

## JOURNAL OF THE SENATE

## Fifty-first Legislative Assembly

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Bismarck, February 13, 1989

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

The prayer was offered by Mark Duncan, Capitol Heights Baptist Church, Bismarck.

Our God, we give You thanks for the task of government: the task to provide a safe and secure environment for her people; the task to provide laws that enhance the freedom and responsibility of democracy; the task to create an environment that encourages the innovativeness of the human spirit to advance us economically and culturally.

May these men and women who represent the people be reminded of the great task before them each day. May each decision be that which comes from the depth of conscience and accountability to those whom are represented. Guide them in this sobering responsibility.

In Jesus Christ I pray. 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 1036, HB 1123, HB 1124, HB 1275, HB 1404.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2018, SB 2020, SB 2094, SB 2169, SB 2207, SB 2247, SB 2252, SB 2363, SB 2372, SB 2493, SB 2496, SCR 4011, SCR 4025, SCR 4035.

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 Twenty-eighth Day and finds it to be correct.

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

## CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2001 as recommended by the Committee on Appropriations as printed on pages 544-545 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2001 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2013 as recommended by the Committee on Appropriations as printed on page 545 of the Senate Journal be

adopted, and when so amended, recommends the same DO PASS, which motion prevailed on a verification vote.

SB 2013 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2015 as recommended by the Committee on Appropriations as printed on pages 545-546 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2015 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to SB 2019 as recommended by the Committee on Appropriations as printed on page 546 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

#### MOTION

SEN. YOCKIM MOVED that the rules be suspended, that SB 2019 be deemed properly engrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

#### SECOND READING OF SENATE BILL

SB 2019: A BILL for an Act making an appropriation for defraying the expenses of the children's services coordinating committee of the state 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 42 YEAS, 11 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; 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.; Mushik; Nalewaja; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Tallackson; Thane; Vosper; Waldera; Wogsland; Yockim

NAYS: David; Freborg; Moore; Mutch; Naaden; Nelson; Nething; Streibel; Stromme; Tennesfos; Todd

ABSENT AND NOT VOTING: None

SB 2019 passed and the title was agreed to.

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#### CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2074 as recommended by the Committee on Appropriations as printed on page 547 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2074 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. DOTZENROD MOVED that the amendments to SB 2153 as recommended by the Committee on Political Subdivisions as printed on page 548 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS.

REQUEST

SEN. DOTZENROD REQUESTED that the Senate divide the amendments to SB 2153, which request was granted.

Division I - Page 1, line 13  
Division II - The rest of the amendment

The question being on the adoption of Division I of the proposed amendments to SB 2153.

Division I of the proposed amendments to SB 2153 was adopted.

The question being on the adoption of Division II of the proposed amendments to SB 2153.

Division II of the proposed amendments to SB 2153 was adopted.

SB 2153 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senators Howard Freed and John Maher

CONSIDERATION OF AMENDMENTS

SEN. TALLACKSON MOVED that the amendments to SB 2241 as recommended by the Committee on Appropriations as printed on pages 548-549 of the Senate Journal be adopted, and when so amended, recommends the same DO NOT PASS, which motion prevailed.

SB 2241 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. KELSH MOVED that the amendments to SB 2264 as recommended by the Committee on Human Services and Veterans Affairs as printed on pages 549-550 of the Senate Journal be adopted, and when so amended, recommends the same DO NOT PASS, which motion prevailed.

SB 2264 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 2281 as recommended by the Committee on Judiciary as printed on page 550 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2281 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 2336 as recommended by the Committee on Judiciary as printed on pages 551-552 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2336 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. DOTZENROD MOVED that the amendments to SB 2338 as recommended by the Committee on Political Subdivisions as printed on page 552 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

SEN. J. MEYER MOVED that the amendments to SB 2389 as recommended by the Committee on Judiciary as printed on page 553 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2389 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 2398 as recommended by the Committee on Judiciary as printed on page 554 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

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

SEN. DOTZENROD MOVED that the amendments to SB 2408 as recommended by the Committee on Political Subdivisions as printed on page 554 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2408 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### MOTION

SEN. MAIXNER MOVED that the rules be suspended so that Senate Rule 326, paragraph 2, would allow SB 2413 to be rereferred to the Committee on Appropriations since it is now after the Twenty-third Legislative Day, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

SEN. W. MEYER MOVED that the amendments to SB 2413 as recommended by the Committee on Agriculture as printed on page 554 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 2413 was rereferred to the Committee on Appropriations.

SEN. TALLACKSON MOVED that the amendments to SB 2436 as recommended by the Committee on Appropriations as printed on pages 554-556 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

#### MOTIONS

SEN. WOGSLAND MOVED that the rules be suspended, that SB 2436 be deemed properly reengrossed and placed on the calendar, as amended, for second reading and final passage, which motion prevailed.

SEN. HEIGAARD MOVED that SB 2436, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### CONSIDERATION OF AMENDMENTS

SEN. DOTZENROD MOVED that the amendments to SB 2457 as recommended by the Committee on Political Subdivisions as printed on page 556 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2457 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. KELSH MOVED that the amendments to SB 2464 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 556 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2464 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to SB 2467 as recommended by the Committee on Transportation as printed on pages 556-557 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2467 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. KRAUTER MOVED that the amendments to SB 2489 as recommended by the Committee on Natural Resources as printed on pages 557-558 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2489 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Mark Adams

#### MOTION

SEN. WALDERA MOVED that SB 2288 be returned to the Senate floor from the Committee on Political Subdivisions, which motion prevailed.

#### REQUEST

SEN. WALDERA REQUESTED the unanimous consent of the Senate to withdraw SB 2288. There being no objection, it was so ordered by the President.

#### MOTION

SEN. STENEHJEM MOVED that SB 2055, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

#### SECOND READING OF SENATE BILLS

SB 2321: A BILL for an Act to amend and reenact section 22-01-14 of the North Dakota Century Code, relating to revocation of a continuing guaranty.

## 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, 1 NAY, 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; 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: Maxson

ABSENT AND NOT VOTING: None

SB 2321 passed and the title was agreed to.

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SB 2434: A BILL for an Act to amend and reenact section 30.1-18-21 of the North Dakota Century Code, relating to attorneys' fees payable from a decedent's estate.

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

NAYS: None

ABSENT AND NOT VOTING: Peterson

SB 2434 passed and the title was agreed to.

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SB 2471: A BILL for an Act to create and enact a new section to chapter 15-38.2 of the North Dakota Century Code, to prohibit the placing of certain materials in a teacher's personnel file.

## 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 48 YEAS, 5 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.; Mushik; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: Freborg; Moore; Mutch; Naaden; Tennefos

ABSENT AND NOT VOTING: None

SB 2471 passed and the title was agreed to.

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SB 2483: A BILL for an Act to adopt the Uniform Determination of Death Act, relating to the legal requirements for determination of death, and to provide notice in case of imminent death.

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; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; 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; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

NAYS: Lashkowitz

ABSENT AND NOT VOTING: Shea

SB 2483 passed and the title was agreed to.

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SB 2505: A BILL for an Act to provide for rights of organization and representation of public employees, collective bargaining negotiations between public employers and public employees, establishment of a public employment relations board, and public employment relations; and to provide an effective 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 28 YEAS, 25 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Keller; Kelsh; Krauter; Lashkowitz; Maixner; Mathern; Maxson; Meyer, W.; Mushik; O'Connell; Redlin; Richard; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Waldera; Wogsland; Yockim

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

ABSENT AND NOT VOTING: None

SB 2505 passed and the title was agreed to.

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MOTIONS

SEN. MAIXNER MOVED that the vote by which SB 2505 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed on a verification vote.

SEN. MAIXNER MOVED that the Senate stand at recess until 3:00 p.m., which motion prevailed.

THE SENATE RECONVENED pursuant to recess taken, with the President presiding.

SECOND READING OF SENATE BILLS

SB 2010: A BILL for an Act making an appropriation for defraying the expenses of the department of banking and financial institutions of the state of North Dakota.

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 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 2010 passed and the title was agreed to.

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SB 2023: A BILL for an Act making an appropriation for defraying the expenses of job service North Dakota of the state of North Dakota.

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, 1 NAY, 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; Waldera; Wogsland; Yockim

NAYS: Vosper

ABSENT AND NOT VOTING: None

SB 2023 passed and the title was agreed to.

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MOTION

SEN. NOTHING MOVED that the Senate reconsider the action by which SB 2392 passed, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILLS

SB 2392: A BILL for an Act to create and enact a new section to chapter 15-47 of the North Dakota Century Code, relating to employment recall rights for teachers whose contracts are not renewed due to a reduction in force.

ROLL CALL

The question being on the final passage of the bill, which has been read, the roll was called and there were 29 YEAS, 24 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Ewen; Hanson; Heigaard; Heinrich; Holmberg; Ingstad; Keller; Kelsh; Lashkowitz; Lips; Maixner; Mathern; Maxson; Mushik; Nalewaja; O'Connell; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: Axtman; David; Dotzenrod; Freborg; Hilken; Kinnoin; Krauter; Krebsbach; Langley; Lodoen; Meyer, D.; Meyer, J.; Meyer, W.; Moore; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: None

SB 2392 passed and the title was agreed to.

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SB 2026: A BILL for an Act making an appropriation for defraying the expenses of various departments and institutions of the state of North Dakota; to provide for an appropriation and transfer from the fund for unemployment compensation claims; 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 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 2026 passed, the title was agreed to, and the emergency clause carried.

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SB 2036: A BILL for an Act to create and enact sections 54-17.2-01.1 and 54-17.2-03.1 of the North Dakota Century Code, relating to composition, staff services, and duties of the North Dakota building authority committee; to amend and reenact subdivision 1 of subsection 1 of section 28-32-01, sections 54-17.2-01, 54-17.2-02, 54-17.2-05, 54-17.2-08, 54-44.1-03, 54-44.1-06, and 54-44.1-08 of the North Dakota Century Code, relating to the Administrative Agencies Practice Act, the North Dakota building authority, the North Dakota building authority committee, the office of the budget, and preparation of budget reports for submission to the legislative assembly.

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, 8 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; 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.; Mushik; Mutch; Nalewaja; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjøm; Stromme; Tallackson; Thane; Todd; Waldera; Wogsland; Yockim

NAYS: David; Freborg; Moore; Naaden; Nelson; Streibel; Tennefos; Vosper

ABSENT AND NOT VOTING: None

SB 2036 passed and the title was agreed to.

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SB 2070: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to the designation of financial institutions for the deposit of certain income of state educational institutions under the control of the state board of higher education; and to amend and reenact section 21-04-02 of the North Dakota Century Code, relating to the deposit of public funds.

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 31 YEAS, 22 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: David; Dotzenrod; Ewen; Freborg; Ingstad; Krebsbach; Lips; Lodoen; Maxson; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Richard; Robinson; Satrom; Schoenwald; Shea; Stenehjøm; Streibel; Stromme; Tennefos; Thane; Todd; Vosper; Waldera

NAYS: Axtman; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Keller; Kelsh; Kinnoin; Krauter; Langley; Lashkowitz; Maixner; Mathern; Meyer, D.; Meyer, J.; Meyer, W.; Mushik; O'Connell; Tallackson; Wogsland; Yockim

ABSENT AND NOT VOTING: None

SB 2070 passed and the title was agreed to.

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SB 2114: A BILL for an Act providing an appropriation for the North Dakota forest service to increase tree seedling production and promote tree planting for the North Dakota centennial tree program.

MOTION

SEN. D. MEYER MOVED the previous question, which motion prevailed.

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 37 YEAS, 16 NAYS, 0 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Ewen; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; 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; Lodoen; Meyer, D.; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Olson; Peterson; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: None

SB 2114 passed and the title was agreed to.

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MOTIONS

SEN. MAIXNER MOVED that 200 copies of SB 2316 be reprinted, which motion prevailed.

SEN. MAIXNER MOVED that 300 copies of SB 2036 be reprinted, which motion prevailed.

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 2397, SB 2472, SB 2249, SB 2308, SB 2479, SB 2385, SB 2468, and SCR 4002, the Senate stand adjourned until 1:00 p.m., Tuesday, February 14, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred SB 2085 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 1, after "A BILL" replace the remainder of the bill with "for an Act relating to satellite video livestock auction markets."

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. Definitions. In this Act, unless the context otherwise requires:

1. "Commissioner" means the commissioner of agriculture.
2. "Livestock" means horses, mules, cattle, swine, sheep, and goats.
3. "Representative" means a dealer licensed under chapter 36-04 who is a resident of this state or a livestock auction market licensed under chapter 36-05.
4. "Satellite video livestock auction market" means a place or establishment conducted or operated for compensation or profit as a public market where livestock located in this state is sold or offered for sale at a facility within or outside the state through the use of a satellite video at a public auction.

SECTION 2. Satellite video livestock auction market - Authority to transact business. No satellite video livestock auction market may transact business in this state unless the market transacts business through a representative licensed under this Act.

SECTION 3. Application for license - Contents.

1. Before entering into business with a satellite video livestock auction market and annually, on or before July first, each representative shall file an application for a license to transact business with a satellite video livestock auction market with the commissioner on a form prescribed by the commissioner. The application must show:
  - a. The nature of the business for which a license is desired;
  - b. The name of the representative applying for the license;
  - c. The name and address of the satellite video livestock auction market with which the applicant proposes to transact business; and
  - d. Other information the commissioner may require.
2. The application for a license or for a renewal of a license must be accompanied by:
  - a. A license fee of one hundred dollars;
  - b. Evidence the commissioner may require showing that the satellite video livestock auction market the representative proposes to do business with is financially responsible and bonded to transact such business;

- c. A schedule of the fees and commissions that will be charged to owners, sellers, or their agents;
- d. A copy of the contract between the representative and the satellite video livestock auction market with which the representative proposes to transact business. The contract must contain a provision authorizing the commissioner or the commissioner's designee to have access to the books; papers; accounts; financial records held by financial institutions, accountants, or other sources; and other documents relating to the activities of the satellite video livestock auction market and requiring the satellite video livestock auction market to make such documents reasonably available upon the request of the commissioner or the commissioner's designee. The contract must also provide that the satellite video livestock auction market and its representative are jointly and severally liable, with the right of contribution, for all business transacted within this state by the representative on behalf of the satellite video livestock auction market.

SECTION 4. Use of fees - Grounds for refusal or revocation of license - Review by court. All fees collected by the commissioner under this Act must be deposited in the general fund of the state treasury. A license may be refused or revoked for any reason specified in subdivision c or d of subsection 2 of section 36-04-04 or section 36-04-10, or if the contract required by this Act between the representative and the satellite video livestock auction market is extinguished, rescinded, or canceled, or is breached by either party. The action of the commissioner in denying an application for a license or revoking or suspending a license may be appealed as provided in section 36-05-13.1.

SECTION 5. Inspection of livestock. Before any livestock sold pursuant to this Act is delivered, whether interstate or intrastate, the livestock must be inspected for health by a veterinarian licensed in this state and approved by the livestock sanitary board and, in the case of cattle, for brands by a trained brand inspector, acting under rules adopted by the North Dakota stockmen's association and the livestock sanitary board. The inspection must take place at the time of the initial delivery of the livestock. If livestock is destined to be shipped interstate, the authorized veterinarian shall furnish to each purchaser a certificate showing that the inspection has been made and treatment administered in accordance with the requirements of the state of destination. The services and duties of the veterinary inspector are under the supervision of the state livestock sanitary board. Fees for the veterinary inspection must be an amount agreed upon by the representative and the veterinarian. All fees for veterinary inspection, treatment, and services must be collected by the representative and paid to the inspector.

SECTION 6. Method of payment. Payment to the seller for livestock sold through a satellite video livestock auction market must be made in United States currency, with an instrument payable on demand drawn on a financial institution chartered and regulated by a state or the federal government, or by wire transfer or other electronic form of

payment from a financial institution chartered and regulated by a state or the federal government.

SECTION 7. Sale of livestock by weight - Scales to be inspected. Notwithstanding section 36-21-15, all livestock sold by weight through a satellite video livestock auction market must be sold based on the weight of the livestock on the day of delivery. All livestock sold by weight must be weighed on scales that have been tested and inspected by the department of weights and measures in the manner provided by law."

Renumber accordingly

SB 2085 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 2249 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 2249 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 2308 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 2308 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 2335 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 1, after "A BILL" replace the remainder of the bill with "for an Act to amend and reenact subsection 2 of section 23-13-02.3, sections 39-01-15 and 39-04-10.2, subsection 7 of section 39-06.1-06, and section 39-07-07.1 of the North Dakota Century Code, relating to vehicle refueling services, parking privileges, and traffic regulations concerning mobility impaired persons; to provide a penalty; and to provide a continuing appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 2 of section 23-13-02.3 of the 1987 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. At all times during the operation of a self-service motor fuel dispensing facility the owner, operator, employee, or authorized attendant shall be on the premises and shall supervise the operation thereof. The person attending the operation shall refuse service to anyone who appears for any reason to be unable to dispense such motor fuel safely. If, however, the filling station provides pump island service to its customers, the attendant must provide refueling services

to any handicapped mobility impaired person stopped at a self-service motor fuel dispensing unit who requests assistance and whose vehicle displays a certificate or insignia issued pursuant to under section 39-01-15. No additional cost may be charged to a handicapped mobility impaired person because of the service. This subsection shall does not apply to any self-service motor fuel dispensing unit equipped with a card-operated or key-operated dispensing device, provided that all persons possessing the card or keys required to operate the device have been instructed in the proper and safe operation of the device.

SECTION 2. AMENDMENT. Section 39-01-15 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-01-15. Parking privileges for mobility impaired - Certificate - Revocation - Continuing appropriation - Penalty.

1. Any mobility impaired person who displays prominently upon an automobile parked by that person or under that person's direction and for that person's use, the distinguishing certificate or insignia specified in subsection 4 is entitled to courtesy in the parking of the automobile. Provided, however, that any municipality may, by ordinance, prohibit parking on any street or highway for the purpose of creating a fire lane, or to provide for the accommodation of heavy traffic during morning and afternoon rush hours, and the privileges extended to such impaired persons do not apply on streets or highways where and during such times as parking is prohibited.
2. Mobility A mobility impaired person as used in this section includes any person who has sustained an amputation or material disability of either or both legs; or who has been otherwise impaired in any manner rendering it difficult and burdensome for that person to walk lost the use of one or both legs; requires personal assistance or the use of crutches, a wheelchair, or a walker to walk two hundred feet [60.96 meters] without rest; is restricted by cardiac, pulmonary, or vascular disease from walking two hundred feet [60.96 meters] without rest; has a forced expiratory volume of less than one liter for one second or an arterial oxygen tension of less than sixty millimeters of mercury on room air while at rest and is classified III or IV by standards for cardiac disease set by the American heart association; or has an orthopedic, neurologic, or other medical condition that makes it impossible for the person to walk two hundred feet [60.96 meters] without assistance or rest.
3. The registrar shall appoint a three member committee. The committee must include two mobility impaired persons and one qualified physician. The terms of membership on the committee are three years, staggered so that one member is appointed each year. The initial membership of the committee must be appointed to terms of up to three years to provide for the initial staggering of terms under this subsection. The committee shall develop guidelines for qualification for

~~and issuance of a special identifying certificate or insignia for use in this state.~~

- ~~4. The registrar of motor vehicles shall may issue, for a fee of two three dollars per year or part of a year, a special identifying certificate or insignia for a marked motor vehicle to any mobility impaired applicant upon submission by the applicant of a completed application and a certificate written statement issued by a qualified physician to the registrar that the applicant is a mobility impaired person within the meaning criteria of subsection 2. The application must include the information required by the committee registrar. The physician physician's statement must describe how the impairment limits the applicant's mobility and daily life functions of the applicant. The certificate or insignia is valid for a period, not to exceed three years, as determined by the registrar. The registrar shall determine the form and size of the certificate or insignia and A physician who provides a false statement that a person is mobility impaired for the purpose of that person obtaining a certificate under this subsection is guilty of an infraction for which a minimum fine of one hundred dollars must be imposed. A certificate issued under this subsection must be at least five and one-half inches [13.97 centimeters] in height and eight and one-half inches [21.59 centimeters] in width and must bear, in blue on white, the internationally accepted symbol of access for the mobility impaired. The certificate must bear the expiration date and registration number assigned by the registrar. The registrar shall adopt rules governing the issuance of the certificate or insignia. ~~of.~~ A temporary certificate, valid for an initial period not to exceed three months, may be issued by the registrar for a fee of three dollars upon application supported by a physician's statement. The temporary certificate may be extended an additional period, not to exceed three months, upon application supported by a physician's statement that the extension is warranted. The registrar shall determine the form and size of the temporary certificate.~~
4. Two dollars of each fee for issuance of a certificate or insignia under this section; one dollar must be deposited in the state highway department fund for purposes of defraying the cost of issuing the certificate or insignia. The rest of the fee must be deposited in the general state treasury and credited to the employment of people with disabilities fund for use, subject to legislative appropriation, by. The fees deposited in the fund are hereby appropriated on a continuing basis to the committee on employment of the handicapped people with disabilities of the governor's council on human resources for development of job opportunities for disabled individuals in this state. If a certificate is lost, mutilated, or destroyed, the person to whom the certificate was issued is entitled to a replacement certificate. The person shall furnish proof satisfactory to the registrar that the certificate has been lost, mutilated, or destroyed, and shall pay a replacement fee of three dollars.

5. A certificate issued under this section must be prominently displayed on the left-hand dashboard of the motor vehicle whenever the vehicle is occupying a space reserved for the mobility impaired and is being used by a mobility impaired person or another person for the purposes of transporting the mobility impaired person. No part of the certificate may be obscured. A fee of five dollars must be imposed for a violation of this subsection.
- 5- 6. An applicant may appeal a decision denying issuance of the certificate or insignia to the registrar of motor vehicles. Written notice of the appeal must be received within ten business days following receipt by the applicant of notice of denial. The applicant has sixty days to provide additional supportive material to the registrar for purposes of deciding the appeal. The registrar shall affirm or reverse the decision to deny issuance of the certificate or insignia within thirty days after receipt of the supportive material. Written notice of the decision must be given to the applicant.
- 6- 7. If the police of any municipality or any other political subdivision shall find a law enforcement officer finds that such the certificate or insignia is being improperly used, they the officer may report to the registrar of motor vehicles any such violation and the registrar may, in his the registrar's discretion, remove the privilege. Any person who is not mobility impaired and who exercises the privileges granted a mobility impaired person under subsection 1 shall be is guilty of an infraction for which a fine of one hundred dollars must be imposed.
- 7- 8. Whenever any public or private agency or authority designates parking spaces for use by motor vehicles operated by mobility impaired persons, those reserved spaces shall be indicated by blue paint on the curb or edge of the paved portion of the street or parking lot adjacent to the space. In addition to blue paint, the space spaces reserved shall must also be indicated by signs or other suitable means signs bearing the internationally accepted symbol of access for the mobility impaired which indicate, through the use of arrows, the total width of the reserved area. The sign must indicate that unauthorized use of the space is an infraction for which a fine of one hundred dollars must be imposed. For particular events, a public or a private agency may reserve additional parking spaces for use by motor vehicles operated by mobility impaired persons. In that case, the temporarily reserved spaces must be indicated by signs or other suitable means. The A sign indicating that a space is reserved for the mobility impaired and blue paint on the curb or edge of the paved portion of the street or parking lot adjacent to the space, unless the space is a temporary mobility impaired parking space is sufficient basis for the enforcement of this section. A law enforcement agency of any city or any other political subdivision officer may enforce the provisions of this subsection section in any parking lot or parking facility that is generally open to the public, whether publicly or privately owned.

- ~~6- 9.~~ No A person may not stop, stand, or park any vehicle in any designated parking space which that is reserved for the mobility impaired on any state charitable or penal institution property or on the state capitol grounds unless the vehicle displays a mobility impaired identification certificate or insignia issued by the registrar of motor vehicles to a mobility impaired person. A mobility impaired person may not permit the use of a certificate issued under this section by a person who is not mobility impaired when that use is not in connection with the transport of the mobility impaired person. A vehicle may temporarily use a space reserved for mobility impaired persons without a mobility impaired certificate for the purpose of loading and unloading mobility impaired persons. A violation of this subsection is an infraction for which a fine of one hundred dollars must be imposed.
10. Any motor vehicle licensed in another state which displays a special authorized vehicle designation issued by the licensing authority of that state for vehicles used in the transportation of mobility impaired persons must be accorded the same privilege provided in this section for similar vehicles licensed in this state if the laws of the other state provide the same privileges to North Dakota motor vehicles displaying the special identifying certificate authorized in this section.

SECTION 3. AMENDMENT. Section 39-04-10.2 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-04-10.2. Special plates for physically handicapped mobility impaired persons. The registrar of motor vehicles shall may issue, without charge, upon application and payment of the regular license fee, plates marked with a special identifying insignia; the internationally accepted symbol; or design making them distinctly different from other number plates of access for the mobility impaired, to any physically handicapped mobility impaired applicant upon submission by the applicant of a certificate written statement issued by a qualified physician to the registrar that the applicant is a physically handicapped mobility impaired person within the meaning of subsection 2 of section 39-01-15. The registrar shall determine the form and size of the insignia; symbol; or design; and shall promulgate adopt rules and regulations governing the issuance thereof of the plate.

SECTION 4. AMENDMENT. Subsection 7 of section 39-06.1-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. For a violation of subsection 6 of section 39-01-15; any municipal ordinance equivalent to subsection 6 of section 39-01-15; or any traffic parking regulations, except a violation of subsection 9 of section 39-01-15, on any state charitable or penal institution property or on the state capitol grounds, a fee in the amount of five dollars.

SECTION 5. AMENDMENT. Section 39-07-07.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

39-07-07.1. Provision of envelopes for traffic and parking violations on state charitable or penal institution property or state capitol grounds. Preprinted envelopes must be provided for any person who elects to post bond by mail, pursuant to section 39-06.1-02, for a violation of ~~subsection 6 of section 39-01-15~~ or any state traffic parking regulations on any state charitable or penal institution property or on the state capitol grounds."

Renumber accordingly

SB 2335 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 2360 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 2, line 3, after the second period insert:

"1."

Page 2, line 6, overstrike "the claimant has filed a"

Page 2, overstrike lines 7 through 10

Page 2, line 11, overstrike "sixty days from the occurrence of the", remove "damage", and overstrike "or within sixty days from"

Page 2, line 12, overstrike "the date the claimant knew the", remove "damage", and overstrike "had occurred. If the damage is"

Page 2, overstrike line 13

Page 2, line 14, overstrike "prior to the time when fifty percent of the crop was harvested."

Page 2, line 17, after the overstruck period insert "within sixty days from the date the claimant knew or reasonably should have known:

- a. The claimant has served the applicator allegedly responsible for damage with a verified report of loss;
  - b. If the claimant is someone other than the person employing the applicator alleged to be responsible for the damage, the claimant has served the person who employed the applicator allegedly responsible for the damage with a verified report of loss; and
  - c. The claimant has mailed or delivered to the commissioner of agriculture a verified report of loss together with proof of service of the report required by subdivision a and the report required by subdivision b, if applicable.
2. Notwithstanding the provisions of subsection 1, if damage is alleged to have occurred to growing crops, the report must be filed prior to the time fifty percent of the field is

harvested or within sixty days from the date the claimant knew or reasonably should have known, whichever occurs first.

3. The applicator must provide anyone who alleges damage with information of this section for filing a verified report and that timely filing of a report is a prerequisite to any civil action. Failure to provide such information, in addition to the penalties of this chapter, may be grounds for revocation of the applicator's license and, in addition, the sixty-day limitation of this section does not apply.

4. "

Re-number accordingly

SB 2360 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 2385 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 2385 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 2397 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 2397 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 2399 has had the same under consideration and recommends by a vote of 4 YEAS, 3 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 29, replace "10,000,000" with "5,000,000"

Re-number accordingly

SB 2399 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 2403 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 NOT PASS:

Page 3, line 2, after the first "the" insert "use of an aircraft in the"

Page 3, line 8, after the period insert "The board may require a reexamination of any license holder for good and reasonable cause. The board shall adopt rules regarding appeals pursuant to chapter 28-32."

Page 3, line 11, replace "board" with "commission"

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Page 3, line 15, replace "the commissioner" with "chapter 4-35"

Page 3, line 17, remove "moral"

Page 3, line 26, replace "commissioner" with "commission"

Page 4, line 16, replace the first comma with "or" and replace the second comma with a period

Page 4, remove lines 17 and 18

Re-number accordingly

SB 2403 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 2468 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 2468 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 2479 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 PASS.

SB 2479 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 2506 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 BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION:

Page 4, line 21, after "paragraphs" insert "3,"

Re-number accordingly

SB 2506 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 2507 has had the same under consideration and recommends by a vote of 6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 9, remove "assistant"

Page 1, line 12, overstrike "his"

Page 1, line 22, overstrike "an", overstrike "attorney within his county" and insert immediately thereafter "attorneys", and overstrike "he has"

Page 2, line 1, overstrike "his" and insert immediately thereafter "the required"

Page 2, line 3, overstrike "his" and insert immediately thereafter "the state's attorney's"

Page 2, line 4, replace "the" with "an" and replace "attorneys" with "attorney"

Renumber accordingly

SB 2507 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Joint Constitutional Revision (Sen. Stromme, Co-Chairman) to which was referred SCR 4022 has had the same under consideration and recommends by a vote of 6 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

SCR 4022 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

#### FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Stenehjem, J. Meyer introduced:

SCR 4050: A concurrent resolution directing the Legislative Council to study methods for funding law enforcement training facilities and programs.

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

#### FIRST READING OF HOUSE BILLS

HB 1036: A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to insurance benefits for part-time employees; and to provide an effective date.

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

HB 1123: A BILL for an Act relating to the rescission of long-term care insurance policies; and to amend and reenact sections 26.1-36-37, 26.1-45-06, and 26.1-45-07, and subsection 2 of section 26.1-45-09 of the North Dakota Century Code, relating to guaranteed renewability coverage of preexisting conditions, prior institutionalization requirements for long-term care insurance benefits, levels of care reimbursed by long-term care insurance policies, and outlines of coverage.

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

HB 1124: A BILL for an Act to create and enact a new subsection to section 26.1-36-32 and a new section to chapter 26.1-36 of the North Dakota Century Code, relating to standards for medicare supplement insurance policies and noncustodial care coverage; and to amend and reenact subsection 4 of section 26.1-36-31 and section 26.1-36-34 of the North Dakota Century Code, relating to the definition of medicare supplement insurance policies and medicare supplement insurance policy loss ratio standards.

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

HB 1275: A BILL for an Act to amend and reenact subdivision 1 of subsection 9 of section 26.1-04-03 of the North Dakota Century Code, relating to unfair insurance claim settlement practices.

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

HB 1404: A BILL for an Act to amend and reenact section 11-10-02 of the North Dakota Century Code, relating to appointment of state's attorneys in counties having a population of eight thousand or fewer.

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

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

PATRICIA CONRAD, Secretary