Code, relating to personal flotation devices for children on boats.

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 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Shea; Tallackson

SB 2314 passed and the title was agreed to.

SB 2318: A BILL for an Act to create and enact a new subsection to section 11-11-14 of the North Dakota Century Code, relating to the powers of boards of county commissioners to establish and determine the qualifications of county auditors.

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 0 YEAS, 49 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: None

NAYS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Stenehjerm; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Mathern; Maxson; Shea; Tallackson

SB 2318 lost.

SB 2328: A BILL for an Act to create and enact a new chapter to title 61 of the North Dakota Century Code, relating to the transfer of possessory interests in and the management of sovereign lands; to amend and reenact section 47-06-08 and subsection 13 of section 61-24-08 of the North Dakota Century Code, relating to the management of sovereign lands and the powers of the Garrison Diversion Conservancy District to use sovereign lands; and to repeal chapter 15-08.2 of the North Dakota Century Code, relating to the transfer of possessory interests in and the management of sovereign lands.

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 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Shea; Stenehjerm; Tallackson

SB 2328 passed and the title was agreed to.

MOTIONS

SEN. KRAUTER MOVED that the Senate reconsider its action whereby SB 2281 passed, which motion prevailed on a verification vote.

SEN. WOGSLAND MOVED that SB 2281 be laid over two legislative days, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2347: A BILL for an Act to amend and reenact section 39-21-39 of the North Dakota Century Code, relating to tinted windows and sunscreening devices.

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 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Mutch; Shea; Stenehjsem; Tallackson

SB 2347 passed and the title was agreed to.

MOTION

SEN. DOTZENROD MOVED that SB 2351, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2366: A BILL for an Act to repeal section 20.1-01-15 of the North Dakota Century Code, relating to joint violators testifying against other participants concerning violation of the state's game and fish laws.

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 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Mutch; Shea; Stenehjerm; Tallackson

SB 2366 passed and the title was agreed to.

THE SENATE RECOGNIZED THE PRESENCE OF:

Ole Breum, former State Representative

SECOND READING OF SENATE BILLS

SB 2424: A BILL for an Act to amend and reenact section 11-15-12 of the North Dakota Century Code, relating to sheriff's mileage.

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 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Richard; Robinson; Satrom; Schoenwald; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Redlin; Shea; Stenehjerm; Tallackson

SB 2424 passed and the title was agreed to.

SB 2426: A BILL for an Act to amend and reenact section 11-15-07 of the North Dakota Century Code, relating to fees to be charged by the sheriff.

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 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Lodoen; Maixner; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Richard; Robinson; Satrom; Schoenwald; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Mathern; Maxson; Redlin; Shea; Stenehjerm; Tallackson

SB 2426 passed and the title was agreed to.

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, and after the reading of SB 2450, SB 2423, SB 2276, SB 2273, SB 2339, SB 2409, SB 2442, SB 2447, and SB 2292, the Senate stand adjourned until 1:00 p.m., Monday, January 30, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2048 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 1, line 1, replace the second "a" with "two"

Page 1, line 2, replace "section" with "sections"

Page 4, line 17, after the underscored period insert "The state health officer shall designate sexually transmitted diseases for which contact tracing is appropriate. If contact tracing is appropriate, the attending physician, or health officer if authorized by the attending physician, shall notify the following individuals regarding possible exposure to contagious disease:

- a. Known sexual partners of an individual infected with a sexually transmitted disease.
- b. Individuals who either have been, or may be, exposed to an individual infected with a sexually transmitted disease in a manner that creates an epidemiologically demonstrated risk of transmission."

Page 5, after line 27, insert:

"SECTION 8. A new section to chapter 23-07 of the North Dakota Century Code is hereby created and enacted to read as follows:

Rules. The department may adopt rules under chapter 28-32 for the efficient enforcement of this chapter."

Page 6, line 3, after "imprisoned" insert "fifteen days or more"

Page 7, line 20, overstrike ", men-"

Page 7, line 21, overstrike "only show," and overstrike "women or girls" and insert immediately thereafter "persons"

Renumber accordingly

SB 2048 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2049 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 3, line 5, remove "a health care provider or facility, third party payor,"

Page 3, line 6, remove "physician, clinic, or other agency"

Re-number accordingly

SB 2049 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2050 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 5, remove lines 22 through 26

Re-number accordingly

SB 2050 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was referred SB 2051 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 5, line 6, remove the overstrike over "~~but is not limited to,~~"

Page 5, line 25, after "handicap" insert "or because of that person's religion"

Re-number accordingly

SB 2051 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2053 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 1, line 9, overstrike "superintendent of" and after "health" insert "officer"

Page 1, line 10, overstrike "superintendent of public" and after "health" insert "officer"

Page 1, line 12, replace "superintendent" with "health officer"

Page 1, line 15, replace "superintendent's" with "county health officer's"

Page 2, line 10, overstrike "superintendent of public" and after "health" insert "officer"

Page 2, line 12, replace "superintendent" with "health officer"

Page 3, line 6, overstrike "or county superintendent of"

Page 3, line 7, overstrike "public health"

Page 4, line 10, after "23-05-01" insert "or a district board of health as described under section 23-14-04"

Renumber accordingly

SB 2053 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred SB 2071 has had the same under consideration and recommends by a vote of 14 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 1, line 8, overstrike "at the direction of the governing"

Page 1, overstrike line 9

Page 1, line 10, overstrike "investment of" and insert immediately thereafter "notwithstanding any other provision of law to the contrary, shall invest in accordance with section 21-10-07 all"

Page 1, line 13, after the period insert "The investment of moneys must be made in cooperation with the governing body of the respective agricultural commodity entity." and after "establish," insert ", in cooperation with the agricultural commodity organizations,"

Page 1, line 14, overstrike "by the agricultural commodity organizations"

Page 1, line 18, after "services" insert "when" and after "provided" insert "without cost"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The proposed amendments clarify that commodity groups can be charged for services provided to them by state agencies, and clarify the investment responsibilities regarding the agricultural commodity funds.

SB 2071 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was rereferred SB 2101 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 1, line 2, remove "45-10.1-02,"

Page 1, remove lines 20 through 22

Page 2, remove lines 1 through 18

Page 4, line 10, remove the overstrike over "~~The general character of its business.~~"

Page 4, line 11, remove the overstrike over "~~c.~~"

Page 4, line 14, remove the overstrike over "~~d.~~" and remove "c."

Page 5, line 16, replace "d." with "e."

Page 5, line 18, replace "e." with "f."

Page 19, line 12, remove the overstrike over "~~The general character of the business it proposes to transact in~~"

Page 19, line 13, remove the overstrike over "~~this state.~~"

Page 19, line 14, remove the overstrike over "~~4.~~"

Page 19, line 19, remove the overstrike over "~~5.~~" and remove "4."

Page 19, line 23, remove the overstrike over "~~6.~~" and remove "5."

Page 19, line 25, replace "6." with "7."

Page 19, line 26, replace "7." with "8."

Re-number accordingly

SB 2101 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was referred SB 2192 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 9, replace "Any" with "Except in proceedings before the state water commission, the public service commission, the industrial commission, the state personnel board, or the central personnel division, any"

Re-number accordingly

SB 2192 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was referred SB 2193 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, after line 25, insert:

"5. This section does not apply to the state water commission, the public service commission, the industrial commission, the state personnel board, or the central personnel division."

Renumber accordingly

SB 2193 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred SB 2206 has had the same under consideration and recommends by a vote of 8 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 1, line 2, replace "two" with "a" and replace "sections" with "section"

Page 2, remove lines 6 through 14

Renumber accordingly

SB 2206 was placed on the Sixth 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 Engrossed SB 2216 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 1, after "enact" insert "a new section to chapter 6-09 and"

Page 1, line 2, after the second "to" insert "and the management of certain property by"

Page 1, after line 9, insert:

"SECTION 1. A new section to chapter 6-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

Sale and leasing of acquired agricultural real estate. The sale and leasing of all agricultural real estate acquired by the Bank of North Dakota through foreclosure or deed in lieu of foreclosure must be done in accordance with chapter 15-07 and rules of the board of university and school lands. In the case of a lease by the party holding the right of redemption, that party has the right to purchase at any time."

Page 2, line 23, remove "The"

Page 2, remove lines 24 through 27

Renumber accordingly

Engrossed SB 2216 was placed on the Sixth 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 SB 2218 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 1, line 9, after "any" insert "significant"

Page 2, line 1, replace the first underscored comma with "or" and remove ", or mitigate adverse effects on"

Page 2, line 2, remove "anywhere in the"

Page 2, line 3, remove "state"

Page 2, remove lines 12 through 24

Page 3, line 14, remove "significant"

Page 4, line 2, after "violator" insert "at that site"

ReNUMBER accordingly

SB 2218 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was referred SB 2238 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 5, replace "juvenile" with "child"

Page 2, line 10, after the period insert "When a child is taken into custody for violating section 39-08-01 or an equivalent ordinance, the law enforcement officer shall diligently attempt to contact the child's parent or legal guardian to explain the cause for the custody and the implied consent chemical testing requirements. Neither the law enforcement officer's efforts to contact, nor any consultation with, a parent or legal guardian may be permitted to interfere with the administration of chemical testing requirements under this chapter."

ReNUMBER accordingly

SB 2238 was placed on the Sixth 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 SB 2276 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 NOT PASS.

SB 2276 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Transportation (Sen. Hilken, Chairman) to which was referred SB 2292 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2292 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was referred SB 2296 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 1, line 8, after "foreclosure" insert "or foreclosure by advertisement"

Page 1, line 16, after the period insert "This section applies only to tracts of land not exceeding forty acres."

Renumber accordingly

SB 2296 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred SB 2325 has had the same under consideration and recommends by a vote of 8 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 1, line 3, remove the first "and"

Page 1, line 5, after "milk" insert "; and to declare an emergency"

Page 3, after line 9, insert:

"SECTION 4. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

SB 2325 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred SB 2339 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.

SB 2339 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Judiciary (Sen. J. Meyer, Chairman) to which was referred SB 2356 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 1, line 8, replace "an" with "a written" and after "contrary" insert "entered into after the effective date of this Act"

Page 1, line 10, after "until" insert "the end of the month during which"

Page 1, line 13, replace "in" with "and attending"

Page 1, line 22, after "served" insert "by the person to whom the duty of support is owed"

Renumber accordingly

SB 2356 was placed on the Sixth 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 SB 2373 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 2373 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred SB 2409 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2409 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 SB 2423 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 NOT PASS.

SB 2423 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred SB 2442 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.

SB 2442 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Political Subdivisions (Sen. Dotzenrod, Chairman) to which was referred SB 2447 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2447 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred SB 2450 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SB 2450 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. Kelsch, Chairman) to which was referred SCR 4018 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, after line 21, insert:

"BE IT FURTHER RESOLVED, that Indian people be consulted and involved in the process of improving Indian health care services; and"

Renumber accordingly

SCR 4018 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Sen. Naaden introduced:

SCR 4039: A concurrent resolution directing the Legislative Council to study the operation and effect of North Dakota's no-fault insurance law in comparison with no-fault insurance laws in other states.

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

Sen. Schoenwald introduced:

SCR 4040: A concurrent resolution for the amendment of section 12 of article V of the Constitution of North Dakota, relating to the office of the state treasurer.

Was read the first time and referred to the Committee on Joint Constitutional Revision.

FIRST READING OF HOUSE BILLS

HB 1053: A BILL for an Act to create and enact two new paragraphs to subdivision b of subsection 3 of section 39-06.1-10 of the North Dakota Century Code, relating to penalty point assessments for motor vehicle equipment violations; to amend and reenact sections 39-06.1-05, 39-06.1-09, paragraph 9 of subdivision a of subsection 3 of section 39-06.1-10, sections 39-07-09 and 39-21-09, and subsection 1 of section 39-21-46 of the North Dakota Century Code, relating to the disposition of traffic offenses, traffic offenses for which a person may be released upon a promise to appear, penalty point assessments, and motor vehicle equipment violations; and to provide a penalty.

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

HB 1071: A BILL for an Act to create and enact a new subsection to section 57-43.1-01, two new sections to chapter 57-43.1, a new subsection to section 57-43.2-01, and two new sections to chapter 57-43.2 of the North Dakota Century Code, relating to cooperative agreements that may be entered into by the registrar of motor vehicles with other states for exchange of information and auditing of users of motor fuels and special fuels used in fleets of motor vehicles that operate interstate and collection and administration of importer for use tax provisions by the registrar of motor vehicles; to amend and reenact sections 57-43.1-36, 57-43.1-37, 57-43.1-38, 57-43.1-39, 57-43.1-40, 57-43.1-41, 57-43.1-43, 57-43.2-29, 57-43.2-30, 57-43.2-31, 57-43.2-32, 57-43.2-33, 57-43.2-34, and 57-43.2-36 of the North Dakota Century Code, relating to collection and administration of importer for use taxes by the registrar of motor vehicles; and to provide an effective date.

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

HB 1183: A BILL for an Act to amend and reenact section 24-01-12.1 of the North Dakota Century Code, relating to posting, storage, removal, penalty, and enforcement for cutting or removing hay from state highway right of way; to repeal section 24-01-12.2 of the North Dakota Century Code, relating to disposal of hay stored on state highway right of way; and to provide a penalty.

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

HB 1242: A BILL for an Act to amend and reenact section 39-08-20 of the North Dakota Century Code, relating to driving without liability insurance; and to provide a penalty.

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

HB 1291: A BILL for an Act to amend and reenact subsection 8 of section 15-03-04 of the North Dakota Century Code, relating to types of legal investments by the board of university and school lands.

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

HB 1383: A BILL for an Act to amend and reenact section 23-12-10 of the North Dakota Century Code, relating to smoking in public elementary and secondary schools.

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

HB 1389: A BILL for an Act to amend and reenact section 15-47-06 of the North Dakota Century Code, relating to recounts in school district elections.

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

HB 1411: A BILL for an Act to amend and reenact sections 43-25-02, 43-25-05, 43-25-07, 43-25-08, 43-25-09, 43-25-13, and 43-25-14 of the North Dakota Century Code, relating to regulation of the practice of massage therapy.

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

HB 1446: A BILL for an Act to amend and reenact subdivision a of subsection 1 of section 39-08-01 of the North Dakota Century Code, relating to being in physical control of a vehicle with a prohibited alcohol level.

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

HB 1470: A BILL for an Act to amend and reenact section 15-27.2-02 of the North Dakota Century Code, relating to exchanges of school district property by school boards.

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

HB 1473: A BILL for an Act to regulate the operation of amusement rides; to provide a penalty; and to declare an emergency.

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

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

PATRICIA CONRAD, Secretary