

## JOURNAL OF THE SENATE

## Fifty-second Legislative Assembly

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Bismarck, February 28, 1991

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

The prayer was offered by Rev. Ronald Gough, First United Methodist Church, Mandan.

The roll was called and all members were present except Senators Evanson, Holmberg, Kelly, and Krebsbach.

A quorum was declared by the President.

## REPORTS OF STANDING COMMITTEES

HB 1411, as engrossed: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 15, after "cashing" insert "or accepting"

Page 1, line 16, after "cash" insert "or accept" and remove "as a"

Page 1, line 17, replace "service to" with "from"

Page 1, line 18, after "cashed" insert "or accepted" and remove "However, the person may not"

Page 1, remove line 19

Re-number accordingly

HB 1412, as engrossed: Committee on Industry, Business and Labor (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 20, after "~~Amend~~" insert "A certification must be verified every three years."

Re-number accordingly

## MOTIONS

SEN. WOGSLAND MOVED that the Senate amend Joint Rule 203 to read "thirty-seventh" legislative day instead of "thirty-sixth" legislative day, which motion prevailed.

SEN. WOGSLAND MOVED that Senate Rule 402, paragraph 3, be amended to read "forty-first" legislative day instead of "thirty-fourth" legislative day, which motion prevailed.

SEN. WOGSLAND MOVED that Senate Rule 402, paragraph 3, be amended to read "forty-eighth" legislative day instead of "thirty-seventh" legislative day, which motion prevailed.

## DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolution was delivered to the Secretary of State for his filing at the hour of 8:02 a.m., February 28, 1991: SCR 4004.

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

MR. SPEAKER: Due to problems in L. C., the processing of SB 2004 was delayed. The Senate has passed and your favorable consideration is requested on SB 2004.

CONSIDERATION OF AMENDMENTS

HB 1070: SEN. SCHOENWALD (Committee on Transportation) MOVED that the amendments on SJ page 809 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1224: SEN. SCHOENWALD (Committee on Transportation) MOVED that the amendments on SJ pages 809-810 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

HB 1480: SEN. KELLER (Committee on State and Federal Government) MOVED that the amendments on SJ page 810 be adopted and then be placed on the Fourteenth order with DO PASS, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

SCR 4007: A concurrent resolution directing the Legislative Council to study the feasibility of establishing programs for families and individuals receiving public assistance to permit them to develop skills that will lead to gainful employment.

SCR 4017: A concurrent resolution directing the Legislative Council to study the operation and effect of North Dakota's no-fault insurance law in comparison with no-fault insurance laws in other states.

SCR 4019: A concurrent resolution directing the Legislative Council to study methods for funding law enforcement training facilities and programs.

SCR 4031: A concurrent resolution directing the Legislative Council to study the desirability and feasibility of establishing a public guardianship program for indigent persons.

SCR 4032: A concurrent resolution directing the Legislative Council to study the desirability and feasibility of enhancing and improving the ability of existing civil legal services programs to provide for the delivery of civil legal services to the poor and developing equal access to civil legal services for the poor.

SCR 4033: A concurrent resolution directing the Legislative Council to study the cost containment effect of the certificate of need law.

SCR 4034: A concurrent resolution directing the Legislative Council to study the financial support for mandated special education programs and the method by which the Department of Public Instruction distributes the state grant program funds.

SCR 4036: A concurrent resolution directing the Legislative Council to study the structure, organization, and administration of the Workers Compensation Bureau, including the qualifications of the bureau's claims analysts and rehabilitation staff.

SCR 4040: A concurrent resolution directing the Legislative Council to study the conduct of administrative hearings by state agencies.

SCR 4041: A concurrent resolution directing the Legislative Council to study tax preferences under existing law, with emphasis on prevention of unfair competitive advantages to entities receiving tax preferences.

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

The resolutions were declared adopted on a voice vote.

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SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4039: A concurrent resolution directing the Legislative Council to study the priority of water rights and North Dakota's water permitting process.

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

SCR 4039 was declared adopted.

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SCR 4043: A concurrent resolution directing the Legislative Council to review and monitor the implementation of legislation establishing a single trial court of general jurisdiction.

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

SCR 4043 was declared adopted.

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SCR 4044: A concurrent resolution directing the Legislative Council to study court cases and state law regarding claim and delivery, as well as attachment.

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

SCR 4044 was declared adopted.

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MOTION

SEN. WOGSLAND MOVED that HB 1195 and HB 1047, which are on the Fourteenth order, be laid over one legislative day, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1114: A BILL for an Act to amend and reenact section 39-24-03 of the North Dakota Century Code, relating to registration of snowmobiles.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 50 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelsh; Kinnoin; Krauter; 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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1114 passed and the title was agreed to.

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HB 1216: A BILL for an Act to create and enact sections 23-16.1-02.1 and 23-16.1-02.2 of the North Dakota Century Code, relating to appointment of a receiver of a nursing facility in cases of imminent threats to life or health.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO PASS, the roll was called and there were 50 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kels; Kinnoin; Krauter; 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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1216 passed and the title was agreed to.

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HB 1286: A BILL for an Act to amend and reenact section 57-02-27.1 of the North Dakota Century Code, relating to assessed values for property acquired at tax sales; and to provide an effective date.

ROLL CALL

The question being on the final passage of the amended bill, which has been read and has committee recommendation of DO NOT PASS, the roll was called and there were 5 YEAS, 45 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bowman; Hanson, O.; Lindgren; Nalewaja; Solberg

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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1286 lost.

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HB 1025: A BILL for an Act to amend and reenact subsections 4 and 5 of section 28-32-02 of the North Dakota Century Code, relating to public comment on proposed administrative rules.

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, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kels; Kinnoin; Krauter; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; 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: Evanson; Kelly; Krebsbach; Naaden

HB 1025 passed and the title was agreed to.

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## SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3016: A concurrent resolution for the amendment of section 13 of article IV of the Constitution of North Dakota, relating to the effective date of legislation.

## 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 42 YEAS, 8 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Bowman; David; Hanson, O.; Moore; Mutch; Naaden; Solberg; Streibel

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HCR 3016 was declared adopted.

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## SECOND READING OF HOUSE BILLS

HB 1099: A BILL for an Act to create and enact section 47-30.1-02.1 of the North Dakota Century Code, relating to the dormancy period for uncashed checks; and to amend and reenact subsection 1 of section 47-30.1-06 of the North Dakota Century Code, relating to the dormancy period for deposits with banking and financial institutions.

## 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; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelsh; Kinnoin; Krauter; 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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1099 passed and the title was agreed to.

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HB 1128: A BILL for an Act to amend and reenact section 15-62.1-01 and subsection 2 of section 15-62.1-02 of the North Dakota Century Code, relating to the designation of the agency that administers state guarantee loan programs and authorization of expenditure of guarantee moneys.

## 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; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelsh; Kinnoin; Krauter; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Meyer; Moore; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Peterson; Redlin; Robinson; Satrom; Schoenwald;

Solberg; Stenehjelm; Streibel; Tallackson; Tennefos; Thane; Tomac; Traynor; Vosper; Wogsland; Yockim

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1128 passed and the title was agreed to.

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HB 1133: A BILL for an Act to prohibit the inhalation of vapors of certain volatile chemicals; to provide a penalty; 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 50 YEAS, 0 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1133 passed, the title was agreed to, and the emergency clause carried.

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HB 1136: A BILL for an Act to amend and reenact subsections 1 and 2 of section 50-24.4-01.1 of the North Dakota Century Code, relating to replacing the department of health and consolidated laboratories with the department of human services with regard to nursing home resident payment classifications and procedures for reconsideration.

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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1136 passed and the title was agreed to.

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HB 1202: A BILL for an Act to amend and reenact subsection 2 of section 39-20-04 and subsection 1 of section 39-20-05 of the North Dakota Century Code, relating to the time for entering a notice of intent to enter a guilty plea to a driving under the influence charge in lieu of a revocation of driving privileges and the time for scheduling an implied consent administrative hearing.

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; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelsh; Kinnoin; Krauter; 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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1202 passed and the title was agreed to.

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HB 1222: A BILL for an Act to amend and reenact sections 6-03-11, 6-03-13.5, subdivision a of subsection 2 of section 6-06-35, sections 6-06-36, and 6-06.1-05 of the North Dakota Century Code, relating to consolidation or merger of banking institutions, examination fees for national bank conversion or merger into a state-chartered bank, conversion or merger of a federal credit union into a state credit union, and examination fees of a credit union in liquidation.

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; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Ingstad; Jerome; Keller; Kelsh; Kinnoin; Krauter; 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

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1222 passed and the title was agreed to.

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HB 1235: A BILL for an Act to amend and reenact sections 43-33-01, 43-33-02, 43-33-02.1, 43-33-03, 43-33-04, 43-33-06, 43-33-07, 43-33-08, 43-33-09, 43-33-10, 43-33-11, 43-33-12, 43-33-13, 43-33-14, 43-33-15, and 43-33-17 of the North Dakota Century Code, relating to the board of hearing instrument dispensers; to repeal sections 43-33-05 and 43-33-16 of the North Dakota Century Code, relating to the board of hearing instrument dispensers and licensing of hearing instrument dispensers; 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 44 YEAS, 6 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

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

NAYS: Heigaard; Langley; Mutch; Naaden; O'Connell; Streibel

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1235 passed and the title was agreed to.

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HB 1312: A BILL for an Act to amend and reenact section 23-01-04.2 of the North Dakota Century Code, relating to the regulation of vaccine charges by the department of health and consolidated laboratories.

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, 1 NAY, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Bowman; David; DeKrey; Dotzenrod; Freborg; Goetz; Graba; Hanson, E.; Hanson, O.; Heigaard; Heinrich; Holmberg; Jerome; Keller; Kelsh; Kinnoin; Krauter; 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: Ingstad

ABSENT AND NOT VOTING: Evanson; Kelly; Krebsbach

HB 1312 passed and the title was agreed to.

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SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3013: A concurrent resolution directing the Legislative Council to study methods of funding higher education.

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

HCR 3013 was declared adopted.

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MOTIONS

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

SEN. WOGSLAND MOVED that the vote by which SCR 4039, SCR 4043, SCR 4044, SCR 4007, SCR 4017, SCR 4019, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4036, SCR 4040, and SCR 4041 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

SEN. WOGSLAND MOVED that HB 1072, HB 1095, HB 1176, and HB 1140 be returned to the Senate floor from the Committee on Industry, Business and Labor, which motion prevailed.

SEN. WOGSLAND MOVED that HB 1072, HB 1095, and HB 1176 be rereferred to the Committee on Natural Resources, which motion prevailed. Pursuant to Sen. Wogsland's motion, HB 1072, HB 1095 and HB 1176 were rereferred.

SEN. WOGSLAND MOVED that HB 1140 be rereferred to the Committee on Finance and Taxation, which motion prevailed. Pursuant to Sen. Wogsland's motion, HB 1140 was rereferred.

## POINT OF PERSONAL PRIVILEGE

SEN. STENEHJEM: Mr. President: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

A friend of mine, whom many members of the Senate know, is currently serving in the Persian Gulf in connection with Operation Desert Storm. He recently sent me a note I wanted to share with the Senate.

He wrote, "Dear Wayne, I thought you would enjoy getting a note from us North Dakota troops on the front. If you get a chance, tell the assembly that North Dakota sent its troops here better trained and better equipped than anybody else. It was very obvious. Because we were so efficient, the Seventh Corps is using us as a group instead of a battalion. We are the only battalion working directly for the medical brigade. Thank the people for their support. Sincerely, Ward Johnson. P.S. I miss North Dakota."

## MOTION

SEN. WOGSLAND MOVED that the rules be suspended and that SCR 4039, SCR 4043, SCR 4044, SCR 4007, SCR 4017, SCR 4019, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4036, SCR 4040, and SCR 4041 be messaged to the House immediately, which motion prevailed.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4007, SCR 4017, SCR 4019, SCR 4031, SCR 4032, SCR 4033, SCR 4034, SCR 4036, SCR 4039, SCR 4040, SCR 4041, SCR 4043, SCR 4044.

## 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 Thirteenth order of business, and at the conclusion of the Thirteenth order, the Senate stand adjourned until 12:30 p.m., Friday, March 1, 1991, which motion prevailed.

## REPORTS OF STANDING COMMITTEES

SCR 4029: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4029 was placed on the Eleventh order on the calendar.

SCR 4037: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SCR 4037 was placed on the Tenth order.

SCR 4042: Committee on Judiciary (Sen. Maxson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). The proposed amendment was placed on the Sixth order on the calendar.

Page 1, line 7, remove "Attorney General,"

Page 1, line 9, replace "Department of Transportation" with "Fire Marshal"

ReNUMBER accordingly

SCR 4046: Committee on Agriculture (Sen. Kelsh, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4046 was placed on the Tenth order.

SCR 4047: Committee on Finance and Taxation (Sen. Dotzenrod, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4047 was placed on the Tenth order.

SCR 4056: Committee on Agriculture (Sen. Kelsh, Chairman) recommends DO PASS (4 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING). SCR 4056 was placed on the Eleventh order on the calendar.

- HB 1030: Committee on Agriculture (Sen. Kelsh, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1030 was placed on the Fourteenth order on the calendar.
- HB 1034: Committee on Natural Resources (Sen. Meyer, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1034 was placed on the Fourteenth order on the calendar.
- HB 1038: Committee on Natural Resources (Sen. Meyer, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1038 was placed on the Fourteenth order on the calendar.
- HB 1055: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1055 was placed on the Fourteenth order on the calendar.
- HB 1056: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1056 was placed on the Fourteenth order on the calendar.
- HB 1065, as engrossed: Committee on Agriculture (Sen. Kelsh, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1065 was placed on the Fourteenth order on the calendar.
- HB 1080: Committee on Political Subdivisions (Sen. Graba, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1080 was placed on the Fourteenth order on the calendar.
- HB 1096: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1096 was placed on the Fourteenth order on the calendar.
- HB 1104: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1104 was placed on the Fourteenth order on the calendar.
- HB 1107: Committee on State and Federal Government (Sen. Keller, Chairman) recommends DO PASS (4 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1107 was placed on the Fourteenth order on the calendar.
- HB 1115: Committee on Natural Resources (Sen. Meyer, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1115 was placed on the Fourteenth order on the calendar.
- HB 1118: Committee on Agriculture (Sen. Kelsh, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1118 was placed on the Fourteenth order on the calendar.
- HB 1198: Committee on Agriculture (Sen. Kelsh, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1198 was placed on the Fourteenth order on the calendar.
- HB 1267: Committee on Natural Resources (Sen. Meyer, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1267 was placed on the Fourteenth order on the calendar.

#### FIRST READING OF SENATE CONCURRENT RESOLUTIONS

Committee on Appropriations introduced:

SCR 4057: A concurrent resolution directing the Legislative Council to study the feasibility and desirability of establishing a basic care program. Was read the first time and referred to the Committee on Appropriations.

Sen. Freborg introduced:

SCR 4061: A concurrent resolution directing the Legislative Council to study the investigation, prosecution, and treatment of offenders in child sexual abuse cases.

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

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

MARION HOUN, Secretary