

JOURNAL OF THE SENATE

Fifty-second Legislative Assembly

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Bismarck, February 8, 1991

The Senate convened at 12:30 p.m., with President Omdahl presiding.

The prayer was offered by Sister Susan Lardy, Annunciation Priory, Bismarck.

The roll was called and all members were present except Senators Heigaard, Maxson, Satrom, and Tomac.

A quorum was declared by the President.

MESSAGE to the HOUSE from the SENATE (Marion Houn, Secretary)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2044, SB 2090, SB 2102, SB 2187, SB 2213, SB 2237, SB 2238, SB 2350, SB 2365, SB 2366.

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 1007, HB 1141, HB 1152, HB 1157, HB 1201, HB 1203, HB 1248, HB 1378, HB 1431, HB 1434, HB 1449, HB 1451, HB 1497, HB 1529.

REPORTS OF STANDING COMMITTEES

SB 2278: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2278 was placed on the Eleventh order on the calendar.

SB 2319: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2319 was placed on the Eleventh order on the calendar.

SB 2320: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO NOT PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2320 was placed on the Eleventh order on the calendar.

MOTIONS

SEN. WOGSLAND MOVED that SB 2109, which is on the Sixth order, be laid over two legislative days, which motion prevailed.

SEN. GRABA MOVED that SB 2285 be returned to the Senate floor from the Committee on Political Subdivisions for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. GRABA REQUESTED the unanimous consent of the Senate to withdraw SB 2285. There being no objection, it was so ordered by the President.

CONSIDERATION OF AMENDMENTS

SB 2212: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ page 368 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that SB 2249 be moved to the bottom of the Sixth order, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2311: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ page 369 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2332: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ page 369 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2406: SEN. LANGLEY (Committee on Industry, Business and Labor) MOVED that the amendments on SJ page 357 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2417: SEN. LANGLEY (Committee on Industry, Business and Labor) MOVED that the amendments on SJ pages 357-358 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2437: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ page 370 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that SB 2462 be moved to the bottom of the calendar, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2479: SEN. LANGLEY (Committee on Industry, Business and Labor) MOVED that the amendments on SJ page 370 be adopted and then be placed on the Eleventh order with DO NOT PASS, which motion prevailed.

SB 2512: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ page 358 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2169: SEN. TALLACKSON (Committee on Appropriations) MOVED that the amendments on SJ page 373 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. WOGSLAND MOVED that SB 2252, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2343: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ page 374 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2392: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ page 386 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2452: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ page 386 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2494: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ pages 386-387 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2535: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ page 387 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2544: SEN. HEINRICH (Committee on Education) MOVED that the amendments on SJ page 387 be adopted and then be placed on the Eleventh order with DO NOT PASS, which motion prevailed.

SB 2554: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ pages 387-388 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2384: SEN. MATHERN (Committee on Human Services and Veterans Affairs) MOVED that the amendments on SJ pages 385-386 be adopted and then be REREFERRED to the Committee on Appropriations with DO PASS, which motion prevailed.

MOTIONS

SEN. MATHERN MOVED that SB 2384 be further amended as follows:

Page 5, line 5, remove "not"

Page 5, line 12, replace the first underscored comma with "or" and remove the second underscored comma

Page 5, line 13, remove "or a licensed child-placing agency"

ReNUMBER accordingly

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

CONSIDERATION OF AMENDMENTS

SB 2249: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ pages 368-369 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

SB 2462: SEN. DOTZENROD (Committee on Finance and Taxation) MOVED that the amendments on SJ page 370 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

COMMUNICATION FROM GOVERNOR GEORGE A. SINNER

February 8, 1991

I request the advice and consent of the North Dakota Senate to the nomination of Cynthia Kaldor, RR 1, Box 61 A, Hillsboro, North Dakota 58045, to the office of State Board of Higher Education for the term of July 1, 1991 to July 1, 1998. Thank you.

MOTION

SEN. WOGSLAND MOVED that SB 2461, SB 2474, and SB 2777, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2496: A BILL for an Act to amend and reenact section 15-08-26 of the North Dakota Century Code, relating to the removal of or payment for improvements on school lands.

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 50 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nothing; O'Connell; Peterson; Redlin; Robinson; Schoenwald; Solberg; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

ABSENT AND NOT VOTING: Heigaard; Maxson; Satrom

SB 2496 passed and the title was agreed to.

SB 2498: A BILL for an Act to amend and reenact section 14-02.4-01, subsection 3 of section 14-02.4-02, sections 14-02.4-03, 14-02.4-06,

14-02.4-08, 14-02.4-09, and 14-02.4-18 of the North Dakota Century Code, relating to discriminatory employment 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 44 YEAS, 7 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

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

NAYS: Bowman; David; DeKrey; Mutch; Naaden; Solberg; Streibel

ABSENT AND NOT VOTING: Heigaard; Maxson

SB 2498 passed and the title was agreed to.

SB 2511: A BILL for an Act to amend and reenact subsection 15 of section 20.1-03-12 of the North Dakota Century Code, relating to licenses for nonresident green fur buyers or shippers.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 51 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; 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

ABSENT AND NOT VOTING: Heigaard; Maxson

SB 2511 passed and the title was agreed to.

SB 2518: A BILL for an Act to amend and reenact sections 43-09-13.2 and 43-18-11.4 of the North Dakota Century Code, relating to requirements for electrical inspectors and plumbing inspectors.

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 3 YEAS, 48 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Freborg; Kinnoin; Vosper

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

ABSENT AND NOT VOTING: Heigaard; Maxson

SB 2518 lost.

SB 2524: A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota Century Code, relating to political advertising at institutions of higher education.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 51 YEAS, 0 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Evanson; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; 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

ABSENT AND NOT VOTING: Heigaard; Maxson

SB 2524 passed and the title was agreed to.

REMARKS OF SENATOR SATROM

Mr. President and members of the Senate, I rise on a point of personal privilege. Mr. President and members of the Senate, it is our pleasure today to have a special nationally prominent guest with us, Mr. P. James Roosevelt, cousin of the former late President of the United States. I would like to offer a few remarks concerning the Roosevelt family and specifically, the twenty-sixth president.

Theodore Roosevelt said "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done better. The credit belongs to the man who is actually in the arena; whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again, because there is no effort without erring or shortcomings, but who does actually strive to do the deeds; who does the great enthusiasms, the great devotions; who spends himself in a worthy cause when the best knows in the end the triumph of high achievement; and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat." It always seemed to me that Theodore Roosevelt understood politics and probably the legislative process pretty well after those remarks of his.

Jim Roosevelt is a board member of the Theodore Roosevelt Medora Foundation. Over the period of recent years, he has been coming to those meetings regularly and with great devotion. He is a past president of the Theodore Roosevelt Association, a nationally chartered association to commemorate and preserve the history of the twenty-sixth president. I am proud to introduce Jim to the Senate today as a very loyal North Dakotan in the tradition of his cousin Theodore Roosevelt.

REMARKS OF P. JAMES ROOSEVELT

Obviously, I am honored more than I have been probably at any time in my life. But as Joe pointed out, let's not kid ourselves. The reasons you stood up and clapped, and the reason I am here is on account of one man, Theodore Roosevelt, and maybe even more importantly, because of one thing he said, which was, "If it had not been for my years in North Dakota, I would never have been President of the United States." Just think of that. What a connection, because for sure he is one of the ten most important people of the twentieth century, and if it had not been for North Dakota, that would not have been so. That is something you guys should be proud of, and ladies.

I do not want to take up your time. I know, as I say, you have given me more than you should, but I do want to say one thing that I am absolutely certain of: that if Theodore Roosevelt was here today and saw you ladies and gentlemen in action, he would have one word for it, and that one word would be "Bully"!

REQUEST

SEN. WOGSLAND REQUESTED that Senator Satrom's and P. James Roosevelt's remarks be printed in the Journal, which request was granted.

SECOND READING OF SENATE BILLS

SB 2538: A BILL for an Act to amend and reenact section 15-11-04 of the North Dakota Century Code, relating to required departments at the university of North Dakota.

ROLL CALL

The question being on the final passage of the bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 13 YEAS, 38 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Hanson, O.; Kinnoin; Krauter; Moore; Naaden; Nalewaja; Solberg; Vosper; Yockim

NAYS: Evanson; Freborg; Goetz; Graba; Hanson, E.; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Kelsh; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Meyer; Mushik; Mutch; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald; Stenehjem; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland

ABSENT AND NOT VOTING: Heigaard; Maxson

SB 2538 lost.

SB 2540: A BILL for an Act to amend and reenact section 15-40.1-07.3 of the North Dakota Century Code, relating to the weighting factors used to determine per-pupil payments for school districts that annex or reorganize with other school districts.

ROLL CALL

The question being on the final passage of the bill, which has been read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 16 YEAS, 34 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Hanson, O.; Kelsh; Kinnoin; Langley; Marks; Meyer; Moore; Naaden; O'Connell; Solberg; Streibel; Vosper

NAYS: Evanson; Freborg; Goetz; Graba; Hanson, E.; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelly; Krauter; Krebsbach; Lindaas; Lindgren; Lips; Mathern; Mushik; Mutch; Nalewaja; Nelson; Nething; Peterson; Redlin; Robinson; Schoenwald; Stenehjem; Tallackson; Tennefos; Thane; Tomac; Traynor; Wogsland; Yockim

ABSENT AND NOT VOTING: Heigaard; Maxson; Satrom

SB 2540 lost.

SB 2555: A BILL for an Act to amend and reenact subsection 2 of section 26.1-41-01 of the North Dakota Century Code, relating to basic no-fault insurance funeral benefits.

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 50 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Heigaard; Maxson; Satrom

SB 2555 passed and the title was agreed to.

MOTION

SEN. WOGSLAND MOVED that SB 2567, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4004: A concurrent resolution directing the Legislative Council to study, analyze, and evaluate, with assistance of a consultant, public policy as determined by the Legislative Assembly and its relationship to the state's ability to enhance economic development.

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

SCR 4004 was declared adopted.

MOTIONS

SEN. SOLBERG MOVED that the Senate reconsider its action whereby SB 2468 passed, which motion prevailed on a verification vote.

SEN. WOGSLAND MOVED that SB 2468, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2357: A BILL for an Act to provide for the creation of the northwest area water supply advisory committee and to authorize the state water commission to develop and construct a northwest area water supply project; 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 48 YEAS, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Heigaard; Maxson; Satrom; Solberg; Stenehjem

SB 2357 passed, the title was agreed to, and the emergency clause carried.

SB 2521: A BILL for an Act to amend and reenact subsection 2 of section 39-06.1-13 of the North Dakota Century Code, relating to certification of successful completion of a driver training course.

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

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

ABSENT AND NOT VOTING: Heigaard; Maxson; Mutch; Satrom; Solberg; Stenhjem

SB 2521 passed and the title was agreed to.

MOTION

SEN. TALLACKSON MOVED that SB 2296 be returned to the Senate floor from the Committee on Agriculture for the purpose of withdrawal, which motion prevailed.

REQUEST

SEN. TALLACKSON REQUESTED the unanimous consent of the Senate to withdraw SB 2296. There being no objection, it was so ordered by the President.

MOTIONS

SEN. WOGSLAND MOVED that the absent members be excused, which motion prevailed.

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 Thirteenth order of business, and at the conclusion of the Thirteenth order, the Senate stand adjourned until 1:00 p.m., Monday, February 11, 1991, which motion prevailed.

REPORTS OF STANDING COMMITTEES

SB 2039: Committee on Natural Resources (Sen. Meyer, Chairman) recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2039 was placed on the Eleventh order on the calendar.

SB 2199: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (5 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 2, after line 20, insert:

"b. A health care service provided in accordance with an agreement between a recognized union and its membership which authorizes a practice that would otherwise be prohibited by this section."

Page 2, line 21, replace "b" with "c"

Page 2, line 23, replace "c" with "d"

Renumber accordingly

SB 2228: Committee on Natural Resources (Sen. Meyer, Chairman) recommends DO NOT PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2228 was placed on the Eleventh order on the calendar.

SB 2349: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2349 was placed on the Eleventh order on the calendar.

SB 2373: Committee on Natural Resources (Sen. Meyer, Chairman) recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2373 was placed on the Eleventh order on the calendar.

SB 2481: Committee on Transportation (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO NOT PASS (6 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 10, after "animal" insert " , other than livestock,"

Re-number accordingly

SB 2484: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends DO PASS (6 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2484 was placed on the Eleventh order on the calendar.

SB 2490: Committee on Transportation (Sen. Schoenwald, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING). SB 2490 was placed on the Eleventh order on the calendar.

SB 2501: Committee on Natural Resources (Sen. Meyer, 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 14, remove the overstrike over "~~Nonresidents are not entitled to act as guides or~~"

Page 1, line 15, remove the overstrike over "~~outfitters in this state~~", after "state" insert " , except nonresidents who are employees of a resident licensed hunting guide may be licensed and may act as a guide while in the employ of the resident licensed guide", and remove the overstrike over the period

Re-number accordingly

SB 2503: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends DO PASS (5 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2503 was placed on the Eleventh order on the calendar.

SB 2517: Committee on Transportation (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 21, after the second underscored comma insert "cash-operated,"

Page 2, line 2, after "device" insert " . Self-service motor fuel dispensing units equipped with a card-operated, credit card-operated, cash-operated, or key-operated dispensing device are subject to and must conform with the emergency controls, emergency contact, and fire control standards as specified by the national fire protection association. In addition, the operating instructions, warning signs, and emergency instructions specified in the standards of the national fire protection association must be conspicuously posted in the dispensing area"

Re-number accordingly

SB 2530: Committee on Transportation (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS,

1 NAY, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 11, after "department" insert ", after performing an engineering study of the crossing,"

Page 1, line 12, overstrike "railway"

Page 1, line 13, overstrike "company operating the railroad thereat" and insert immediately thereafter "road authority with jurisdiction over the roadway" and after "designation" insert "and of the location where the stop sign is to be installed"

Page 1, line 14, overstrike "railway company" and insert immediately thereafter "road authority"

Page 1, line 15, overstrike the first "crossing", overstrike "in conspicuous places" and insert immediately thereafter "on separate posts at the designated location", and remove "The"

Page 1, remove lines 16 through 19

Page 2, line 28, remove "because service on the rail line has been"

Page 3, line 1, remove "abandoned"

Page 3, after line 2, insert:

"4. The director shall notify any railway company of a crossing under the jurisdiction of that railway company which the director has designated as exempt under this section and the road authority shall erect signs bearing the word "Exempt" in conspicuous places on each side of the crossing.

5. When a crossing has been designated an exempt crossing by the director, the director shall notify the affected local road authority and the director and the authority shall request the railway company to remove the crossing and replace it with a roadway comparable to that presently in existence on either side of the present crossing."

Re-number accordingly

SB 2532: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends DO NOT PASS (8 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2532 was placed on the Eleventh order on the calendar.

SB 2557: Committee on Transportation (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (5 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 22, replace "a law enforcement" with "an authorized emergency"

Page 2, line 1, after "vehicle" insert ", as defined in paragraph 2 of subdivision a of subsection 2 of section 39-01-01,"

Re-number accordingly

SB 2558: Committee on Transportation (Sen. Schoenwald, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2558 was placed on the Eleventh order on the calendar.

SCR 4022: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SCR 4022 was placed on the Eleventh order on the calendar.

FIRST READING OF HOUSE BILLS

HB 1007: A BILL for an Act making an appropriation for defraying the expenses of the Indian affairs commission of the state of North Dakota. Was read the first time and referred to the Committee on Appropriations.

HB 1141: A BILL for an Act to amend and reenact section 12-48-06.1 of the North Dakota Century Code, relating to the appointment of board members to the prison industry advisory committee.

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

HB 1152: A BILL for an Act to amend and reenact section 39-24-11 of the North Dakota Century Code, relating to penalties for failure to register ownership of snowmobiles and for trespassing with a snowmobile on posted land.

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

HB 1157: A BILL for an Act to amend and reenact section 39-29-12 of the North Dakota Century Code, relating to penalties for failure to register ownership of all-terrain vehicles and for trespassing with an all-terrain vehicle on posted land.

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

HB 1201: A BILL for an Act to amend and reenact sections 12-48-03.1, 12-48.1-01, 12-48.1-02, 12-51-01, 12-51-02, 12-51-04, 12-51-05, 12-51-06, 12-51-07, 12-51-09, 12-51-10, 12-51-11, 12-59-05, 12-59-07, subsection 6 of section 12-59-15, 12-59-16, paragraph 1 of subdivision c of subsection 1 of section 12.1-32-02, subsection 9 of section 12.1-32-02, subsection 4 of section 12.1-34-01, section 18-08-12, subsection 1 of section 54-14-03.2, and section 54-23.3-01 of the North Dakota Century Code, relating to changing the name of the North Dakota state farm to the Missouri River correctional center and providing that the department of corrections and rehabilitation is part of the office of the governor; and to repeal section 12-51-03 of the North Dakota Century Code, relating to the location and use of buildings of the North Dakota state farm.

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

HB 1203: A BILL for an Act to create and enact a new subsection to section 24-01-01.1 of the North Dakota Century Code, relating to definition of the term director; and to amend and reenact section 24-02-19 of the North Dakota Century Code, relating to department of transportation bidding procedures for construction, and equipment, materials, and supplies.

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

HB 1248: A BILL for an Act to create and enact sections 19-20.1-03.3, 19-20.1-03.4, and 19-20.1-05.1 of the North Dakota Century Code, relating to the registration, labeling, and storage of fertilizers; and to amend and reenact subsection 3 of section 4-35.1-01, sections 19-20.1-01, 19-20.1-02, 19-20.1-03, 19-20.1-03.1, 19-20.1-03.2, 19-20.1-04, 19-20.1-06, 19-20.1-07, 19-20.1-08, 19-20.1-10, 19-20.1-11, 19-20.1-12, 19-20.1-13, 19-20.1-14, 19-20.1-15, 19-20.1-16, 19-20.1-17, and 19-20.1-18 of the North Dakota Century Code, relating to the registration, labeling, licensing, inspection, sampling, and analysis of fertilizers, tonnage fees, and penalties for fertilizers and soil amendments; and to provide a penalty.

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

HB 1378: A BILL for an Act to amend and reenact subsection 17 of section 52-01-01 of the North Dakota Century Code, relating to the definition of an independent contractor for unemployment compensation purposes.

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

HB 1431: A BILL for an Act to amend and reenact section 15-10-02 of the North Dakota Century Code, relating to the state board of higher education.

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

HB 1434: A BILL for an Act to create and enact a new section to chapter 20.1-04 of the North Dakota Century Code, relating to gun dog permits and permit fees.

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

HB 1449: A BILL for an Act to amend and reenact sections 59-04-15 and 59-04-17 of the North Dakota Century Code, relating to powers and reports of trustees; and to repeal section 59-04-20 of the North Dakota Century Code, relating to evidence accompanying accounts of trustees.

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

HB 1451: A BILL for an Act to amend and reenact sections 10-15-07, 10-15-38, 10-15-52.3, 10-15-52.5, 10-15-53, subsection 11 of section 10-19.1-01, subsection 2 of section 10-19.1-03, sections 10-19.1-11, 10-19.1-14, subsection 2 of section 10-19.1-15, subsection 1 of section 10-19.1-16, section 10-19.1-23, subsection 2 of section 10-19.1-25, subsection 2 of section 10-19.1-99, subsection 4 of section 10-19.1-100, subsection 2 of section 10-19.1-101, subsection 2 of section 10-19.1-106, subsection 1 of section 10-19.1-108, subsection 3 of section 10-19.1-112, subsection 1 of section 10-19.1-113, sections 10-22-05, 10-22-06, 10-22-13, 10-22-14, 10-22-15, subsection 2 of section 10-23-01, sections 10-24-07.1, 10-24-08, 10-24-09, 10-24-28, 10-24-30, 10-24-35, 10-24-36, 10-24-38, 10-25-04, 10-26-05, 10-26-06, 10-27-05, 10-27-06, 10-27-08, 10-27-09, 10-27-13, 10-27-14, 10-27-15, and 54-56-04 of the North Dakota Century Code, relating to requirements for filing documents with the secretary of state and to the effective dates of certain documents filed with the secretary of state.

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

HB 1497: A BILL for an Act to amend and reenact subdivision c of subsection 1 of section 54-40.1-03 and subsections 1 and 9 of section 54-40.1-04 of the North Dakota Century Code, relating to membership, powers, and duties of regional planning councils.

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

HB 1529: A BILL for an Act to amend and reenact subsection 3 of section 15-47-38 of the North Dakota Century Code, relating to causes for immediate dismissal of a teacher

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

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

MARION HOUN, Secretary