

JOURNAL OF THE SENATE

Fifty-first Legislative Assembly

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Bismarck, March 13, 1989

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

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

Our God, we look with anticipation to the signs of the changing seasons. As life is renewed to Your earth, we experience renewal of our spirits. We pray for the men and women who are the stewards of Your earth and our food supply. Send refreshing rains to refresh their confidence in the land.

As this Legislature continues the task that is before them, grant them special guidance for the many difficult decisions that lie ahead. Give them wisdom, patience, and confidence in their voting. May this session be one that fulfills the role of government for the people.

In Christ, Amen.

The roll was called and all Senators were present, except Senators David, Keller, Lashkowitz, Maixner, W. Meyer, and Satrom.

A quorum was declared by the President.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE PRESIDENT ANNOUNCED that the following bills were delivered to the Governor for his approval at the hour of 9:59 a.m., March 13, 1989: SB 2038, SB 2056, SB 2074, SB 2075, SB 2076, SB 2080, SB 2099, SB 2132, SB 2138, SB 2140, SB 2142, SB 2143, SB 2144, SB 2147, SB 2148, SB 2154, SB 2160, SB 2161, SB 2162, SB 2163, SB 2164, SB 2167, SB 2168, SB 2170, SB 2171, SB 2174, SB 2183, SB 2188, SB 2195, SB 2199, SB 2204, SB 2205, SB 2209, SB 2214, SB 2215, SB 2239, SB 2250, SB 2257, SB 2277.

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

MR. SPEAKER: The Senate has passed unchanged: HB 1198, HB 1233, HB 1273, HB 1332, HB 1336, HB 1339, HB 1373, HB 1392, HB 1395, HB 1408, HB 1409, HB 1412, HB 1429, HB 1467, HB 1470, HB 1477, HB 1485, HB 1488, HB 1496, HB 1502, HB 1519, HB 1520.

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

MR. SPEAKER: The Senate has failed to pass: HB 1491.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HB 1440.

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

MR. SPEAKER: The Senate has amended and subsequently passed: HCR 3010.

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

MR. SPEAKER: The Senate has concurred in the House amendments to SB 2136 and subsequently passed the same.

SIGNING of BILLS and RESOLUTIONS (Patricia Conrad, Secretary)

THE SECRETARY ANNOUNCED that the President signed the following enrolled bills: HB 1064, HB 1079, HB 1117, HB 1122, HB 1160, HB 1188, HB 1190, HB 1194, HB 1202, HB 1227, HB 1242, HB 1288, HB 1359, HB 1393, HB 1420, HB 1428, HB 1512.

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

MR. SPEAKER: The President has signed: HB 1064, HB 1079, HB 1117, HB 1122, HB 1160, HB 1188, HB 1190, HB 1194, HB 1202, HB 1227, HB 1242, HB 1288, HB 1359, HB 1393, HB 1420, HB 1428, HB 1512.

SIGNING of BILLS and RESOLUTIONS (Patricia Conrad, Secretary)

THE SECRETARY ANNOUNCED that the President signed the following enrolled bill and resolutions: SB 2211, SCR 4004, SCR 4016, SCR 4024, SCR 4029, SCR 4035, SCR 4036, SCR 4044, SCR 4045.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested: SB 2211, SCR 4004, SCR 4016, SCR 4024, SCR 4029, SCR 4035, SCR 4036, SCR 4044, SCR 4045.

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 Forty-sixth Day and finds it to be correct.

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

MOTION

SEN. RICHARD MOVED that SB 2518, which is on the Sixth order, be rereferred to the Committee on Finance and Taxation, which motion prevailed. Pursuant to Sen. Richard's motion, SB 2518 was rereferred.

CONSIDERATION OF AMENDMENTS

SEN. LANGLEY MOVED that the amendments to SB 2521 as recommended by the Committee on Industry, Business and Labor as printed on pages 983-985 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SB 2521 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. SATROM MOVED that the amendments to SCR 4033 as recommended by the Committee on Finance and Taxation as printed on page 1072 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

SCR 4033 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SEN. TALLACKSON MOVED that the amendments to HB 1023 as recommended by the Committee on Appropriations as printed on pages 1073-1074 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1023 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. KELSH MOVED that the amendments to HB 1039 as recommended by the Committee on Human Services and Veterans Affairs as printed on page 1074 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1039 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to HB 1098 as recommended by the Committee on Education as printed on pages 1074-1075 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1098 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1142 as recommended by the Committee on Industry, Business and Labor as printed on pages 986-987 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1142 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to HB 1178 as recommended by the Committee on Transportation as printed on pages 1003-1004 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1178 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2047, SB 2146, SB 2356.

HOUSE AMENDMENTS TO SB 2047

Page 1, line 7, after the first comma insert "61-21-17,"

Page 1, line 22, replace "fifteen" with "thirty"

Page 19, after line 6, insert:

"SECTION 30. AMENDMENT. Section 61-21-17 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

61-21-17. Notice of order establishing drain and period for appeal. Upon the making of an order establishing or denying establishment of a drain, the board shall give notice to all affected landowners by publishing a notice in a newspaper of general circulation in such the county. Such The notice ~~shall~~ must include a copy of such the order and ~~shall~~ must advise the affected landowners ~~that~~ of their right to appeal to the district court from ~~such order will expire upon thirty days from and after the date of such publication under section 61-21-18.~~"

Renumber accordingly

HOUSE AMENDMENTS TO SB 2146

Page 1, line 3, remove "50-25.1-05.3,"

Page 1, line 10, remove ", unless the context or subject matter otherwise"

Page 1, line 11, remove "requires, and except with respect to rulemaking,"

Page 1, line 12, replace "and its designated agents" with "or its designee"

Page 2, line 25, remove the overstrike over "~~or the~~"

Page 2, line 26, remove the overstrike over "~~department's designee~~"

Page 2, line 27, remove the overstrike over "~~or the~~"

Page 2, line 28, remove the overstrike over "~~department's designee~~"

Page 3, remove lines 14 through 22

Renumber accordingly

HOUSE AMENDMENTS TO SB 2356

Page 1, line 1, replace "a" with "two" and replace "section" with "sections"

Page 1, line 3, after "majority" insert "and the duration of support obligations"

Page 1, line 10, after "support" insert "until the child attains majority"

Page 2, after line 7, insert:

"SECTION 2. A new section to chapter 14-09 of the North Dakota Century Code is hereby created and enacted to read as follows:

Duration of child support obligations. A judgment or order requiring the payment of child support continues as to the child until the end of the month in which the support obligation terminates."

Renumber accordingly

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

MR. PRESIDENT: The House has passed unchanged: SB 2039, SB 2040, SB 2054, SB 2194, SB 2280, SB 2315, SB 2406, SB 2408, SB 2414, SB 2420, SB 2425, SB 2426, SB 2435.

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

MR. PRESIDENT: The Speaker has signed and your signature is respectfully requested: HB 1015, HB 1088, HB 1172, HB 1195, HB 1280, HB 1282, HB 1335, HB 1366.

CONSIDERATION OF AMENDMENTS

SEN. HILKEN MOVED that the amendments to HB 1183 as recommended by the Committee on Transportation as printed on page 987 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1183 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

SEN. HEIGAARD MOVED that HB 1284, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

SEN. J. MEYER MOVED that the Senate reconsider its action by which HB 1564 failed to pass, which motion prevailed on a verification vote.

SEN. HOLMBERG MOVED that HB 1564 be laid over one legislative day, which motion prevailed on a verification vote.

CONSIDERATION OF AMENDMENTS

SEN. LANGLEY MOVED that the amendments to HB 1294 as recommended by the Committee on Industry, Business and Labor as printed on page 1077 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1294 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. DOTZENROD MOVED that the amendments to HB 1321 as recommended by the Committee on Political Subdivisions as printed on pages 1077-1078 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1321 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HILKEN MOVED that the amendments to HB 1353 as recommended by the Committee on Transportation as printed on page 1078 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1353 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. HEINRICH MOVED that the amendments to HB 1389 as recommended by the Committee on Education as printed on pages 1078-1079 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1389 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

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 1665.

CONSIDERATION OF AMENDMENTS

SEN. HILKEN MOVED that the amendments to HB 1469 as recommended by the Committee on Transportation as printed on pages 1079-1080 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1469 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. W. MEYER MOVED that the amendments to HB 1475 as recommended by the Committee on Agriculture as printed on page 1080 of the Senate Journal be

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

HB 1475 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SEN. LANGLEY MOVED that the amendments to HB 1540 as recommended by the Committee on Industry, Business and Labor as printed on page 1015 of the Senate Journal be adopted, and when so amended, recommends the same DO PASS, which motion prevailed.

HB 1540 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILLS

HB 1050: A BILL for an Act to amend and reenact sections 28-24-11, 32-19-06, and 32-19-19 of the North Dakota Century Code, relating to abandonment of real property subject to mortgage foreclosure actions.

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, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Maixner; Meyer, W.; Satrom

HB 1050 passed and the title was agreed to.

HB 1051: A BILL for an Act to amend and reenact section 28-23-04 of the North Dakota Century Code, relating to the notice of sale in mortgage foreclosure actions.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1051 passed and the title was agreed to.

HB 1094: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to postretirement benefit adjustments under the teachers' fund for retirement; to amend and reenact subsection 2 of section 15-39.1-10 and section 15-39.1-16 of the North Dakota Century Code, relating to computation and optional forms of retirement benefits under the teachers' fund for retirement; and to provide an effective date.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1094 passed and the title was agreed to.

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.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1123 passed and the title was agreed to.

MOTIONS

SEN. DOTZENROD MOVED that HB 1277, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

SEN. LANGLEY MOVED that HB 1275 be moved to the head of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

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.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1275 passed and the title was agreed to.

HB 1124: A BILL for an Act to create and enact a new subsection to section 26.1-36-32 and two new sections to chapter 26.1-36 of the North Dakota Century Code, relating to standards for medicare supplement insurance policies, filing requirements for medicare supplement insurance policy advertising, 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.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson;

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1124 passed and the title was agreed to.

HB 1131: A BILL for an Act to amend and reenact section 60-06-15 of the North Dakota Century Code, relating to warehouse leases on railroad rights of way; 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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1131 passed, the title was agreed to, and the emergency clause carried.

HB 1134: A BILL for an Act to create and enact a new section to chapter 23-07 of the North Dakota Century Code, relating to disclosure of disease control records; to amend and reenact section 23-07-21 of the North Dakota Century Code, relating to penalties for releasing confidential records or information concerning reportable diseases; and to provide a penalty.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1134 passed and the title was agreed to.

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 subsection 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, and an exemption for employee stock purchase plans.

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 28 YEAS, 21 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Heinrich; Hilken; Kelsh; Krauter; Langley; Lips; Maixner; Mathern; Maxson; Meyer, D.; Meyer, J.; Mushik; O'Connell; Olson; Redlin; Richard; Robinson; Schoenwald; Shea; Stromme; Tallackson; Thane; Waldera; Wogsland; Yockim

NAYS: David; Ewen; Freborg; Hanson; Holmberg; Ingstad; Kinnoin; Krebsbach; Lodoen; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Peterson; Stenehjem; Streibel; Tennefos; Todd; Vosper

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1192 passed and the title was agreed to.

HB 1197: A BILL for an Act to create and enact a new chapter to title 23 and a new section to chapter 50-06 of the North Dakota Century Code, relating to basic care facilities under the jurisdiction of the state department of health and consolidated laboratories and the establishment of reasonable rates for basic care facilities by the department of human services; to amend and reenact sections 23-16-01, 50-02-04, subsection 8 of section 50-06-01.4, section 50-06-14.1, subsection 3 of section 50-10.1-01, subsection 3 of section 50-10.2-01, sections 50-21-01, 50-21-02, 50-21-03, 50-21-04, and subsections 17 and 24 of section 57-39.2-04 of the North Dakota Century Code, relating to transfer of the authority of the department of human services over homes for the aged and infirm to the department of health and consolidated laboratories; to repeal sections 50-18-01, 50-18-01.1, 50-18-01.2, 50-18-02, 50-18-02.1, 50-18-03, 50-18-03.1, 50-18-04, 50-18-05, 50-18-06, 50-18-06.1, 50-18-06.2, 50-18-07, and 50-18-08 of the North Dakota Century Code, relating to boarding homes for the aged and infirm under the jurisdiction of the department of human services; and to provide a penalty.

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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1197 passed and the title was agreed to.

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.

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 8 YEAS, 41 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Krauter; Langley; Maixner; Mathern; Maxson

NAYS: David; Ewen; Freborg; Hanson; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Kinnoin; Krebsbach; Lips; Lodoen; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Olson; Peterson; Redlin; Richard; Robinson; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland; Yockim

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1199 lost.

HB 1240: A BILL for an Act to create and enact a new section to chapter 15-36 of the North Dakota Century Code, relating to the issuance of teachers' certificates.

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 31 YEAS, 18 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; Dotzenrod; Heigaard; Hilken; Holmberg; Ingstad; Kelsh; Krauter; Langley; Lips; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Naaden; Nalewaja; Nething; Olson; Redlin; Richard; Schoenwald; Shea; Stenehjem; Streibel; Stromme; Tallackson; Vosper; Waldera; Yockim

NAYS: David; Ewen; Freborg; Hanson; Heinrich; Kinnoin; Krebsbach; Lodoen; Maxson; Mutch; Nelson; O'Connell; Peterson; Robinson; Tennefos; Thane; Todd; Wogsland

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1240 passed and the title was agreed to.

HB 1347: A BILL for an Act to amend and reenact section 15-47-27 and subsection 5 of section 15-47-38 of the North Dakota Century Code, relating to performance evaluations of teachers.

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 46 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: David; Freborg; O'Connell

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1347 passed and the title was agreed to.

HB 1352: A BILL for an Act to create and enact a new section to chapter 19-04 of the North Dakota Century Code, relating to the distribution of anabolic steroids; to provide a penalty; 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, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1352 passed, the title was agreed to, and the emergency clause carried.

MOTION

SEN. HEIGAARD MOVED that the Senate stand in recess until 2:45 p.m., which motion prevailed.

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

SECOND READING OF HOUSE BILLS

HB 1370: A BILL for an Act to create and enact a new subsection to section 26.1-18-12 and a new subdivision to subsection 1 of section 26.1-47-03 of the North Dakota Century Code, relating to the provision of health care services under health maintenance organization health care plans and preferred provider arrangements.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 47 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Dotzenrod; Heigaard; Keller; Lashkowitz; Meyer, W.; Satrom

HB 1370 passed and the title was agreed to.

HB 1371: A BILL for an Act to amend and reenact section 15-39.1-05 of the North Dakota Century Code, relating to the membership of the board of trustees of the teachers' fund for retirement; to provide for application of this Act; 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 PASS, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Heigaard; Keller; Lashkowitz; Meyer, W.; Satrom

HB 1371 passed and the title was agreed to.

MOTION

SEN. LANGLEY MOVED that HB 1372 and HB 1375, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1504: A BILL for an Act to provide for the development of career guidance and development programs for children and adults.

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, 4 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: David; Mutch; Naaden; Vosper

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1504 passed and the title was agreed to.

SIGNING of BILLS and RESOLUTIONS (Patricia Conrad, Secretary)

THE SECRETARY ANNOUNCED that the President signed the following enrolled bills: HB 1015, HB 1088, HB 1172, HB 1195, HB 1280, HB 1282, HB 1366.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3031: A concurrent resolution urging the Secretary of Transportation to refrain from adopting regulations to reduce essential air service levels or impede current service levels until the Congress of the United States has had the opportunity to review the department's actions and appropriate supplemental funding for the Essential Air Service program.

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

HCR 3031 was declared adopted on a voice vote.

HCR 3040: A concurrent resolution for the amendment of section 13 of article VI of the Constitution of North Dakota, relating to the filling of judicial vacancies.

ROLL CALL

The question being on the final adoption of the amended resolution, which has been read and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Maixner; Meyer, W.; Satrom

HCR 3040 was declared adopted on a roll call vote.

SECOND READING OF HOUSE BILLS

HB 1212: A BILL for an Act to amend and reenact sections 64-02-01, 64-02-02, 64-02-03, 64-02-04, 64-02-05, 64-02-07, 64-02-08, 64-02-09, 64-02-10, 64-02-11, 64-02-12, 64-02-13, 64-02-14, 64-02-15, 64-02-15.1, 64-02-20, 64-03-01, 64-03-02, 64-03-03, 64-03-06, 64-03-07, 64-03-09, 64-03-10, 64-03-11, 64-03-12, 64-04-01, 64-04-02, 64-04-03, 64-04-04, and 64-04-05 of the North Dakota Century Code, relating to weights and measures; and to repeal sections 64-02-05.1, 64-02-06, 64-02-19, and 64-03-05 of the North Dakota Century Code, relating to weights and measures.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Krauter; Lashkowitz; Meyer, W.; Satrom

HB 1212 passed and the title was agreed to.

HB 1264: A BILL for an Act to amend and reenact subsection 1 of section 27-20-26 of the North Dakota Century Code, relating to right to counsel in proceedings under the Uniform Juvenile Court Act.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 0 YEAS, 47 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: None

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

ABSENT AND NOT VOTING: Keller; Krauter; Lashkowitz; Meyer, W.; Nething; Satrom

HB 1264 lost.

HB 1322: A BILL for an Act to amend and reenact section 47-16-30.1 of the North Dakota Century Code, relating to disposal by lessor of property abandoned by lessee.

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 4 YEAS, 43 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: David; Shea; Stromme; Tennefos

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

ABSENT AND NOT VOTING: Keller; Krauter; Lashkowitz; Meyer, W.; Nething; Satrom

HB 1322 lost.

MOTION

SEN. HEIGAARD MOVED that HB 1330, HCR 3025, and HB 1654, which are on the Fourteenth order, be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1607: A BILL for an Act to amend and reenact section 35-05-01.1 of the North Dakota Century Code, relating to financing statements covering crops and judicial remedies for misuse of a financing statement; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 46 YEAS, 1 NAY, 6 ABSENT AND NOT VOTING.

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

NAYS: Maxson

ABSENT AND NOT VOTING: Keller; Krauter; Lashkowitz; Meyer, W.; Nething; Satrom

HB 1607 passed and the title was agreed to.

HB 1651: A BILL for an Act to amend and reenact sections 11-28.3-04, 11-28.3-13, and 57-15-50 of the North Dakota Century Code, relating to the vote requirements for establishment or dissolution of a rural ambulance service district and the levy for county ambulance service within districts which otherwise levy for ambulance service; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 39 YEAS, 8 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: David; Moore; Mutch; Naaden; Nelson; Shea; Streibel; Tennefos

ABSENT AND NOT VOTING: Keller; Krauter; Lashkowitz; Meyer, W.; Nething; Satrom

HB 1651 passed and the title was agreed to.

MOTION

SEN. D. MEYER MOVED that HB 1660, which is on the Fourteenth order, be rereferred to the Committee on State and Federal Government, which motion prevailed. Pursuant to Sen. D. Meyer's motion, HB 1660 was rereferred.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3002: A concurrent resolution urging the Department of Human Services, in its development of a continuum of services for the chronically mentally ill and chemically dependent, to conduct pilot projects for

legislative consideration in expanding the program for the 1991-93 biennium and urging the department to use regional intervention services to control access to the mental health system.

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

HCRCR 3002 was declared adopted on a voice vote.

HCRCR 3006: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of consolidating various organizational and investment functions of the Public Employees Retirement System, Teachers' Fund for Retirement, and State Investment Board.

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

HCRCR 3006 was declared adopted on a voice vote.

HCRCR 3007: A concurrent resolution for the ratification of a proposed amendment to the Constitution of the United States, providing for a delay in an increase in compensation to members of Congress until an intervening election of representatives has occurred.

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 23 YEAS, 24 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: David; Dotzenrod; Freborg; Hanson; Hilken; Ingstad; Kinnoin; Krebsbach; Langley; Lodoen; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden; Nelson; Peterson; Shea; Streibel; Tennefos; Todd; Vosper; Yockim

NAYS: Axtman; Ewen; Heigaard; Heinrich; Holmberg; Kelsh; Lips; Maixner; Mathern; Maxson; Mushik; Nalewaja; O'Connell; Olson; Redlin; Richard; Robinson; Schoenwald; Stenehjem; Stromme; Tallackson; Thane; Waldera; Wogsland

ABSENT AND NOT VOTING: Keller; Krauter; Lashkowitz; Meyer, W.; Nothing; Satrom

HCRCR 3007 was declared lost on a roll call vote.

HCRCR 3024: A concurrent resolution urging Congress to amend the Surface Mining Control and Reclamation Act of 1977, to allow the duration of the responsibility period for revegetation to be determined by each state regulatory authority.

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

HCR 3024 was declared adopted on a voice vote.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The Speaker has signed: SB 2211, SCR 4004, SCR 4016,
SCR 4024, SCR 4029, SCR 4035, SCR 4036, SCR 4044, SCR 4045.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS

HCR 3027: A concurrent resolution directing the Legislative Council to study
the legislative process, with emphasis on the appropriate use of the 80
natural days allowed for the Legislative Assembly to be in session.

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

HCR 3027 was declared adopted on a voice vote.

HCR 3033: A concurrent resolution directing the Legislative Council to study
and evaluate the adequacy of compensation to justices of the Supreme
Court and judges of the district courts, legislators, and other elected
state officials.

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

HCR 3033 was declared adopted on a voice vote.

HCR 3041: A concurrent resolution designating the fourth Wednesday of each
September through the year 2000 to be American Indian and Alaska Native
Youth Day and urging the communities of North Dakota to support and
participate in appropriate activities.

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

HCR 3041 was declared adopted on a voice vote.

HCR 3042: A concurrent resolution urging the Governor to designate May 1989
as Motorcycle Safety and Awareness Month.

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

HCR 3042 was declared adopted on a voice vote.

HCR 3050: A concurrent resolution directing the Legislative Council to study
the fees charged by agencies, boards, commissions, departments, and
other instrumentalities of the state and its political subdivisions.

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

HCR 3050 was declared adopted on a verification vote.

HCR 3070: A concurrent resolution directing the Legislative Council to study the operation and effect of the state's open bottle law.

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

HCR 3070 was declared adopted on a verification vote.

SECOND READING OF HOUSE BILL

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

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 41 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: David; Lodoen; Mutch; Naaden; Nething; Peterson; Tennefos; Vosper

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1009 passed and the title was agreed to.

MOTION

SEN. HEIGAARD MOVED that HB 1014, which is on the Fourteenth order, be laid over two legislative days, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1084: A BILL for an Act to amend and reenact section 20.1-02-01 of the North Dakota Century Code, relating to the term of the game and fish commissioner.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Axtman; David; Dotzenrod; Ewen; Freborg; Hanson; Heigaard; Heinrich; Holmberg; Ingstad; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mutch; Naaden;

Nalewaja; Nelson; Nething; Olson; Peterson; Redlin; Richard; Robinson; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Waldera; Wogsland

NAYS: Hilken; Maxson; Mushik; O'Connell; Schoenwald; Yockim

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1084 passed and the title was agreed to.

MOTION

SEN. D. MEYER MOVED that HB 1184, which is on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1241: A BILL for an Act to create and enact a new section to chapter 20.1-01 of the North Dakota Century Code, relating to spotting bighorn sheep, moose, or elk from aircraft.

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 9 YEAS, 40 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Hanson; Heinrich; Maxson; Nalewaja; O'Connell; Redlin; Robinson; Schoenwald; Waldera

NAYS: Axtman; David; Dotzenrod; Ewen; Freborg; Heigaard; Hilken; Holmberg; Ingstad; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lips; Lodoen; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Naaden; Nelson; Nething; Olson; Peterson; Richard; Shea; Stenehjem; Streibel; Stromme; Tallackson; Tennefos; Thane; Todd; Vosper; Wogsland; Yockim

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1241 lost.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

THE PRESIDENT ANNOUNCED that the following resolutions were delivered to the Secretary of State for his filing at the hour of 3:50 p.m., March 13, 1989: SCR 4004, SCR 4016, SCR 4024, SCR 4029, SCR 4035, SCR 4036, SCR 4044, SCR 4045.

SECOND READING OF HOUSE BILL

HB 1249: A BILL for an Act to amend and reenact section 53-06.1-10 of the North Dakota Century Code, relating to maximum and minimum wagers in the game of twenty-one.

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 26 YEAS, 23 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Heigaard; Heinrich; Ingstad; Kelsh; Kinnoin; Krebsbach; Langley; Lips; Lodoen; Maxson; Meyer, D.; Meyer, J.; Mushik; O'Connell; Olson; Peterson; Richard; Robinson; Schoenwald; Shea; Stromme; Tallackson; Todd; Waldera; Wogsland

NAYS: Axtman; David; Ewen; Freborg; Hanson; Hilken; Holmberg; Krauter; Maixner; Mathern; Moore; Mutch; Naaden; Nalewaja; Nelson; Nething; Redlin; Stenehjem; Streibel; Tennefos; Thane; Vosper; Yockim

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1249 lost for want of a Constitutional majority.

MOTIONS

SEN. HEIGAARD MOVED that the Senate stand in recess until 4:35 p.m., which motion prevailed.

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

SEN. HEIGAARD MOVED that SCR 4054 be placed at the bottom of the consent calendar, which motion prevailed.

SEN. HEIGAARD MOVED that HCR 3049, which is on the consent calendar, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS ON CONSENT CALENDAR

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

HB 1140: A BILL for an Act to create and enact a new section to chapter 55-08 of the North Dakota Century Code, relating to the establishment of a state parks gift fund; and to amend and reenact section 55-08-07 of the North Dakota Century Code, relating to the expenditure of grants and bequests to the North Dakota parks and recreation department.

ROLL CALL

The question being on the final passage of the bills, which have been read, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

So the bills passed and the titles were agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTIONS
AND SENATE CONCURRENT RESOLUTION ON CONSENT CALENDAR

- HCR 3001: A concurrent resolution directing the Legislative Council to review and develop recommendations regarding the expansion of community services for the chronically mentally ill and chemically dependent and the future role of the State Hospital.
- HCR 3043: A concurrent resolution directing the Legislative Council to study the North Dakota Atmospheric Resource Management Program.
- HCR 3044: A concurrent resolution urging federal agencies owning real property in North Dakota to participate in the North Dakota Centennial 100,000,000 Tree Project.
- HCR 3052: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of periodically and systematically reviewing all statutorily created boards, commissions, committees, and councils to determine the necessity of those bodies.
- HCR 3053: A concurrent resolution directing the Legislative Council to study the problems associated with the grading and purchasing of barley for malting purposes.
- HCR 3057: A concurrent resolution directing the Legislative Council to study the laws relating to state and local filing of liens, security interests, financing statements, and continuation statements relating to farm products.
- HCR 3062: A concurrent resolution directing the Legislative Council to study the payment of occupational or professional licensing fees by state agencies and institutions.
- HCR 3063: A concurrent resolution directing the Legislative Council to study the cost effectiveness of maintaining a central management system for state motor vehicles.
- HCR 3068: A concurrent resolution directing the Legislative Council to study the nature, scope, and effect of efforts to prohibit the illicit diversion or use of controlled substances in this state.
- SCR 4054: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of regulating the use of pesticides near apiaries.

The question being on the final adoption of the resolutions, which have been read.

The resolutions were declared adopted on a voice vote.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KELSH MOVED that the Senate do concur in the House amendments to SCR 4018 as printed on page 1009 of the Senate Journal, which motion prevailed on a voice vote.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4018: A concurrent resolution urging the Congress of the United States to increase appropriations for Indian health care.

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

SCR 4018 was declared adopted on a voice vote.

SECOND READING OF HOUSE BILLS

HB 1259: A BILL for an Act to amend and reenact sections 49-18-41.1 and 49-18-42 of the North Dakota Century Code, relating to the collection of fees for registration of interstate motor carriers and dedicating the use of the fees; and to provide for allocation of the fees.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 48 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING.

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

NAYS: Moore

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1259 passed and the title was agreed to.

HB 1287: A BILL for an Act to amend and reenact section 35-05-01 of the North Dakota Century Code, relating to security agreements on crops.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1287 passed and the title was agreed to.

HB 1290: A BILL for an Act to create and enact a new section to chapter 53-06.1 of the North Dakota Century Code, relating to limited approval to conduct games of chance by organizations that have not been in existence in this state for two years.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1290 passed and the title was agreed to.

HB 1331: A BILL for an Act to create and enact chapter 39-16.2 of the North Dakota Century Code, relating to financial responsibility requirements for liquified petroleum gas transporters; and to provide a penalty.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1331 passed and the title was agreed to.

HB 1344: A BILL for an Act to amend and reenact section 54-52.1-04.1 of the North Dakota Century Code, relating to health maintenance organization contracts under the uniform group insurance program.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1344 passed and the title was agreed to.

HB 1425: A BILL for an Act to provide for the disposition of stored cremated remains.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 49 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1425 passed and the title was agreed to.

HB 1453: A BILL for an Act to amend and reenact section 54-03-01.5 of the North Dakota Century Code, relating to legislative apportionment requirements; and to provide an effective date.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 20 YEAS, 29 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Ewen; Freborg; Kinnoin; Krebsbach; Lips; Lodoen; Maxson; Naaden; Nalewaja; Nelson; Olson; Peterson; Shea; Stenehjem; Stromme; Tallackson; Tennefos; Thane; Vosper; Yockim

NAYS: Axtman; David; Dotzenrod; Hanson; Heigaard; Heinrich; Hilken; Holmberg; Ingstad; Kelsh; Krauter; Langley; Maixner; Mathern; Meyer, D.; Meyer, J.; Moore; Mushik; Mutch; Nething; O'Connell; Redlin; Richard; Robinson; Schoenwald; Streibel; Todd; Waldera; Wogsland

ABSENT AND NOT VOTING: Keller; Lashkowitz; Meyer, W.; Satrom

HB 1453 lost.

ANNOUNCEMENT

SEN. HEIGAARD ANNOUNCED that Sen. Keller was involved in a farm accident on Saturday causing his absence today.

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 Thirteenth order of business, and at the conclusion of the Thirteenth order, the Senate be on the Sixteenth order of business, and at the conclusion of the Sixteenth order, and after the reading of SCR 4059, HCR 3028, HB 1163, HB 1145, HB 1638, HB 1537, HB 1522, HB 1563, HB 1577, HB 1364, HB 1561, and HB 1061, the Senate stand adjourned until 1:00 p.m., Tuesday, March 14, 1989, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT: Your Committee on Agriculture (Sen. W. Meyer, Chairman) to which was referred SCR 4059 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 NOT PASS.

SCR 4059 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred Engrossed HB 1005 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 1, line 17, replace "1,311,350" with "1,466,350"

Page 1, line 19, replace "7,542,457" with "7,697,457"

Page 1, line 20, replace "1,324,650" with "1,479,650"

Page 2, line 2, replace "\$1,261,350" with "\$1,416,350"

Page 2, line 5, replace "biennium" with "period" and replace "July 1, 1989," with "with the effective date of this section"

Page 2, line 14, after "1" insert "and section 2"

Page 2, line 15, replace "is" with "are", remove "an", and replace "measure" with "measures"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 130 - DIRECTOR OF INSTITUTIONS

These amendments add \$155,000 from the Capitol building fund for the following Capitol building projects:

1. Agency space renovation	\$ 25,000
2. Fire safety requirements	15,000
3. Basement vault renovation	5,000
4. Elevator synchronization	<u>110,000</u>
	\$155,000

In addition, these amendments provide that funds may be transferred from the Capitol building fund on an emergency basis to allow for beginning installation of the replacement elevator prior to July 1, 1989. The bill as amended provides a total of \$210,000 for automating one elevator and providing for elevator synchronization.

HB 1005 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 Engrossed HB 1061 has had the same under consideration and recommends by a vote of 4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1061 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Finance and Taxation (Sen. Satrom, Chairman) to which was referred HB 1145 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

HB 1145 was placed on the Fourteenth 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 Engrossed HB 1163 has had the same under consideration and recommends by a vote of 5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

HB 1163 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Industry, Business and Labor (Sen. Langley, Chairman) to which was referred Engrossed HB 1364 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 1364 was placed on the Fourteenth 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 HB 1510 has had the same under consideration

and recommends by a vote of 7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

Page 2, overstrike line 16

Re-number accordingly

HB 1510 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 rereferred HB 1522 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 1522 was placed on the Fourteenth 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 HB 1537 has had the same under consideration and recommends by a vote of 5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

HB 1537 was placed on the Fourteenth 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 HB 1561 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.

HB 1561 was placed on the Fourteenth 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 HB 1563 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 1563 was placed on the Fourteenth 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 HB 1577 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 1577 was placed on the Fourteenth 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 Engrossed HB 1638 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 NOT PASS.

HB 1638 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. PRESIDENT: Your Committee on Appropriations (Sen. Tallackson, Chairman) to which was referred HCR 3028 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

HCR 3028 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILL

HB 1665: A BILL for an Act to amend and reenact sections 60-02-30 and 60-02-31 of the North Dakota Century Code, relating to termination of public grain warehouse storage contracts on edible beans; and to declare an emergency.

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

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

PATRICIA CONRAD, Secretary