

JOURNAL OF THE SENATE

Fifty-first Legislative Assembly

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Bismarck, February 9, 1989

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

The prayer was offered by Father Hugo Blotsky, Chaplain, University of Mary, Bismarck.

Lord God, You who are the source of all power and authority, we come to You with open hearts and open minds as we ask You to bless this gathering of women and men. Grant them the knowledge and wisdom that they need to make decisions that uphold human dignity; that express respect for all life; and that show concern for the poor, the unemployed, and those on fixed incomes.

We pray that these women and men use the power and authority entrusted to them to speak for the silent majority, and to defend the rights of the powerless through the laws that they enact. May they strive for a fair and just system of the production and the distribution of North Dakota's goods and services.

May they place themselves and their decisions under Your guidance and protection, Lord. We pray all this in the name of Jesus our Lord. Amen.

The roll was called and all Senators were present, except Senators Nalewaja, Nething, and Olson.

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 1015, HB 1192, HB 1198, HB 1199, HB 1339, HB 1354, HB 1391, HB 1434, HB 1483, HB 1521, HB 1631.

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

MR. PRESIDENT: The House has adopted the conference committee report on SCR 4027 and subsequently passed the same.

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

MADAM SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2031, SB 2059, SB 2067, SB 2077, SB 2078, SB 2159, SB 2168, SB 2173, SB 2262, SB 2268, SB 2292, SB 2365, SB 2410, SB 2425, SB 2437, SB 2455, SB 2465, SB 2476, SB 2492.

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

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Twentieth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 359, line 38, replace "Commissioner of Banking" with "Commissioner of Banking and Financial Institutions"

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

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Twenty-second Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 398, line 42, replace "Commissioner of Banking" with "Commissioner of Banking and Financial Institutions"

Page 399, line 7, replace "Commissioner of Banking" with "Commissioner of Banking and Financial Institutions"

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

MR. PRESIDENT: Your Committee on Correction and Revision of the Journal has carefully reexamined the Journal of the Twenty-fifth Day and recommends that it be corrected as follows and when so corrected, recommends that it be approved:

Page 465, line 35, insert:

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2172, SB 2223, SB 2284, SB 2297, SB 2322, SB 2341, SB 2367, SB 2411, SB 2412, SB 2420, SB 2440, SB 2450, SB 2461, SB 2477, SB 2486, SB 2491, SB 2494, SB 2515, SCR 4001, SCR 4002, SCR 4016."

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

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

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

MOTION

SEN. YOCKIM MOVED that SB 2513 be returned to the Senate floor from the Committee on Transportation for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. YOCKIM REQUESTED the unanimous consent of the Senate to withdraw SB 2513. There being no objection, it was so ordered by the President.

MOTION

SEN. TENNEFOS MOVED that SB 2485 be returned to the Senate floor from the Committee on Agriculture for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. TENNEFOS REQUESTED the unanimous consent of the Senate to withdraw SB 2485. There being no objection, it was so ordered by the President.

MOTION

SEN. WOGSLAND MOVED that SB 2445 be returned to the Senate floor from the Committee on Judiciary for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. WOGSLAND REQUESTED the unanimous consent of the Senate to withdraw SB 2445. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

SEN. KELSH MOVED that the amendments to SB 2055 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 501-502 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2055 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to SB 2270 as recommended by the Committee on Transportation as printed on page 502 of the Senate Journal be adopted, and when so amended, recommends the same DO NOT PASS, which motion prevailed.

SB 2270 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 2289 as recommended by the Committee on Judiciary as printed on pages 502-503 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2289 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to SB 2392 as recommended by the Committee on Education as printed on pages 503-504 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2392 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 2402 as recommended by the Committee on Judiciary as printed on page 504 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

SEN. J. MEYER MOVED that the amendments to SB 2441 as recommended by the Committee on Judiciary as printed on page 504 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2441 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTION

SEN. TODD MOVED that SB 2483, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

REQUEST

SEN. NELSON REQUESTED that the Senate divide SB 2018, which request was granted.

Division I, which includes Sections 1, 3, 4, and 5
 Division II, which includes Section 2

ROLL CALL

The question being on the adoption of Division I of SB 2018, 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; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mushik; Mutch; Naaden; Nelson; O'Connell; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Nalewaja; Nething; Olson

Division I of SB 2018 passed.

ROLL CALL

The question being on the adoption of Division II of SB 2018, the roll was called and there were 36 YEAS, 14 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips; Maixner; Mathern; Maxson; Meyer, J.; Meyer, W.; Mushik; O'Connell; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: David; Freborg; Ingstad; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nelson; Peterson; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: Nalewaja; Nething; Olson

Division II of SB 2018 passed.

SECOND READING OF SENATE BILL

SB 2018: A BILL for an Act making an appropriation for defraying the expenses of the commissioner of university and school lands of the state of North Dakota; to provide for a transfer of funds from the resources trust fund; to provide for a contingency loan from the coal trust fund; and to repeal the ANG plant closure contingency line item of section 1 and section 4 of chapter 34 of the 1987 Session Laws of North Dakota, relating to the ANG plant closure contingency loan.

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 37 YEAS, 13 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lashkowitz; Lips;

Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; O'Connell; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: David; Freborg; Ingstad; Lodoen; Moore; Mutch; Naaden; Nelson; Peterson; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: Nalewaja; Nething; Olson

SB 2018 passed and the title was agreed to.

MOTIONS

SEN. TALLACKSON MOVED that SB 2020 be further amended as follows:

Page 4, line 1, replace "hydroelectricity" with "marketing of lignite and products derived from lignite"

Page 4, line 2, remove "impact studies"

Renumber accordingly

SEN. TALLACKSON MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. TALLACKSON MOVED that the rules be suspended, that SB 2020 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2020: A BILL for an Act making an appropriation for defraying the expenses of the state industrial commission and the agencies under the management of the industrial commission of the state of North Dakota and providing for transfers.

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 45 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING.

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

NAYS: Holmberg; Ingstad; Mutch; Naaden; Shea; Stenehjem

ABSENT AND NOT VOTING: Nething; Todd

SB 2020 passed and the title was agreed to.

SB 2169: A BILL for an Act to create and enact two new subsections to section 19-02.1-10, two new subsections to section 19-02.1-14, and a new subsection to section 19-02.1-18 of the North Dakota Century Code, relating to food, drugs, devices, and cosmetics; and to amend and reenact section 19-01-17, subsection 19 of section 19-02.1-01, sections 19-02.1-09, 19-02.1-11, 19-06.1-05, 19-08-02, subsection 2 of section 19-10-01, sections 19-10-16, 19-16.1-01, 19-16.1-10, and 19-17-01 of the North Dakota Century Code, relating to food, drugs, cosmetics, and petroleum products; and to repeal section 19-07-05 and chapter 19-11 of the North Dakota Century Code, relating to egg bonding and paints.

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; 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; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Nothing

SB 2169 passed and the title was agreed to.

MOTIONS

SEN. D. MEYER MOVED that SB 2252 be further amended as follows:

Page 6, remove line 18

Page 6, line 19, remove "assembly and"

Renumber accordingly

SEN. D. MEYER MOVED that the proposed amendments be adopted, which motion prevailed.

SEN. D. MEYER MOVED that the rules be suspended, that SB 2252 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2252: A BILL for an Act to create and enact two new sections to chapter 6-09, a new section to chapter 6-09.5, and a new section to chapter 6-09.6 of the North Dakota Century Code, relating to the advisory board of directors to the Bank of North Dakota, audit of the community water facility loan fund, and audit of the developmentally disabled, chronically mentally ill, and physically disabled facility loan programs; to amend and reenact sections 6-09-02, 6-09-04, 6-09-05, 6-09-11, 6-09-15, 6-09-26, and 6-09-27 of the North Dakota Century Code, relating to the execution of instruments on behalf of the Bank

and to the powers and duties of the Bank of North Dakota; and to repeal sections 6-09-03, 6-09-09, 6-09-12, 6-09-14, 6-09-15.2, 6-09-15.3, 6-09-15.6, 6-09-15.7, 6-09-15.8, 6-09-26.1, 6-09-33, 6-09.1-01, 6-09.1-02, 6-09.1-03, and 6-09.9-06 of the North Dakota Century Code, relating to powers and duties of 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 52 YEAS, 0 NAYS, 1 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; 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: Nething

SB 2252 passed and the title was agreed to.

SB 2363: A BILL for an Act to provide for custody by the Bank of North Dakota of certain securities; and to amend and reenact sections 6-05-04, 6-05-05, 6-05-27, 7-07-03, 7-07-04, 7-07-12, 39-16-10, 39-16.1-15, subsection 1 of section 39-16.1-17, and subsection 1 of section 39-16.1-19 of the North Dakota Century Code, relating to the Bank of North Dakota acting as the custodian of securities that must be deposited with the state.

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; 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; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Nething

SB 2363 passed and the title was agreed to.

SB 2372: A BILL for an Act to amend and reenact subsection 3 of section 55-01-02 of the North Dakota Century Code, relating to the jurisdiction

of the state historical board to dispose of items within its custody; 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 49 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Lodoen; Moore; Todd

ABSENT AND NOT VOTING: Nething

SB 2372 passed, the title was agreed to, and the emergency clause carried.

SB 2493: A BILL for an Act to create and enact two new sections to chapter 15-03 of the North Dakota Century Code; and to amend and reenact section 15-03-04 of the North Dakota Century Code, relating to investments and calculation and distribution of investment income of the board of university and school lands.

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, 2 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Lodoen; Peterson

ABSENT AND NOT VOTING: Nething

SB 2493 passed and the title was agreed to.

SB 2496: A BILL for an Act to designate the Mandan railroad museum as the North Dakota state railroad museum.

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 51 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; 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; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: Heinrich

ABSENT AND NOT VOTING: Nothing

SB 2496 passed and the title was agreed to.

SB 2094: A BILL for an Act to make an appropriation for defraying North Dakota's cost share of the Belfield/Bowman radiation remediation project costs under authority of the Uranium Mill Tailings Radiation Control Act; and to provide authorization to the state department of health and consolidated laboratories to negotiate with the department of energy on behalf of the state of North Dakota concerning the Belfield/Bowman radiation remediation project.

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, 6 NAYS, 1 ABSENT AND NOT VOTING.

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

NAYS: Freborg; Lodoen; Naaden; Nelson; Streibel; Tennefos

ABSENT AND NOT VOTING: Nothing

SB 2094 passed and the title was agreed to.

SB 2207: A BILL for an Act to amend and reenact section 38-14.1-39 of the North Dakota Century Code, relating to the surface mining and reclamation fund; and to provide an appropriation.

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 51 YEAS, 0 NAYS, 2 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; 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; Nothing

SB 2207 passed and the title was agreed to.

SB 2235: A BILL for an Act to amend and reenact sections 37-14-03.3, 37-14-05, 37-14-06, 37-14-07, 37-14-08, 37-14-09, 37-14-12, 37-18-06, and subsection 7 of section 37-18-11 of the North Dakota Century Code, relating to the administration of the veterans' aid fund by the Bank of North Dakota; and to repeal section 37-14-11 of the North Dakota Century Code, relating to the payment of expenses to the department of veterans' affairs.

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, 50 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: Heigaard; Lodoen; Nothing

SB 2235 lost.

SB 2247: A BILL for an Act to amend and reenact section 41-09-42.1 of the North Dakota Century Code, relating to the depositing of fees collected by the secretary of state's office.

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 52 YEAS, 0 NAYS, 1 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;

O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjelm; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: None

ABSENT AND NOT VOTING: Nothing

SB 2247 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4009: A concurrent resolution directing the Legislative Council to study the competition that exists between city auditoriums and similar facilities at state-supported institutions to determine whether the best use is being made of public funds available for such facilities.

The question being on the final adoption of the resolution, which has been read and has committee recommendation of DO NOT PASS.

SCR 4009 was declared lost on a voice vote.

SCR 4011: A concurrent resolution proclaiming each Miss North Dakota to be the official hostess of the state of North Dakota during her reign as Miss North Dakota.

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

SCR 4011 was declared adopted on a voice vote.

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

MR. PRESIDENT: The House has passed unchanged: SB 2279.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4013: A concurrent resolution petitioning the Congress of the United States to call a convention for the purpose of considering, drafting, and proposing an amendment to the Constitution of the United States to assign the President of the United States line-item veto authority.

ROLL CALL

The question being on the final adoption of the resolution, which has been read and has committee recommendation of DO PASS, the roll was called and there were 22 YEAS, 30 NAYS, 1 ABSENT AND NOT VOTING.

YEAS: David; Freborg; Holmberg; Ingstad; Kinnoin; Krebsbach; Lips; Lodoen; Meyer, W.; Moore; Mutch; Naaden; Nalewaja; Nelson; Olson; Peterson; Stenehjelm; Streibel; Tennefos; Thane; Todd; Vosper

NAYS: Axtman; Dotzenrod; Ewen; Hanson; Heigaard; Heinrich; Hilken; Keller; Kelsh; Krauter; Langley; Lashkowitz; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; O'Connell; Redlin; Richard; Robinson;

Satrom; Schoenwald; Shea; Stromme; Tallackson; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Nething

SCR 4013 was declared lost on a roll call vote.

SCR 4025: A concurrent resolution directing the Legislative Council to study the state of the law with respect to legislative apportionment.

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

SCR 4025 was declared adopted on a voice vote.

SCR 4035: A concurrent resolution directing the Legislative Council to study the purposes, powers, management, and operations of the Bank of North Dakota.

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

SCR 4035 was declared adopted on a voice vote.

MOTIONS

SEN. LANGLEY MOVED that SCR 4039, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SEN. MAIXNER MOVED that HCR 3030 be returned to the Senate floor from the Committee on State and Federal Government, which motion prevailed.

SEN. MAIXNER MOVED that the rules be suspended, that HCR 3030 be read in its entirety and placed on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3030: A concurrent resolution inviting President Bush to visit North Dakota in recognition of the Centennial of the admittance of the states formally comprising the Dakota Territory.

The question being on the final adoption of the resolution, which has been read.

HCR 3030 was declared adopted on a voice vote.

MOTION

SEN. MAIXNER MOVED that the rules be suspended and that HCR 3030 be messaged to the House immediately, which motion prevailed.

MESSAGE to the HOUSE from the SENATE (Patricia Conrad, Secretary)
MADAM SPEAKER: The Senate has passed unchanged: HCR 3030.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

February 9, 1989

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

Dear Mr. President:

This is to inform you that on February 9, 1989, I signed SB 2064.

Sincerely,

GEORGE A. SINNER
Governor

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 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 2030, SB 2487, SB 2272, SB 2498, SB 2326, SB 2503, SCR 4003, SB 2362, SB 2449, SCR 4030, SB 2302, SCR 4038, SB 2397, SB 2444, SB 2400, SCR 4028, SB 2407, SCR 4037, and SCR 4036, the Senate stand adjourned until 12:30 p.m., Friday, February 10, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on State and Federal Government (Sen. D. Meyer, Chairman) to which was rereferred SB 2030 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

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

MR. PRESIDENT: Your Committee on State and Federal Government (Sen. D. Meyer, Chairman) to which was rereferred SB 2272 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 2272 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 2274 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 1 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, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new section to chapter 63-01.1 of the North Dakota Century Code, relating to noxious weed control programs and funding; to amend and reenact section 57-43.2-18 of the North Dakota Century Code, relating to allocation of a portion of the two percent special excise tax on special fuels; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 57-43.2-18 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-43.2-18. Distribution of tax. All money collected by the commissioner under the provisions of this chapter must be transferred to the state treasurer who shall credit such money, interest, and penalties to the highway tax distribution fund to be distributed pursuant to section 54-27-19, except that the commissioner shall make a separate monthly transfer to the state treasurer of forty percent of money collected under section 57-43.2-03 and the state treasurer shall credit that money to the noxious weed control fund in the state treasury to be available for appropriation for noxious weed control as provided in chapter 63-01.1. No amount in excess of one million two hundred thousand dollars may be deposited in the noxious weed control fund during any biennium and any amount that would be deposited in the noxious weed control fund except for this limitation must be deposited in the state general fund.

SECTION 2. A new section to chapter 63-01.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

Information to accompany city or county applications for funding. The governing body of any city or any county weed board that applies for state contributions under this chapter shall furnish, within two years after publication of county soil and groundwater maps, a map illustrating plans to protect groundwater from contamination within the city or county and shall furnish a map showing location of noxious weed problem areas to be controlled.

SECTION 3. APPROPRIATION. There is hereby appropriated out of any moneys in the noxious weed control fund in the state treasury, not otherwise appropriated, the sum of \$1,200,000 or so much thereof as may be necessary, to the commissioner of agriculture for noxious weed control under chapter 63-01.1 for the biennium beginning July 1, 1989, and ending June 30, 1991."

Renumber accordingly

SB 2274 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 2302 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 2302 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 2321 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 9, replace "The" with "If the contract of guaranty signed by the guarantor so states, the"

Renumber accordingly

SB 2321 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 SB 2326 has had the same under consideration and recommends by a vote of 7 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2326 was placed on the Eleventh 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 2361 has had the same under consideration and recommends by a vote of 5 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to establish a grant program for students enrolled in adult education and training programs.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Adult education and training - Grants to students. Job service North Dakota may make grants of up to five hundred dollars per person to eligible students enrolled in adult basic and secondary education programs and training programs for adults approved by job service North Dakota. No grants may be made unless federal funds received by the state for supportive services as defined in the Job Training Partnership Act [Pub. L. 97-300; 96 Stat. 1361; 29 U.S.C. 1604] have been depleted. Job service may collect an administrative fee not to exceed ten percent of the amount of grants made under this section. Job service North Dakota shall, in cooperation with the superintendent of public instruction, the department of vocational education, and any other state agency providing or administering adult education services, coordinate the grant program established under this section. Job service North Dakota shall adopt rules to implement the grant program established under this section including rules regarding eligibility requirements and use of grant proceeds."

Renumber accordingly

SB 2361 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 2362 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 2362 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 rereferred SB 2382 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, after "to" insert "provide for an indigent civil legal services fund; to"

Page 1, line 20, remove "from the plaintiff, petitioner,"

Page 1, line 21, remove "defendant, respondent, and intervenor, as applicable"

Page 2, line 6, after "located" insert "nor may the clerk of court charge or collect the additional twenty dollar fee prescribed by this section from the state or an agency thereof"

Page 2, after line 6, insert:

"SECTION 2. Indigent civil legal services fund - Distribution. The state bar association shall appoint an advisory committee to distribute moneys deposited in the indigent civil legal services fund. The committee must consist of three attorneys familiar with the provision of legal services in civil matters, two public members who are not attorneys, and two persons who qualify as eligible clients for legal assistance. Qualified legal service programs may apply for moneys in the fund. The moneys in the fund must be distributed according to the following formula:

1. At least ninety-five percent of the moneys must be distributed to legal service programs operating in the state which provide, with funds appropriated by the federal legal services corporation, legal services to persons unable to afford private counsel. Allocation of funds among the programs must be based on the population served by each program, the range of legal services offered, alternative sources of funding, and other factors deemed relevant by the advisory committee.
2. Five percent or less of the moneys must be distributed to the state bar association for purposes of organizing attorneys to provide civil legal services for persons who are unable to afford private counsel and to defray the costs incurred by the advisory committee in executing its responsibilities under this section.

SECTION 3. Advisory committee and recipients of funds to maintain books and records. The advisory committee and each recipient of funds from the indigent civil legal services fund shall maintain records in accord with the generally accepted accounting principles. The records must account for the receipt and expenditure of all funds distributed and received and must be maintained for a period of five years from the close of the fiscal year in which the funds are distributed or received or until audited, whichever is sooner."

Renumber accordingly

SB 2382 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 2400 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 2400 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 2407 has had the same under consideration and recommends by a vote of 5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2407 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 SB 2427 has had the same under consideration and recommends by a vote of 5 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

Page 1, line 3, replace "an additional sales and use tax collected in" with "providing"

Page 1, line 4, after "education" insert "the option to impose an additional sales and use tax" and replace "the institution located" with "capital construction"

Page 1, line 10, after the comma insert "the governing body of any city in which a college or university under the control of the state board of higher education is located may impose"

Page 1, line 11, remove "is imposed"

Page 1, line 12, replace "any" with "that" and remove "in which a college or university"

Page 1, remove line 13

Page 1, line 14, remove "located"

Page 2, line 5, replace "subject to" with "electing"

Page 2, line 6, replace "must" with "shall"

Page 2, line 7 remove "the"

Page 2, line 8, replace "created by section 15-10-12" with "to be known as special capital funds" and replace "must" with "shall"

Page 2, line 10, after the period insert "Moneys in the special capital funds must be used, within the limits of legislative appropriations, for the purpose of capital construction of facilities for use by the public of that city and the institution of higher education located within that city."

Page 2, line 14, after the comma insert "the governing body of any city in which a college or university under the control of the state board of higher education is located may impose"

Page 2, line 15, remove "is imposed"

Page 2, line 16, remove "of any city in which a college or university, under"

Page 2, line 17, remove "control of the state board of higher education is located,"

Page 2, line 21, remove "qualifying" and after "city" insert "electing the tax under this section"

Page 3, line 7, remove "qualifying" and after "city" insert "electing the tax under this section"

Page 3, line 8, replace "qualifying" with "electing"

Renumber accordingly

SB 2427 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 2434 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 7, remove the underscored dash

Page 1, line 8, remove "Limitation on attorneys' fees"

Page 1, line 15, remove "The amount of"

Page 1, replace lines 16 through 19 with "If the amount of attorneys' fees is based upon the value of the decedent's estate, the fee agreement must be in writing and mailed to all parties who are heirs of the estate pursuant to the last will and testament of the decedent. If the decedent died intestate, notice must be provided to all heirs of the estate in accordance with chapter 30.1-03"

Page 1, line 20, remove "the estate"

Renumber accordingly

SB 2434 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 2444 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 2444 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 2449 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 2449 was placed on the Eleventh 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 2471 has had the same under consideration and recommends by a vote of 7 YEAS, 1 NAY, 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, remove "or related to"

Renumber accordingly

SB 2471 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government (Sen. D. Meyer, Chairman) to which was referred SB 2487 has had the same under consideration and recommends by a vote of 4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

SB 2487 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government (Sen. D. Meyer, Chairman) to which was referred SB 2498 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 2498 was placed on the Eleventh 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 2503 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 NOT PASS.

SB 2503 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on State and Federal Government (Sen. D. Meyer, Chairman) to which was rereferred SB 2505 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 NOT PASS:

Page 5, line 4, remove ", any county of the state, or any agency thereof"

Page 5, line 7, replace the semicolon with a period and replace "and also any municipal corporation, municipality," with "The term "public employer" does not include a"

Page 5, line 8, remove the comma and replace "town located within the state" with "county"

Renumber accordingly

SB 2505 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 SCR 4003 has had the same under consideration and recommends by a vote of 5 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

SCR 4003 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 SCR 4030 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.

SCR 4030 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 SCR 4028 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SCR 4028 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 SCR 4036 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.

SCR 4036 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 SCR 4037 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SCR 4037 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 4038 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.

SCR 4038 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 HB 1081 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

HB 1081 was placed on the Fourteenth 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 HB 1082 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.

HB 1082 was placed on the Fourteenth 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 HB 1138 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.

HB 1138 was placed on the Fourteenth 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 HB 1154 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.

HB 1154 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

HB 1015: A BILL for an Act to make an appropriation for defraying expenses of various commissions, departments, and divisions of the state of North Dakota; and to amend and reenact section 54-14-03.2 of the North Dakota Century Code, relating to claims against the state.

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

HB 1192: A BILL for an Act to create and enact a new subsection to section 10-04-03 of the North Dakota Century Code, relating to fees for written opinions of the commissioner; and to amend and reenact subsection 2 of section 10-04-03, subsections 1 and 2 of section 10-04-05, and subsections 7 and 11 of section 10-04-06 of the North Dakota Century Code, relating to the authority of the securities commissioner, an exemption for governmental securities, registration exemptions for banks, an exemption for corporate and partnership reorganization, an exemption for existing securityholders of the issuer, and an exemption for employee stock purchase plans.

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

HB 1198: A BILL for an Act to amend and reenact sections 25-06-03 and 25-07-02 of the North Dakota Century Code, relating to the consolidation of the offices of superintendent of the school for the deaf and the school for the blind.

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

HB 1199: A BILL for an Act to amend and reenact sections 54-45-01, 54-45-02, 54-45-03, 54-45-04, 65-06.1-01, and 65-06.1-02 of the North Dakota Century Code, relating to the transfer of the civil air patrol to the adjutant general; and to repeal section 65-06.1-04 of the North Dakota Century Code, relating to excess workers' compensation claims by civil air patrol members.

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

HB 1339: A BILL for an Act to create and enact a new section to chapter 38-08 of the North Dakota Century Code, relating to the certification of welders by the oil and gas division of the industrial commission; and to provide an appropriation.

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

HB 1354: A BILL for an Act to create and enact a new section to chapter 44-08 of the North Dakota Century Code, relating to payment of claims for mileage and travel expense and for allowance for meals and lodging by state employees.

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

HB 1391: A BILL for an Act to create and enact a new section to chapter 26.1-36 and a new section to chapter 54-52.1 of the North Dakota Century Code, relating to health insurance coverage for mammogram examinations.

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

HB 1434: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to the use of corporal punishment by school district employees; and to amend and reenact subsection 1 of section 12.1-05-05 of the North Dakota Century Code, relating to the use of force by persons responsible for minors.

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

HB 1483: A BILL for an Act to create and enact a new section to chapter 57-20 of the North Dakota Century Code, relating to the collection of delinquent taxes; and to amend and reenact sections 57-20-09 and 57-28-04 of the North Dakota Century Code, relating to the inapplicability of tax payment discounts and service of notice of the expiration of the period of redemption.

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

HB 1521: A BILL for an Act to create and enact a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to the limitation

on county levies for certain comprehensive human services programs; and to amend and reenact section 50-06.2-05 of the North Dakota Century Code, relating to the authority of the board of county commissioners to levy a tax for comprehensive human services programs.

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

HB 1631: A BILL for an Act to create and enact a new subsection to section 39-10-46 of the North Dakota Century Code, relating to signs on schoolbuses that stop at railroad crossings.

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

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

PATRICIA CONRAD, Secretary