

JOURNAL OF THE SENATE

Fifty-third Legislative Assembly

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Bismarck, January 29, 1993

The Senate convened at 12:30 p.m., with President Pro Tem Mushik presiding.

The prayer was offered by Senator Steve Tomac.

The roll was called and all members were present except Senators Goetz, Holmberg, Teneffos, and Traynor.

A quorum was declared by the President Pro Tem.

MESSAGE TO THE HOUSE FROM THE SENATE (CAROL SIEGERT, SECRETARY)

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2049, SB 2058, SB 2071, SB 2079, SB 2126, SB 2137, SB 2151, SB 2186, SB 2195, SB 2242, SB 2247, SB 2255, SB 2264, SB 2281, SCR 4008.

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)

MADAM PRESIDENT: The House has passed and your favorable consideration is requested on: HB 1011, HB 1082, HB 1096, HB 1140, HB 1141, HB 1165, HB 1183, HB 1184, HB 1208, HB 1209, HB 1291, HB 1306, HB 1309, HB 1362, HB 1394.

CONSIDERATION OF AMENDMENTS

SB 2031: SEN. MATHERN (Appropriations Committee) MOVED that the amendments on SJ page 251 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2215: SEN. KELSH (Education Committee) MOVED that the amendments on SJ page 251 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. MATHERN MOVED that SB 2072, which is on the Sixth order, be rereferred to the Education Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, SB 2072 was rereferred.

CONSIDERATION OF AMENDMENTS

SB 2231: SEN. KRAUTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ pages 252-255 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

CONSIDERATION OF AMENDMENTS

SB 2420: SEN. KRAUTER (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 256 be adopted and then be placed on the Eleventh order with DO PASS, which motion prevailed.

MOTION

SEN. MATHERN MOVED that SB 2012, which is on the Eleventh order, be rereferred to the Appropriations Committee, which motion prevailed. Pursuant to Sen. Mathern's motion, SB 2012 was rereferred.

MOTION

SEN. MATHERN MOVED that SB 2267 and SCR 4009, which are on the Eleventh order, be laid over one legislative day, which motion prevailed.

MOTION

SEN. O'CONNELL MOVED that the Senate reconsider its action whereby SB 2314 failed to pass, which motion prevailed on a verification vote.

MOTION

SEN. MATHERN MOVED that SB 2314 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2157: A BILL for an Act to amend and reenact sections 44-06-03 and 44-06-13.1 of the North Dakota Century Code, relating to notaries public.

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 0 YEAS, 45 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

NAYS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Maxson; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Tennefos; Traynor

SB 2157 lost.

MOTION

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

SECOND READING OF SENATE BILL

SB 2095: A BILL for an Act to amend and reenact subsection 1 of section 34-14-03 of the North Dakota Century Code, relating to employees who are separated from payroll before payday.

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 26 YEAS, 18 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: DeMers; Dotzenrod; Evanson; Graba; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Langley; Lindaas; Lips; Marks; Mathern; Mushik; O'Connell; Redlin; Robinson; Scherber; Schoenwald; Tallackson; Tomac; Wogsland; Yockim

NAYS: Andrist; Bowman; Freborg; Grindberg; Krebsbach; Lindgren; Mutch; Naaden; Nalewaja; Nelson; Nething; Sand; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Thane; Urlacher

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2095 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2175: A BILL for an Act to create and enact a new section to chapter 4-14.1 and a new section to chapter 6-09.10 of the North Dakota Century Code, relating to duties of the agricultural products utilization commission and the North Dakota credit review board; and to amend and reenact sections 4-14.1-03, 6-09.10-02, subsections 2, 3, and 6 of section 10-30.3-01, sections 10-30.3-03, 10-30.3-10, subsection 1 of section 10-30.3-11, subsection 2 of section 10-30.4-01, sections

10-30.4-03, 54-34.3-03, 54-34.3-05, 54-34.3-06, and 54-34.3-08 of the North Dakota Century Code, relating to composition of the credit review board, references to North Dakota Future Fund, Incorporated, definitions, composition of North Dakota Future Fund, Incorporated board, composition of the Technology Transfer, Incorporated board, hiring of the division director for finance for economic development and finance, and restructuring of the department of economic development and finance.

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 35 YEAS, 9 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Nalewaja; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Stenehjem, W.; Tallackson; Tomac; Wogsland; Yockim

NAYS: Bowman; Mutch; Naaden; Nelson; Solberg; Stenehjem, B.; Streibel; Thane; Urlacher

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2175 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2225: A BILL for an Act to create and enact a new section to chapter 26.1-40 of the North Dakota Century Code, relating to accident surcharge; and to amend and reenact subsection 5 of section 26.1-40-11 of the North Dakota Century Code, relating to prohibited reasons for declinations of automobile insurance.

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 37 YEAS, 7 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Marks; Mathern; Mushik; Mutch; Nalewaja; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, W.; Streibel; Tallackson; Tomac; Urlacher; Wogsland; Yockim

NAYS: Evanson; Freborg; Lips; Naaden; Nelson; Stenehjem, B.; Thane

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2225 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2229: A BILL for an Act to provide for a continuing appropriation of lignite research funds; and to amend and reenact section 54-17.5-05 of the North Dakota Century Code, relating to lignite resource evidences of indebtedness issued by the industrial commission.

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, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2229 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2312: A BILL for an Act to amend and reenact sections 15-28-01, 15-28-02, 15-28-03, 15-28-09, 15-28-11, 15-29-01, 15-29-01.1, 15-29-03, 15-29-05, and 15-29-06 of the North Dakota Century Code, relating to the inclusion of a nonvoting advisory student member on the boards of public school 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 18 YEAS, 26 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: DeMers; Evanson; Graba; Grindberg; Keller; Kelly; Kelsh; Lindaas; Mathern; Mushik; O'Connell; Redlin; Scherber; Schoenwald; Stenehjem, B.; Stenehjem, W.; Tallackson; Yockim

NAYS: Andrist; Bowman; Dotzenrod; Freborg; Heinrich; Jerome; Kinnoin; Krauter; Krebsbach; Langley; Lindgren; Lips; Marks; Mutch; Naaden; Nalewaja; Nelson; Nething; Robinson; Sand; Solberg; Streibel; Thane; Tomac; Urlacher; Wogsland

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2312 lost.

SECOND READING OF SENATE BILL

SB 2328: A BILL for an Act to create and enact a new subsection to section 26.1-34-01 of the North Dakota Century Code, relating to required annuity contract provisions.

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, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2328 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2407: A BILL for an Act to amend and reenact section 12.1-30-02 of the North Dakota Century Code, relating to items prohibited from sale or rental on Sunday.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 1 NAY, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B. Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

NAYS: Kelsh

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2407 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2416: A BILL for an Act to amend and reenact section 59-02-08 of the North Dakota Century Code, relating to adoption of a "prudent investor" standard for investment of funds by a trustee.

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, 0 NAYS, 0 EXCUSED, 5 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Tennefos; Traynor

SB 2416 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2249: A BILL for an Act providing an appropriation for the continuation of the professional development services to middle-level teachers and administrators.

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 8 YEAS, 35 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Evanson; Graba; Mathern; Nalewaja; Redlin; Tallackson; Thane; Yockim

NAYS: Andrist; Bowman; DeMers; Dotzenrod; Freborg; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mushik; Naaden; Nelson; Nething; O'Connell; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tomac; Urlacher; Wogsland

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Mutch; Tennefos; Traynor

SB 2249 lost.

SECOND READING OF SENATE BILL

SB 2299: A BILL for an Act to amend and reenact subsection 2 of section 39-08-01 of the North Dakota Century Code, relating to sentences for persons operating a motor vehicle while under the influence of intoxicating liquor or any other drug or substance.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B. Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Mutch; Tennefos; Traynor

SB 2299 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2318: A BILL for an Act to amend and reenact section 16.1-03-08 of the North Dakota Century Code, relating to the membership of the state committee of a political party.

CONFLICT OF INTEREST

SEN. MUSHIK STATED that she had a conflict of interest on SB 2318 and requested permission to vote.

The question being on whether Sen. Mushik could vote on SB 2318, which request was granted.

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, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Naaden; Nalewaja; Nelson; Nething; O'Connell; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Mutch; Redlin; Tennefos; Traynor

SB 2318 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2336: A BILL for an Act to amend and reenact subsection 4 of section 19-03.1-37 of the North Dakota Century Code, relating to the receipt of

certified copy of analytical findings as prima facie evidence of test results in prosecutions.

ROLL CALL

The question being on the final passage of the bill, which has been read, and has committee recommendation of DO PASS, the roll was called and there were 43 YEAS, 0 NAYS, 0 EXCUSED, 6 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B. Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Mutch; Tennefos; Traynor

SB 2336 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2372: A BILL for an Act to amend and reenact section 49-18-15 of the North Dakota Century Code, relating to a motor carrier application protest 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 34 YEAS, 8 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Mathern; Naaden; Nalewaja; Nelson; Nething; O'Connell; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B.; Streibel; Tallackson; Thane; Urlacher; Wogsland

NAYS: DeMers; Dotzenrod; Keller; Marks; Mushik; Redlin; Tomac; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Mutch; Stenehjem, W.; Tennefos; Traynor

SB 2372 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2374: A BILL for an Act to amend and reenact section 30.1-29-14 of the North Dakota Century Code, relating to the compensation of a conservator.

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, 0 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Graba; Grindberg; Heinrich; Jerome; Keller; Kelly; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Mathern; Mushik; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Scherber; Schoenwald; Solberg; Stenehjem, B. Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Mutch; Stenehjem, W.; Tennefos; Traynor

SB 2374 passed and the title was agreed to.

SECOND READING OF SENATE BILL

SB 2330: A BILL for an Act to require doctors to report confirmed diagnoses of cancer to the state 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 NOT PASS, the roll was called and there were 19 YEAS, 23 NAYS, 0 EXCUSED, 7 ABSENT AND NOT VOTING.

YEAS: DeMers; Dotzenrod; Evanson; Graba; Kelly; Kelsh; Kinnoin; Krauter; Langley; Lindaas; Mathern; Mushik; Redlin; Robinson; Schoenwald; Tallackson; Thane; Tomac; Yockim

NAYS: Andrist; Bowman; Freborg; Grindberg; Heinrich; Jerome; Keller; Krebsbach; Lindgren; Lips; Marks; Naaden; Nalewaja; Nelson; Nething; O'Connell; Sand; Scherber; Solberg; Stenehjem, B.; Streibel; Uriacher; Wogsland

ABSENT AND NOT VOTING: Goetz; Holmberg; Maxson; Mutch; Stenehjem, W.; Tennefos; Traynor

SB 2330 lost.

MOTION

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

MOTION

SEN. MATHERN MOVED that the Senate be on the Fifth, Ninth, Twelfth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Monday, February 1, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2028: Human Services Committee (Sen. Mathern, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2028 was placed on the Sixth order on the calendar.

Page 1, line 2, replace "child" with "early childhood facilities"

Page 1, line 3, remove "care providers"

Page 1, replace lines 8 through 20 with:

"Child care assistance service fee - When imposed - Special account. The department may charge early childhood facilities a proportional monthly service fee, based on the number of hours care is provided for a child of up to twenty-five dollars for each child cared for by the facility for whom at least a portion of the child care services costs are paid by the department. Each early childhood facility shall keep records necessary to support the amounts paid under this section for at least two years. Each early childhood facility shall pay the fees thirty days after the close of each calendar quarter and the department shall deposit the moneys in a special account in the state treasury. Moneys in the account may be spent only for matching federal funds for child care services reimbursements paid by the

department under child care assistance programs. For good cause, the department may extend the time within which a facility is required to pay the fee. Within the limits of federal regulations, the department may withhold the fee from payments made to early childhood facilities in lieu of the facilities paying the fee to the department. The fee provided by this section is imposed only when the funds collected under this section may be used to match federal funds and the department directly reimburses early childhood facilities monthly under child care assistance programs administered by the department."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2029: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2029 was placed on the Sixth order on the calendar.

Page 1, line 8, after "appropriations" insert "from federal funds"

Page 1, line 10, after the period insert "School districts shall, whenever possible, contract with licensed day care providers for before and after school child care services on the providers' premises."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2036: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2036 was placed on the Sixth order on the calendar.

Page 1, line 1, remove "create and enact section 15-40.1-18.1 of the North"

Page 1, remove line 2

Page 1, line 3, remove "transportation aid payments; and to" and after "reenact" insert "subsection 3 of"

Page 1, line 4, after "to" insert "the calculation of"

Page 1, line 6, replace "Section" with "Subsection 3 of section"

Page 1, remove lines 8 through 22

Page 2, remove lines 1 through 29

Page 3, remove lines 1 through 19

Page 3, line 20, remove the overstrike over "~~in determining the amount of~~", after "payment" insert "payments", and remove the overstrike over "~~due school districts for~~"

Page 3, line 21, remove the overstrike over "~~per pupil~~" and insert immediately thereafter "and transportation", remove the overstrike over "~~aid under this section, the~~" and insert immediately thereafter "amount of per-pupil aid and transportation aid for which a school district is eligible must be added together, and from that total, the", and remove the overstrike over "~~following amounts must be~~"

Page 3, line 22, remove the overstrike over "~~subtracted~~" and remove the overstrike over the colon

Page 3, line 23, remove the overstrike over "~~a. The product of~~"

Page 3, line 24, remove the overstrike over "~~twenty-two mills~~" and remove the overstrike over "~~times the latest~~"

Page 3, remove the overstrike over lines 25 through 29

Page 4, remove lines 1 through 26

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2135: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO NOT PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2135 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2179: Education Committee (Sen. Heinrich, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). SB 2179 was placed on the Sixth order on the calendar.

Page 1, line 9, remove ", private," and replace "parochial" with "nonpublic"

Page 1, line 10, after the underscored comma insert "licensed"

Page 1, line 11, after the first underscored comma insert "licensed"

Page 2, line 9, after "records" insert "or proof of identity"

Page 3, line 18, overstrike "as well as any" and after "care" insert "centers, licensed child care"

Page 3, line 19, after "facilities" insert ", headstart programs, and nursery schools", overstrike ", private,", and overstrike "parochial" and insert immediately thereafter "nonpublic"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2222: Judiciary Committee (Sen. Maxson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2222 was placed on the Sixth order on the calendar.

Page 1, line 1, replace the first comma with "and", replace "sections" with "section", and remove ", and"

Page 1, line 2, remove "57-38-60.3"

Page 1, line 4, remove "of a partner and"

Page 4, line 9, after "bylaws" insert "or the articles of organization and operating agreement"

Page 183, line 13, after "or" insert "any member, employee, governor, or manager of a"

Page 184, remove lines 5 through 14

Page 185, line 17, replace "25" with "24"

Page 185, line 18, replace "24" with "23"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2223: Judiciary Committee (Sen. Maxson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2223 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2239: Industry, Business and Labor Committee (Sen. Langley, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2239 was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "person, to be eligible to such appointment, at the"

Page 1, line 13, overstrike "time of appointment," and insert immediately thereafter "notary public"

Page 1, line 14, remove "Minnesota, Montana, or South Dakota"

Page 1, line 15, after "state" insert "and which is in a state that extends reciprocity to a notary public who resides in a border county of this state" and remove "Minnesota, Montana, or South"

Page 1, line 16, remove "Dakota"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2244: Judiciary Committee (Sen. Maxson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2244 was placed on the Sixth order on the calendar.

Page 1, line 13, remove the overstrike over "~~ninety~~"

Page 1, line 14, remove "one hundred eighty" and after the period insert "However, the length of confinement of a prisoner may be temporarily increased on a case-by-case basis upon the request of the jail administrator and the approval of the department of corrections and rehabilitation."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2254: Transportation Committee (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2254 was placed on the Sixth order on the calendar.

Page 2, line 15, overstrike "; however, the" and insert immediately thereafter "for the first offense and a fee of two hundred fifty dollars for a subsequent offense. The"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2261: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2261 was placed on the Sixth order on the calendar.

Page 1, line 3, after "assessments" insert "; and to provide an effective date"

Page 1, after line 21, insert:

"SECTION 2. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1992."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2274: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2274 was placed on the Sixth order on the calendar.

Page 1, line 4, replace "bike paths" with "bikeways"

Page 1, line 21, remove the overstrike over "~~street~~" and replace "transportation" with "or bikeway"

Page 2, line 4, replace "bike path" with "bikeway"

Page 2, line 27, replace "bike paths" with "bikeways"

Page 3, line 12, remove the overstrike over "~~street~~" and remove "transportation"

Page 3, line 13, replace "bike path" with "bikeway"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2283: Transportation Committee (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2283 was placed on the Sixth order on the calendar.

Page 2, line 7, after "section" insert "while driving or being in actual physical control of a motor vehicle"

Page 2, remove lines 13 through 15

Page 2, line 16, remove "suspension ordered under this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2288: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2288 was placed on the Sixth order on the calendar.

Page 1, line 10, after "property" insert ", exclusive of land,"

Page 1, line 12, remove "predominantly"

Page 1, line 22, after "property" insert ", exclusive of land,"

Page 2, line 1, after "improvement" insert "on which construction or installation was commenced after December 31, 1992,"

Page 2, line 6, after "whether" insert "the property proposed for exemption is" and replace "qualifies" with "and may grant"

Page 2, line 7, remove "for" and after "exemption" insert "for the pollution abatement improvement"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2306: Judiciary Committee (Sen. Maxson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2306 was placed on the Sixth order on the calendar.

Page 1, line 7, remove the overstrike over "~~is pending~~" and remove "has been filed"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2308: Judiciary Committee (Sen. Maxson, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2308 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2331: Human Services Committee (Sen. Mathern, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2331 was placed on the Sixth order on the calendar.

Page 1, line 3, after "needs" insert "; and to declare an emergency"

Page 2, after line 3, insert:

"SECTION 2. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2335: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends DO PASS (3 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2335 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2337: Human Services Committee (Sen. Mathern, Chairman) recommends DO NOT PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2337 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2338: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2338 was placed on the Sixth order on the calendar.

Page 3, line 14, after the period insert "The cost of any street improvement project that is subsequently special assessed may be the sinking fund depreciated cost based on the applicable life cycle for the type of street improvement as determined by the city engineer."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2341: Judiciary Committee (Sen. Maxson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2341 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "Members of" with "The" and replace "unions must be allowed" with "union may allow members"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2366: Judiciary Committee (Sen. Maxson, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2366 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2377: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2377 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2381: Transportation Committee (Sen. Schoenwald, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). SB 2381 was placed on the Sixth order on the calendar.

Page 1, line 10, remove "1." and after "individual" insert "over the age of eighteen"

Page 1, line 11, replace "a." with "1."

Page 1, line 13, replace "b." with "2."

Page 1, remove lines 16 through 21

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2383: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2383 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2386: Natural Resources Committee (Sen. Keller, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2386 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2387: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2387 was placed on the Sixth order on the calendar.

Page 1, line 19, replace "unused" with "unusable"

Page 2, line 11, replace "unused" with "unusable"

Page 3, line 9, replace "unused" with "unusable"

Re-number accordingly

REPORT OF STANDING COMMITTEE

SB 2406: Judiciary Committee (Sen. Maxson, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2406 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2414: Agriculture Committee (Sen. Kelsh, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2414 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2437: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2437 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2439: Government and Veterans Affairs Committee (Sen. Tomac, Chairman) recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2439 was placed on the Eleventh order on the calendar.

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

CAROL SIEGERT, Secretary