

JOURNAL OF THE SENATE

Fifty-second Legislative Assembly

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Bismarck, January 16, 1991

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

The prayer was offered by Deacon Al Schwindt, Ascension Catholic Church, Bismarck.

The roll was called and all members were present.

A quorum was declared by the President.

REPORTS OF STANDING COMMITTEES

SB 2110: Committee on Education (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, line 2, remove the overstrike over "~~Each applicant who is a resident~~"

Page 2, remove the overstrike over lines 3 and 4

Page 2, line 5, remove the overstrike over "~~school for the deaf at the expense of the state.~~"

Page 2, line 12, replace "a free education" with "special education and related services" and after "individual" insert "education program, which considers the academic, independent living skills, vocational, recreational, and leisure needs of each child."

Page 2, remove lines 13 through 18

Page 2, line 28, replace "programs designed to meet the needs of" with "special education and related services designed to meet the unique needs of deaf or hearing impaired students according to individual education programs as required by federal and state laws and regulations"

Page 3, remove line 1

Page 3, remove "state laws and regulations"

Renumber accordingly

SB 2140: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 1, after "Act" insert "to amend and reenact section 57-23-08 of the North Dakota Century Code, relating to duties of county auditors after abatement actions; and"

Page 1, after line 4, insert:

"SECTION 1. AMENDMENT. Section 57-23-08 of the 1989 Supplement to the North Dakota Century Code is amended and reenacted as follows:

57-23-08. Duties of county auditor and county commissioners after abatement action. After the granting of any application for abatement or refund or compromise of any tax, the county auditor shall correct all tax lists in accordance with the order of abatement or

compromise, and the applicant is relieved of further liability for the tax abated or compromised. If the board of county commissioners disapproves any application for abatement or refund or compromise, in whole or in part, the reasons for disapproval must be stated thereon and the applicant may appeal the rejection of the application for abatement or refund or compromise as provided by law. ~~The county auditor, at the close of each calendar year, shall certify to the director of the state office of management and budget the amount of state taxes canceled by action of the board of county commissioners and the same must be credited to the county.~~"

Renumber accordingly

SB 2185: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 9, after "means" insert "telephone company" and remove "of telephone companies"

Page 1, line 10, replace "persons, including other telephone companies," with "individuals, partnerships, and corporations"

Page 1, line 11, replace "provision of telecommunications" with "their use of telephone company" and replace "that permit" with "to provide a toll service that permits"

Page 1, line 14, replace "and revenue of telephone companies" with an underscored period

Page 1, remove lines 15 and 16

Page 1, line 18, replace "a corporation" with "the reporting telephone company" and replace "another" with "an individual, partnership, or"

Page 1, line 19, remove "and carrier"

Page 1, line 20, after "charges" insert ", and directory assistance"

Page 2, line 1, replace "originated" with "generated"

Page 2, line 7, after "property" insert "located in this state"

Page 2, line 8, remove "in this state"

Page 2, line 10, after "property" insert "located everywhere"

Page 2, line 12, remove "everywhere"

Page 2, line 13, overstrike "telephone station" and insert immediately thereafter "subscriber line"

Page 2, line 29, after the second underscored comma, insert "billing and collection revenues,"

Page 3, line 4, remove "and"

Renumber accordingly

CONSIDERATION OF AMENDMENTS

SB 2035: SEN. MAXSON (Committee on Judiciary) MOVED that the amendments on S.J. page 103 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2160: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ page 103 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2161: SEN. KELSH (Committee on Agriculture) MOVED that the amendments on SJ page 103 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2196: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ pages 103-104 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. PRESIDENT: Your procedural Committee on Employment (Sen. Satrom, Chairman) recommends the following as employees of the Senate during the Fifty-second Legislative Assembly:

Janice Harmon - Secretary to the Minority Leader
 Karla Kvernum - Stenographer
 Dan McCaslin - Journal Room Clerk

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

MOTIONS

SEN. WOGSLAND MOVED that SB 2306 be returned to the Senate floor from the Committee on Agriculture and be rereferred to the Committee on Political Subdivisions, which motion prevailed. Pursuant to Sen. Wogsland's motion, SB 2306 was rereferred.

SEN. WOGSLAND MOVED that SB 2186 and SB 2197 which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SEN. WOGSLAND MOVED that SB 2080 be placed at the top of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2080: A BILL for an Act to authorize the state board of higher education to exchange certain state-owned land at Bismarck state college for certain property owned by the Theodore Roosevelt Medora foundation.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2080 passed and the title was agreed to.

SB 2036: A BILL for an Act to create and enact a new section to chapter 20.1-02 and three new subsections to section 20.1-03-12 of the North Dakota Century Code, relating to fees for licenses and permits to harvest clams; and to amend and reenact sections 20.1-01-03, 20.1-01-14, subsection 4 of section 20.1-02-04, subsections 1 and 2 of section 20.1-02-15, subsections 1 and 2 of section 20.1-08-02, subsection 1 of section 20.1-08-04, and section 20.1-10-02 of the North Dakota Century Code, relating to ownership of, duties of the game and fish commissioner concerning, and proclamations of the governor relating to, wildlife.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 53 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennesos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2036 passed and the title was agreed to.

SB 2074: A BILL for an Act to amend and reenact section 54-35-01 of the North Dakota Century Code, relating to appointments to the legislative council; and to declare 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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennesos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2074 passed, the title was agreed to, and the emergency clause carried.

SB 2117: A BILL for an Act to amend and reenact section 11-11-11 of the North Dakota Century Code, relating to the due date for county auditors to prepare general purpose financial statements.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennesos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2117 passed and the title was agreed to.

SB 2133: A BILL for an Act to amend and reenact section 50-26-05 of the North Dakota Century Code, relating to the method of payment for expenses of the governor's council on human resources.

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

YEAS: Jerome

NAYS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2133 lost.

SB 2150: A BILL for an Act to create and enact a new section to chapter 12-59 of the North Dakota Century Code, relating to probation and parole officers having authority to enforce probation and parole laws.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 53 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2150 passed and the title was agreed to.

SB 2156: A BILL for an Act to amend and reenact section 23-07-01 of the North Dakota Century Code, relating to human diseases or conditions that must be reported.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2156 passed and the title was agreed to.

SB 2184: A BILL for an Act to amend and reenact subsection 1 of section 39-05-09 of the North Dakota Century Code, relating to contents of certificate of title to a motor vehicle.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2184 passed and the title was agreed to.

SB 2190: A BILL for an Act to repeal sections 12-62-04 and 12-62-08 of the North Dakota Century Code, relating to certification and training of peace officers.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2190 passed and the title was agreed to.

SB 2222: A BILL for an Act to amend and reenact section 54-17-07.3 of the North Dakota Century Code, relating to the number of housing finance programs of the state housing finance agency.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

NAYS: Hanson, O.

SB 2222 passed and the title was agreed to.

SB 2193: A BILL for an Act to create and enact a new subsection to section 53-06.2-11 of the North Dakota Century Code, relating to investment of the breeders' fund and purse fund and the use of income generated; and to provide a continuing appropriation.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 53 YEAS, 0 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2193 passed and the title was agreed to.

SB 2114: A BILL for an Act to amend and reenact subsection 3 of section 62.1-04-03 of the North Dakota Century Code, relating to concealed weapons license fee.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2114 passed and the title was agreed to.

SB 2236: A BILL for an Act to amend and reenact subsection 14 of section 52-06-02 of the North Dakota Century Code, relating to treatment of services performed by aliens under the employment compensation law.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2236 passed and the title was agreed to.

MOTION

SEN. LANGLEY MOVED that SB 2163, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2103: A BILL for an Act to create and enact a new section to chapter 52-06 of the North Dakota Century Code, relating to applicability of unemployment compensation decisions to separate proceedings.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2103 passed and the title was agreed to.

SB 2106: A BILL for an Act to amend and reenact subsection 2 of section 15-47-46 of the North Dakota Century Code, relating to the attainment of certification to teach middle school.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2106 passed and the title was agreed to.

SB 2162: A BILL for an Act to create and enact a new section to chapter 23-27 of the North Dakota Century Code, relating to training, testing, and certification of emergency medical services personnel.

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 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

SB 2162 passed and the title was agreed to.

SB 2218: A BILL for an Act to create and enact five new sections to chapter 23-14 of the North Dakota Century Code, relating to health district expansion or merger; and to amend and reenact subsection 1 of section 23-14-11 of the North Dakota Century Code, relating to the mill levy for health districts.

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 42 YEAS, 11 NAYS, 0 EXCUSED, 0 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Evanson; Freborg; Goetz; Graba; Hanson, E.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Kellier; Kelly; Kelsh; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Moore; Mushik; Nalewaja; Nelson; Nething; Peterson; Redlin; Robinson; Satrom; Schoenwald; Stenehjelm; Tallackson; Thane; Tomac; Traynor; Wogsland; Yockim

NAYS: Dotzenrod; Hanson, O.; Kinnoin; Meyer; Mutch; Naaden; O'Connell; Solberg; Streibel; Teneffos; Vosper

SB 2218 passed and the title was agreed to.

MESSAGE to the SENATE from the HOUSE (Roy Gilbreath, Chief Clerk)
MR. PRESIDENT: The House has passed unchanged: SCR 4016.

SIGNING OF BILLS AND RESOLUTIONS

The President signed the following enrolled resolution: SCR 4016.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)
MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4016.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)
MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2037, SB 2040, SB 2041, SB 2042, SB 2048.

MOTION

SEN. WOGSLAND 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, the Senate be on the Sixteenth order of business, and at the conclusion of the Sixteenth order, the Senate stand adjourned until 1:00 p.m., Thursday, January 17, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

- SB 2093: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2093 was placed on the Eleventh order on the calendar.
- SB 2125: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2125 was placed on the Eleventh order on the calendar.
- SB 2153: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2153 was placed on the Eleventh order on the calendar.
- SB 2164: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2164 was placed on the Eleventh order on the calendar.
- SB 2172: Committee on Human Services and Veterans Affairs (Sen. Mathern, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2172 was placed on the Eleventh order on the calendar.
- SB 2173: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2173 was placed on the Eleventh order on the calendar.

SB 2216: Committee on Judiciary (Sen. Maxson, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2216 was placed on the Eleventh order on the calendar.

FIRST READING OF SENATE BILLS

Sens. Maxson, Stenehjem and Reps. Snyder, Kretschmar introduced:

SB 2329: A BILL for an Act to amend and reenact section 39-07-08 of the North Dakota Century Code, relating to scheduling of court hearings for certain traffic offenders.

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

Sen. Marks and Reps. Kroeber, Trautman introduced:

SB 2330: A BILL for an Act to amend and reenact section 7 of chapter 644 of the 1989 Session Laws of North Dakota, relating to the effective date for the allocation of sales, use, and motor vehicle excise tax revenues to the capital construction fund.

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

Sens. Mushik, Goetz and Reps. Mutzenberger, Rydell introduced:

SB 2331: A BILL for an Act to amend and reenact subsection 4 of section 40-57-03 of the North Dakota Century Code, relating to authority of municipalities to enter certain loan agreements under the Municipal Industrial Development Act with hospitals, nursing homes, or other health care facilities owned by nonprofit corporations.

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

Sens. Marks, Nelson, Krauter and Reps. Gorder, Schindler, Huether introduced:

SB 2332: A BILL for an Act to prohibit the assisting of suicide and to provide for actions against any person assisting in the commission of a suicide; and to provide a penalty.

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

Sens. Lindgren, Dotzenrod, Kelly and Reps. Larson, Kretschmar introduced:

SB 2333: A BILL for an Act to amend and reenact sections 11-09.1-03 and 11-09.1-04 of the North Dakota Century Code, relating to the submission of a proposed county home rule charter to a vote of qualified electors at a special election and the time of taking effect of an approved county home rule charter.

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

Sens. Lindgren, Kelly, Dotzenrod and Reps. Larson, Kretschmar introduced:

SB 2334: A BILL for an Act to amend and reenact section 11-09-02 of the North Dakota Century Code, relating to the submission of a proposed county managership form of government to a vote at the next primary or general election or a special election called by the board of county commissioners.

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

Sens. Nalewaja, Jerome, Traynor and Reps. Mahoney, Schmidt, Trautman introduced:

SB 2335: A BILL for an Act to amend and reenact subsection 1 of section 27-08.1-01 and section 27-08.1-03 of the North Dakota Century Code, relating to the jurisdictional limit and amount of counterclaims in small claims courts.

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

Sens. Nalewaja, Moore and Reps. R. Berg, Bernstein, Nicholas introduced:

SB 2336: A BILL for an Act to amend and reenact section 15-12-02 of the North Dakota Century Code, relating to courses of instruction and the academic year at the North Dakota state university of agriculture and applied science.

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

Sen. Dotzenrod introduced:

SB 2337: A BILL for an Act to amend and reenact section 57-02-11 of the North Dakota Century Code, relating to annual or biennial assessments of property; and to provide an effective date.

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

Sen. Mutch introduced:

SB 2338: A BILL for an Act to amend and reenact sections 49-18-32, 49-18-40, and 49-18-41 of the North Dakota Century Code, relating to identification certificates and certificate fees for motor carriers.

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

Sens. Heinrich, Freborg, Tennesfos and Reps. Oban, Ritter introduced:

SB 2339: A BILL for an Act to create and enact section 26.1-04-05.2 of the North Dakota Century Code, relating to payment for chiropractic services under health benefit policies or contracts; to amend and reenact section 26.1-04-16 of the North Dakota Century Code, relating to penalties for violating insurance contract provisions relating to misrepresentation and discrimination; and to provide a penalty.

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

Sen. Dotzenrod and Rep. Huether introduced:

SB 2340: A BILL for an Act to amend and reenact section 14-03-17 of the North Dakota Century Code, relating to the requirements for a marriage license application.

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

Sens. Mathern, Heigaard, Evanson and Reps. Scherber, Stofferahn, DeMers introduced:

SB 2341: A BILL for an Act to authorize the department of human services to contract with insurers to provide health insurance coverage; to provide an appropriation; and to provide an effective date.

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

Sen. Nelson and Rep. Belter introduced:

SB 2342: A BILL for an Act to amend and reenact sections 4-14.2-02 and 4-14.2-03 of the North Dakota Century Code, relating to the northern crops institute.

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

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 1026, HB 1046, HB 1052, HB 1066, HB 1097, HB 1108, HB 1115, HB 1119, HB 1121, HB 1144, HB 1183.

FIRST READING OF HOUSE BILLS

HB 1026: A BILL for an Act to amend and reenact section 54-44.3-12.1 of the North Dakota Century Code, relating to the effective date of compensation plan revisions for county employees covered by the state merit system.

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

HB 1046: A BILL for an Act relating to an employee day of rest; to repeal chapter 12.1-30 of the North Dakota Century Code, relating to the conduct of business on Sundays; to provide a penalty; and to declare an emergency.

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

HB 1052: A BILL for an Act to amend and reenact subsection 1 of section 53-06.1-14 of the North Dakota Century Code, relating to license fees for manufacturers of charitable gaming tickets and paper bingo cards.

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

HB 1066: A BILL for an Act to amend and reenact section 39-04-55 of the North Dakota Century Code, relating to the possession and presentation of vehicle registration cards.

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

HB 1097: A BILL for an Act to amend and reenact section 32-12-03 of the North Dakota Century Code, relating to the refusal of a claim by the responsible department, institution, agency, board, or commission before action may be brought against the state.

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

HB 1108: A BILL for an Act to amend and reenact section 54-44-04.9 of the North Dakota Century Code, relating to financial report for any state department, agency, board, commission, college, university, or institution.

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

HB 1115: A BILL for an Act to amend and reenact section 38-08-04.2 of the North Dakota Century Code, relating to the industrial commission's appointment of a director of oil and gas; and to repeal section 38-08-04.3 of the North Dakota Century Code, relating to the state geologist's duty to assist the industrial commission.

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

HB 1119: A BILL for an Act to amend and reenact subsections 1 and 4 of section 6-09.4-10 of the North Dakota Century Code, relating to the reserve fund of the municipal bond bank.

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

HB 1121: A BILL for an Act to create and enact two new subsections to section 39-03-09 of the North Dakota Century Code, relating to the powers and duties of the state highway patrol; and to amend and reenact subsection 11 of section 39-03-09 of the North Dakota Century Code, relating to the powers and duties of the state highway patrol.

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

HB 1144: A BILL for an Act to amend and reenact sections 39-28-02 and 39-28-03 of the North Dakota Century Code, relating to transferring responsibility for motorcycle safety courses and reimbursement for the cost of those courses from the superintendent of public instruction to the director of the department of transportation.

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

HB 1183: A BILL for an Act to amend and reenact subsection 3 of section 16.1-11-26 of the North Dakota Century Code, relating to the order in which names of state offices appear on the ballot.

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

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

MR. PRESIDENT: The Speaker has signed: SCR 4016.

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

MARION HOUN, Secretary