

JOURNAL OF THE SENATE

Fifty-first Legislative Assembly

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Bismarck, January 30, 1989

The Senate convened at 1:00 p.m., with President Omdahl presiding.

The prayer was offered by Rev. Kerwin Sletto, Calvary Lutheran Church, Bismarck.

Heavenly Father, we thank You for this, another day of grace and mercy, another day that You have given to us and are with us. Thank You for Your promise that You will never leave us nor forsake us. Help us, O Lord, to be open and receptive to Your leading in each of our lives. May the decisions made be pleasing and acceptable in Your sight and in accordance with Your will. We thank You for this country that we live in. We thank You for the freedoms we have. May we never take these privileges for granted. We pray for our President that You would give him the special insight and wisdom that he needs to lead our nation. We pray that You would also guide the Vice President, the members of Congress, and all others who are in authority. We pray for Governor Sinner, Lt. Governor Omdahl, the members of this legislature, and all who are in authority. Lord, they too, need Your insights and wisdom as they serve our state. We pray for each family represented here today. Lord, care for them and meet their needs. We pray now for Your blessings upon this day. May all be to Your honor and glory. In Jesus' name. Amen.

The roll was called and all Senators were present.

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 1009, HB 1039, HB 1052, HB 1079, HB 1106, HB 1112, HB 1127, HB 1163, HB 1179, HB 1243, HB 1330, HB 1343, HB 1395.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2109, SB 2116, SB 2185, SB 2213, SB 2254, SB 2287, SB 2301, SB 2381, SB 2414, SB 2421.

DOCTOR OF THE DAY SCHEDULE

January 30:	Donn G. Kruse, MD	- FP Resident	Grand Forks
January 31:	Donn G. Kruse, MD	- FP Resident	Grand Forks
February 1:	Donn G. Kruse, MD	- FP Resident	Grand Forks
February 2:	Marc M. Fiechtner, MD	- ENT	Bismarck
February 3:	David S. Akkerman, MD	- FP Resident	Fargo

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 Eighteenth Day and finds it to be correct.

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

CONSIDERATION OF AMENDMENTS

SEN. KELSH MOVED that the amendments to SB 2060 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 275-277 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2060 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. SATROM MOVED that the amendments to SB 2083 as recommended by the Committee on Finance and Taxation as printed on page 274 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2083 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 2036 as recommended by the Committee on State and Federal Government as printed on pages 305-311 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 2036 was rereferred to the Committee on Appropriations.

SEN. J. MEYER MOVED that the amendments to SB 2048 as recommended by the Committee on Judiciary as printed on pages 333-334 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2048 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 2049 as recommended by the Committee on Judiciary as printed on page 334 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2049 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 2050 as recommended by the Committee on Judiciary as printed on page 334 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2050 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 2051 as recommended by the Committee on Judiciary as printed on page 334 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2051 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 2053 as recommended by the Committee on Judiciary as printed on pages 334-335 of the Senate Journal be

adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

MOTION

SEN. STENEHJEM MOVED that SB 2052, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2071 as recommended by the Committee on Appropriations as printed on page 335 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2071 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 2101 as recommended by the Committee on Judiciary as printed on pages 335-336 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2101 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 2105 as recommended by the Committee on Judiciary as printed on pages 313-314 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS.

REQUEST

SEN. TODD REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2105, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2105, the roll was called and there were 20 YEAS, 33 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Hanson; Heigaard; Kinnoin; Langley; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; Peterson; Redlin; Satrom; Shea; Stromme; Tallackson; Wogsland; Yockim

NAYS: David; Dotzenrod; Ewen; Freborg; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Krebsbach; Lashkowitz; Lips; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Richard; Robinson; Schoenwald; Stenehjem; Streibel; Tennefos; Thane; Todd; Vosper; Waldera

ABSENT AND NOT VOTING: None

The motion to adopt the amendments to SB 2105 lost.

SB 2105 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 2192 as recommended by the Committee on Judiciary as printed on page 336 of the Senate Journal be

adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2192 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 2193 as recommended by the Committee on Judiciary as printed on pages 336-337 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2193 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 2206 as recommended by the Committee on Agriculture as printed on page 337 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2206 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. KRAUTER MOVED that the amendments to SB 2216 as recommended by the Committee on Natural Resources as printed on page 337 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2216 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. KRAUTER MOVED that the amendments to SB 2218 as recommended by the Committee on Natural Resources as printed on pages 337-338 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2218 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 2238 as recommended by the Committee on Judiciary as printed on page 338 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2238 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 2296 as recommended by the Committee on Judiciary as printed on page 339 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2296 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 2325 as recommended by the Committee on Agriculture as printed on page 339 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2325 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 2356 as recommended by the Committee on Judiciary as printed on pages 339-340 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

SEN. KELSH MOVED that the amendments to SCR 4018 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 340-341 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

SECOND READING OF SENATE BILLS

SB 2093: A BILL for an Act to amend and reenact section 26.1-01-10, subsection 9 of section 26.1-04-03, and subsection 1 of section 26.1-04-13 of the North Dakota Century Code, relating to general penalties for violation of provisions of the insurance title and to penalties for prohibited practices.

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 43 YEAS, 10 NAYS, 0 ABSENT AND NOT VOTING.

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

NAYS: David; Lips; Lodoen; Mutch; Nelson; Nething; Streibel; Tennefos; Thane; Todd

ABSENT AND NOT VOTING: None

SB 2093 passed and the title was agreed to.

SB 2095: A BILL for an Act to authorize the state department of health and consolidated laboratories to apply for and accept certain grants for the planning, design, construction, and rehabilitation of wastewater treatment facilities, to provide for matching funds, to require that money received through such grants and state matching funds be deposited into the water pollution control revolving loan fund, and to provide for the use, capitalization, investment, and disposition of the funds.

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 53 YEAS, 0 NAYS, 0 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; Mathern; Maxson; 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; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2095 passed and the title was agreed to.

SB 2096: A BILL for an Act to authorize the industrial commission acting as the North Dakota building authority to issue evidences of indebtedness; or in the alternative, to authorize the administrative committee on veterans' affairs to obtain a loan to match federal funds available to construct, modify, or alter the facilities at the veterans' home; to provide an appropriation; and to declare an emergency.

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 52 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; 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; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Heigaard

SB 2096 passed, the title was agreed to, and the emergency clause carried.

SB 2122: A BILL for an Act to amend and reenact subsection 2 of section 52-04-07, subsection 2 of section 52-06-04, and section 52-06-33 of the North Dakota Century Code, relating to noncharging of unemployment compensation benefits, qualifying as an insured worker for unemployment compensation purposes, and unemployment compensation overpayments.

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 53 YEAS, 0 NAYS, 0 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; Mathern; Maxson; 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; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2122 passed and the title was agreed to.

SB 2275: A BILL for an Act to create and enact a new section to chapter 15-34.2 of the North Dakota Century Code, relating to school district fuel purchases from registered vendors; and to amend and reenact section 15-34.2-07.1 of the North Dakota Century Code, relating to school district fuel purchases by negotiation.

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 53 YEAS, 0 NAYS, 0 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; Mathern; Maxson; 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; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: None

SB 2275 passed and the title was agreed to.

SB 2286: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to oil and gas development loans by the Bank of North Dakota.

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

YEAS: Axtman; David; Dotzenrod; 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; Nalewaja; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: Freborg; Mutch; Naaden; Nelson; Nething; Streibel

ABSENT AND NOT VOTING: None

SB 2286 passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. SATROM MOVED that the Senate do not concur in the House amendments to SCR 4027 as printed on page 287 of the Senate Journal and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on SCR 4027: Sens. Satrom, W. Meyer, Naaden.

MOTION

SEN. MAIXNER 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 2313, SB 2327, SB 2330, SB 2278, HB 1107, HB 1141, SB 2390, and SB 2305, the Senate stand adjourned until 1:00 p.m., Tuesday, January 31, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Education (Sen. Heinrich, Chairman) to which was referred SB 2054 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 4, replace "the human immunodeficiency virus infection" with "significant contagious diseases"

Page 1, line 6, after the second "a" insert "significant"

Page 1, line 13, after the third "any" insert "significant"

Page 1, line 20, replace "human immunodeficiency" with "significant contagious diseases"

Page 1, line 21, remove "virus infection"

Page 2, line 2, replace "the human" with "a significant contagious disease"

Page 2, line 3, remove "immunodeficiency virus infection"

Page 2, line 7, replace "the human immunodeficiency" with "a significant contagious disease"

Page 2, line 8, remove "virus infection"

Page 2, line 9, replace "the human" with "a significant contagious disease"

Page 2, line 10, remove "immunodeficiency virus infection" and remove "The"

Page 2, remove lines 11 through 13

ReNUMBER accordingly

SB 2054 was placed on the Sixth 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 2187 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:

Page 1, line 13, after "land" insert ". A request under this section is not required for continual railroad maintenance of previously constructed fences"

ReNUMBER accordingly

SB 2187 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Education (Sen. Heinrich, Chairman) to which was referred SB 2278 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 2278 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 2282 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 10, replace "ten" with "five"

Page 3, line 5, replace "ten" with "five"

ReNUMBER accordingly

SB 2282 was placed on the Sixth 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 2294 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 21, after "celebration" insert ", or a centennial committee organized by a city or county for the purpose of celebrating the North Dakota centennial,"

Renumber accordingly

SB 2294 was placed on the Sixth 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 2298 has had the same under consideration and recommends by a vote of 6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and be rereferred to the Committee on Appropriations:

Page 1, after line 17, insert:

"c. The cost of any necessary transportation for medical and other examinations and treatment of a child ordered by the court unless the child is in the legal custody of a state agency."

Page 2, line 5, after "court" insert "if the child is in the legal custody of a state agency in which case the cost must be borne by that state agency"

Renumber accordingly

SB 2298 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 2313 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 2313 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 2327 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 2327 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 2330 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 2330 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 2243 has had the same under consideration and

recommends by a vote of 6 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 4, line 10, after the underscored period insert "Operating expenses for functions performed by the department under chapters 39-04 and 39-05 must be funded by appropriations from collections made under those chapters before deposit into the fund provided by section 54-27-19."

Renumber accordingly

SB 2243 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 2305 has had the same under consideration and recommends by a vote of 6 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2305 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 2390 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 2390 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 2396 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 18, after "or" insert "a certificate of" and after "licensure" insert "issued by the attorney general and filed"

Page 1, line 19, remove "filed"

Renumber accordingly

SB 2396 was placed on the Sixth 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 2435 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:

Page 1, line 16, overstrike "two" and insert immediately thereafter "one and one-half" and overstrike "5.08" and insert immediately thereafter "3.81"

Renumber accordingly

SB 2435 was placed on the Sixth 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 2440 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 11, after "age" insert "not accompanied by an adult"

Renumber accordingly

SB 2440 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation (Sen. Satrom, Chairman) to which was referred HB 1107 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.

HB 1107 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation (Sen. Satrom, Chairman) to which was referred HB 1141 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.

HB 1141 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

HB 1009: A BILL for an Act providing an appropriation for defraying the expenses of the constitutional celebration committee.

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

HB 1039: A BILL for an Act to amend and reenact section 23-27-04.1 of the North Dakota Century Code, relating to emergency care or services rendered by officers, employees, or agents of ambulance service.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1052: A BILL for an Act to create and enact four new sections to chapter 12.1-32 of the North Dakota Century Code, relating to suspended execution and deferred imposition of sentence and lengths of periods of probation, release, discharge, or termination of probation, records and statistical data regarding suspended execution and deferred imposition of sentence, and when a probationer is deemed an escapee; to amend and reenact sections 12-59-18, 12.1-32-02, 12.1-32-07, subsection 4 of section 12.1-32-09, sections 12.1-32-14, 29-26-22, 39-06-30, 39-06-42, 39-07-11, subdivision e of subsection 4 of section 39-08-01, sections 40-05-06, 40-18-13, and 62.1-02-01 of the North Dakota Century Code, relating to references to suspended execution or suspended imposition of sentence, sentencing alternatives in criminal cases, and restoration of property; and to repeal chapter 12-53 and section 12.1-32-06 of the North Dakota Century Code, relating to suspended sentences and incidents and conditions of probation.

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

HB 1079: A BILL for an Act to create and enact a new section to chapter 23-07.3 of the North Dakota Century Code, relating to disclosure of

confidential information concerning exposure to contagious diseases; to amend and reenact sections 23-07.3-01 and 23-07.3-02 of the North Dakota Century Code, relating to notification of exposure to contagious diseases; and to provide a penalty.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1106: A BILL for an Act to amend and reenact section 25-02-04 of the North Dakota Century Code, relating to the qualifications of the superintendent of the state hospital.

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

HB 1112: A BILL for an Act to provide for recovery of reasonable and necessary costs for environmental assessment and remediation as a result of environmental emergencies, in violation of North Dakota environmental statutes and rules and to establish an environmental emergency response fund.

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

HB 1127: A BILL for an Act to create and enact six new subsections to section 25-04-00.1 of the North Dakota Century Code, relating to the definition of developmental disabilities and related terms; to amend and reenact section 25-04-01 of the North Dakota Century Code as amended by section 1 of chapter 310 of the 1985 Session Laws of North Dakota, section 25-04-01 of the North Dakota Century Code as amended by section 1 of chapter 311 of the 1985 Session Laws of North Dakota, section 25-04-03 of the North Dakota Century Code as amended by section 3 of chapter 311 of the 1985 Session Laws of North Dakota, and subsection 3 of section 25-04-16 of the North Dakota Century Code, relating to the state developmental center at Grafton; and to repeal sections 25-04-03.1 and 25-04-05.2 of the North Dakota Century Code, section 25-04-03.1 of the North Dakota Century Code as amended by section 4 of chapter 311 of the 1985 Session Laws of North Dakota, and section 11 of chapter 311 of the 1985 Session Laws of North Dakota, relating to san haven and the organization of the department of human services.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1163: A BILL for an Act to amend and reenact sections 23-06-03.1, 43-10.1-03, 43-10.1-04, and 43-10.1-05 of the North Dakota Century Code, relating to pre-need funeral services.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1179: A BILL for an Act to amend and reenact sections 61-04.1-34 and 61-04.1-35 of the North Dakota Century Code, relating to the performance bond and bid bond required for weather modification contracts.

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

HB 1243: A BILL for an Act to amend and reenact section 25-13-02 of the North Dakota Century Code, relating to the use of service dogs in public places, including facilities of health care providers; and to declare an emergency.

Was read the first time and referred to the Committee on Human Services and Veterans Affairs.

HB 1330: A BILL for an Act to amend and reenact section 6-06-29 of the North Dakota Century Code, relating to taxation of credit unions.

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

HB 1343: A BILL for an Act to amend and reenact subsection 6 of section 26.1-08-01 of the North Dakota Century Code, relating to the definition of an insurance company for purposes of the comprehensive health association.

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

HB 1395: A BILL for an Act to create and enact a new section to chapter 26.1-24 of the North Dakota Century Code, relating to insurance audits by insurers.

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

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

PATRICIA CONRAD, Secretary