

JOURNAL OF THE SENATE

Fifty-third Legislative Assembly

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Bismarck, February 12, 1993

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

The prayer was offered by Deacon Edward Johnson, United Tribes Technical College, Bismarck.

The roll was called and all members were present except Senator Traynor.

A quorum was declared by the President.

SIGNING OF BILLS AND RESOLUTIONS

The President signed the following enrolled bills: SB 2112, SB 2121.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2112, SB 2121.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SB 2152, SB 2311, SB 2353, SB 2368, SB 2396, SB 2398, SB 2400, SB 2404, SB 2411, SB 2422, SB 2427, SB 2438, SB 2444, SB 2446, SB 2448, SB 2454, SB 2455, SB 2459, SB 2463, SB 2464, SB 2467, SB 2469, SB 2475, SB 2476, SB 2477, SB 2479, SB 2493, SB 2495, SB 2521, SB 2528, SB 2529, SCR 4023.

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 1012, HB 1016, HB 1032, HB 1155, HB 1270, HB 1277, HB 1296, HB 1349, HB 1406, HB 1417, HB 1426, HB 1436, HB 1467, HB 1497, HB 1501, HCR 3018, HCR 3019, HCR 3041.

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 1020.

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

MADAM PRESIDENT: The Speaker has signed: SB 2075, SB 2268, SCR 4006.

FIRST READING OF SENATE CONCURRENT RESOLUTION

Sens. Lindgren, Krauter, Mathern, Nelson and Reps. Gates, Gorman introduced: SCR 4029: A concurrent resolution commending the efforts of the volunteers and staff involved with the Dollars for Scholars program. Was read the first time.

MOTION

SEN. HEINRICH MOVED that the rules be suspended, that SCR 4029 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Sens. Lindgren, Krauter, Mathern, Nelson and Reps. Gates, Gorman introduced:

SENATE CONCURRENT RESOLUTION NO. 4029

A concurrent resolution commending the efforts of the volunteers and staff involved with the Dollars for Scholars program.

WHEREAS, North Dakota, like many other states, faces increasing difficulty in funding primary, secondary, and higher education; and

WHEREAS, higher education costs continue to rise, thereby placing a greater burden upon students and their families; and

WHEREAS, North Dakota continues to support and encourage the education of all students in order to ensure individual growth and the variety of benefits that educated individuals bring to the state; and

WHEREAS, the Citizens' Scholarship Foundation of America has, through the Dollars for Scholars program, raised over \$725,000 in endowment funds through 31 community chapters; and

WHEREAS, this effort resulted in North Dakota colleges and universities receiving nearly \$250,000 in cross-match grants from the Citizens' Scholarship Foundation of America; and

WHEREAS, in 1991 and 1992, this effort resulted in 350 scholarship awards to young North Dakotans, totaling over \$111,000; and

WHEREAS, the national office of the Citizens' Scholarship Foundation of America has recognized that in the last year, the percentage increase of scholarship dollars available through the North Dakota Dollars for Scholars chapters is 10 times greater than the percentage increase nationally; and

WHEREAS, the growth in the number of North Dakota Dollars for Scholars chapters is five times greater than the national average; and

WHEREAS, opportunities to develop additional Dollars for Scholars chapters in North Dakota communities remain available;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Fifty-third Legislative Assembly commends the volunteers and staff involved in the Dollars for Scholars program for the national recognition they received because of their outstanding contributions to the students and the citizens of North Dakota; and

BE IT FURTHER RESOLVED, that the citizens of North Dakota are encouraged to develop and support Dollars for Scholars chapters in order to provide increased educational opportunities for students seeking higher education; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the national office of the Citizens' Scholarship Foundation of America in St. Peter, Minnesota, and to Mr. Robert J. Alin, the North Dakota Volunteer Area Director, in West Fargo, North Dakota.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4029: A concurrent resolution commending the efforts of the volunteers and staff involved with the Dollars for Scholars program.

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

SCR 4029 was declared adopted on a voice vote.

MOTION

SEN. HEINRICH MOVED that the Senate reconsider its action whereby SCR 4029 passed, which motion prevailed.

MOTION

SEN. HEINRICH MOVED that the rules be suspended and that SCR 4029 be messaged to the House immediately, which motion prevailed.

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

MR. SPEAKER: The Senate has passed and your favorable consideration is requested on: SCR 4029.

FIRST READING OF HOUSE CONCURRENT RESOLUTION

HCR 3051: A concurrent resolution expressing support for the efforts to continue operation of the Minot Air Force Base and Grand Forks Air Force Base.

Was read the first time.

MOTION

SEN. DEMERS MOVED that the rules be suspended, that HCR 3051 not be printed, not be referred to committee, but be read in its entirety, be printed in the Journal and placed on the calendar for second reading and final passage, which motion prevailed.

Reps. Clayburgh, C. Carlson, Gates, Glassheim, Klein, Maragos, D. Olsen, Poolman, Porter, Price, Ring, Shide, St. Aubyn, Svedjan, Thorpe, Timm, Tollefson, Wentz and Sens. DeMers, Graba, Holmberg, Krebsbach, Maxson, Mutch, Redlin, Schoenwald, W. Stenehjem introduced:
(Approved by the Delayed Bills Committee)

HOUSE CONCURRENT RESOLUTION NO. 3051

A concurrent resolution expressing support for the efforts to continue operation of the Minot Air Force Base and Grand Forks Air Force Base.

WHEREAS, the Grand Forks Air Force Base is located 16 miles west of Grand Forks and the Minot Air Force Base is located 13 miles north of Minot; and

WHEREAS, the major tenants of the Grand Forks Air Force Base are the 319th Bomb Wing including 17 B-1B bombers, the 905th AREFS including 13 KC-135R tankers and the 321st Missile Wing including 150 Minuteman III missiles; and

WHEREAS, the major tenants of the Minot Air Force Base are the 5th Bomb Wing including 16 B-52H bombers, the 906th AREFS including 18 KC-135 tankers and the 91st Missile Wing including 150 Minuteman III missiles; and

WHEREAS, the combined employment of the Grand Forks and Minot Air Force bases includes approximately 9,500 military and 1,200 civilian employees; and

WHEREAS, the Grand Forks and Minot Air Force bases have been an active part of the state's social, economic, and historical background for over 30 years; and

WHEREAS, the combined economic impact of the Grand Forks and Minot Air Force bases is over \$400 million annually to the state; and

WHEREAS, closure of either one of the Air Force bases would have an extremely detrimental economic impact on the city, county, and state structure of government; and

WHEREAS, the location of the Grand Forks and Minot Air Force bases render them essential to the defense of the United States; and

WHEREAS, the communities of Grand Forks and Minot have been actively engaged in promoting a continued presence by the Air Force at the Grand Forks and Minot Air Force bases;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Fifty-third Legislative Assembly supports the efforts of many individuals and groups to ensure the continued operation of the Grand Forks Air Force Base and Minot Air Force Base;

BE IT FURTHER RESOLVED, that the Secretary of State forward copies of this resolution to the Secretary of the Department of Defense, Joint Chiefs of Staff, Commander - Air Combat Command, Commander - Air Mobility Command, mayors of Grand Forks and Minot, and to each member of the North Dakota Congressional Delegation.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3051: A concurrent resolution expressing support for the efforts to continue operation of the Minot Air Force Base and Grand Forks Air Force Base.

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

HCR 3051 was declared adopted on a voice vote.

MOTION

SEN. DEMERS MOVED that the Senate reconsider its action whereby HCR 3051 passed, which motion prevailed.

MOTION

SEN. DEMERS MOVED that the rules be suspended and that HCR 3051 be messaged to the House immediately, which motion prevailed.

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

MR. SPEAKER: The Senate has passed unchanged: HCR 3051.

MOTION

SEN. MATHERN MOVED that SB 2426 be placed at the top of the Eleventh order, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2426: A BILL for an Act relating to the provision of health care for residents of this state; to create and enact a new subsection to section 23-01-03, a new subsection to section 23-17.2-02, a new subdivision to subsection 1 of section 23-17.2-03, a new subsection to section 23-17.2-03, a new subsection to section 26.1-04-03, two new sections to chapter 26.1-36, three new sections to chapter 50-24.1, a new subdivision to subsection 1 of section 57-38-01.2, a new subsection to section 57-38-30.3, and a new section to chapter 57-38 of the North Dakota Century Code, relating to the duties of the North Dakota health council, the definition of long-term care facility, the certificate of need program, unfair insurance practices, a health plan for children and pregnant women, and income tax deductions for long-term care insurance; to amend and reenact subsection 7 of section 23-17.2-02, sections 26.1-18-12, and 26.1-36-37.1 of the North Dakota Century Code, relating to the definition of health care facility, prohibiting copayments and deductibles for prenatal care and preventive services, and a standard health insurance proof of loss and claim form; and to provide an appropriation.

MOTION

SEN. WOGSLAND MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the amended bill, which has been

read, and is PLACED ON THE CALENDAR WITHOUT RECOMMENDATION, the roll was called and there were 27 YEAS, 21 NAYS, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

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

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

ABSENT AND NOT VOTING: Traynor

SB 2426 passed and the title was agreed to.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Representative and Highway Commissioner Dick Backes

SECOND READING OF SENATE BILL

SB 2323: A BILL for an Act to amend and reenact section 43-15-35 of the North Dakota Century Code, relating to requirements for a permit to operate a pharmacy.

MOTION

SEN. LINDGREN MOVED that SB 2323 be amended as follows, which motion failed.

Page 1, line 21, remove the overstrike over "The applicant for", after "such" insert "the", and remove the overstrike over "permit is qualified to conduct the pharmacy,"

Page 1, remove the overstrike over line 22

Page 2, remove the overstrike over line 1

Page 2, line 2, remove the overstrike over "in good standing, or a corporation or association,"

Page 2, line 3, after the first "in" insert "at least twenty-five percent of" and remove the overstrike over "which is owned by registered pharmacists in good standing,"

Page 2, remove the overstrike over lines 4 and 5

Page 2, line 6, remove the overstrike over "6."

Page 2, remove the overstrike over lines 10 through 16

Renumber accordingly

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 6 YEAS, 41 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: Grindberg; Kelly; Lindgren; Maxson; Nalewaja; Stenehjem, W.

NAYS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Heinrich; Holmberg; Jerome; Keller; Kelsh; Kinnoin; Krauter; Krebsbach; Langley; Lindaas; Lips; Marks; Mathern; Mushik; Mutch; Naaden; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Schoenwald; Solberg;

Stenehjem, B.; Streibel; Tallackson; Tennefos; Thane; Tomac; Urlacher; Wogsland; Yockim

ABSENT AND NOT VOTING: Scherber; Traynor

SB 2323 lost.

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

MADAM PRESIDENT: The Speaker has signed: SB 2112, SB 2121.

THE SENATE RECOGNIZED THE PRESENCE OF:

Former Senator Jerry Meyers

MOTION

SEN. WOGSLAND MOVED that SB 2432, which is on the Eleventh order, be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILL

SB 2047: A BILL for an Act to amend and reenact subsection 4 of section 16.1-08-02, sections 16.1-08.1-01, 16.1-08.1-02, 16.1-08.1-03, 16.1-08.1-03.1, 16.1-08.1-04, and 16.1-08.1-07 of the North Dakota Century Code, relating to campaign contribution statements; and to provide a penalty.

MOTION

SEN. YOCKIM MOVED that SB 2047 be amended as follows:

Page 1, line 2, after the fourth comma insert "and"

Page 1, line 3, remove ", and 16.1-08.1-07"

Page 1, line 4, remove "; and to provide a penalty"

Page 4, line 13, remove "Political subdivision includes city, county, township, park"

Page 4, remove lines 14 and 15

Page 4, line 16, remove "8." and remove "political subdivision."

Page 6, line 10, remove "political subdivision"

Page 6, line 11, remove "or"

Page 9, remove lines 11 through 20

ReNUMBER accordingly

REQUEST

SEN. YOCKIM REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2047, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to SB 2047, the roll was called and there were 18 YEAS, 29 NAYS, 0 EXCUSED, 2 ABSENT AND NOT VOTING.

YEAS: DeMers; Graba; Heinrich; Jerome; Keller; Kelly; Kelsh; Krauter; Mathern; Mushik; O'Connell; Redlin; Robinson; Schoenwald; Tallackson; Tomac; Wogsland; Yockim

NAYS: Andrist; Bowman; Dotzenrod; Evanson; Freborg; Goetz; Grindberg; Holmberg; Kinnoin; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; Sand; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Urlacher

ABSENT AND NOT VOTING: Scherber; Traynor

The proposed amendments to SB 2047 failed.

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 12 YEAS, 34 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: DeMers; Graba; Heinrich; Keller; Kelly; Kelsh; Krauter; Mathern; Mushik; Tallackson; Tomac; Yockim

NAYS: Andrist; Bowman; Dotzenrod; Evanson; Freborg; Goetz; Grindberg; Holmberg; Jerome; Kinnoin; Krebsbach; Langley; Lindaas; Lindgren; Lips; Marks; Maxson; Mutch; Naaden; Nalewaja; Nelson; Nething; O'Connell; Redlin; Robinson; Sand; Schoenwald; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tennefos; Thane; Urlacher

ABSENT AND NOT VOTING: Scherber; Traynor; Wogsland

SB 2047 lost.

MOTION

SEN. MATHERN MOVED that the Senate stand in recess until 2:30 p.m., which motion prevailed.

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

SECOND READING OF SENATE BILL

SB 2090: A BILL for an Act to authorize the industrial commission acting as the North Dakota building authority to issue evidences of indebtedness, or in the alternative, to authorize the administrative committee on veterans' affairs to obtain a loan to match federal funds available to construct a sixty-bed skilled nursing care facility in western North Dakota; to provide an appropriation; 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 NOT PASS, the roll was called and there were 8 YEAS, 38 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Kinnoin; Krauter; Langley; Maxson; Schoenwald; Tomac; Yockim

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

ABSENT AND NOT VOTING: Scherber; Tennefos; Traynor

SB 2090 lost.

SECOND READING OF SENATE BILL

SB 2290: A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to consumption of alcoholic beverages by a person under twenty-one years of age.

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 36 YEAS, 10 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Evanson; Freborg; Goetz; Graba; Grindberg; Heinrich; Holmberg; Jerome; Keller; Kelsh; Krauter; Krebsbach; Lindaas; Lindgren; Lips; Marks; Mathern; Mutch; Nalewaja; Nelson; Nething; Redlin; Sand; Solberg; Stenehjem, B.; Stenehjem, W.; Streibel; Tallackson; Thane; Tomac; Urlacher; Wogsland; Yockim

NAYS: Dotzenrod; Kelly; Kinnoin; Langley; Maxson; Mushik; Naaden; O'Connell; Robinson; Schoenwald

ABSENT AND NOT VOTING: Scherber; Tennefos; Traynor

SB 2290 passed and the title was agreed to.

MOTION

SEN. MATHERN MOVED that the vote by which SB 2047, SB 2090, and SB 2323 failed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

SEN. MATHERN MOVED that the vote by which SB 2290 and SB 2426 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MOTION

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

MOTION

SEN. MATHERN MOVED that the Senate be on the Fifth, Ninth, Thirteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 9:00 a.m., Monday, February 15, 1993, which motion prevailed.

REPORT OF STANDING COMMITTEE

SB 2004: Appropriations Committee (Sen. Tallackson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2004 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "2,165,583" with "2,164,431"

Page 1, line 16, replace "5,448,533" with "5,447,381"

Page 1, line 18, replace "408,762" with "407,610"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 627 - TRANSPORTATION INSTITUTE

SENATE - This amendment reduces the salaries and wages line item by \$1,152 from the general fund for reduced employee health insurance costs. This change is also recommended by Governor Schafer.

REPORT OF STANDING COMMITTEE

SB 2017: Appropriations Committee (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2017 was placed on the Sixth order on the calendar.

- Page 1, line 14, replace "\$4,841,890" with "\$4,822,705"
- Page 1, line 16, replace "1,295,149" with "1,329,149"
- Page 1, remove line 18
- Page 1, line 20, replace "12,878,304" with "12,840,077"
- Page 1, line 21, replace "4,663,800" with "10,163,800"
- Page 1, line 22, replace "\$23,981,755" with "\$29,369,343"
- Page 2, line 1, replace "18,773,339" with "24,233,000"
- Page 2, line 2, replace "\$5,208,416" with "\$5,136,343"
- Page 2, line 5, replace "\$11,789,168" with "\$11,723,884"
- Page 2, line 7, replace "4,522,700" with "4,675,000"
- Page 2, line 10, replace "800,000" with "800,000"
- Page 2, remove line 11
- Page 2, line 12, replace "\$22,640,518" with "\$22,575,234"
- Page 2, line 15, replace "\$11,310,286" with "\$11,264,588"
- Page 2, line 16, replace "6,868,083" with "6,878,083"
- Page 2, remove line 17
- Page 2, line 20, replace "\$18,488,369" with "\$18,442,671"
- Page 2, line 23, replace "\$2,761,622" with "\$2,747,412"
- Page 2, line 25, replace "851,245" with "865,245"
- Page 2, remove line 28
- Page 3, line 1, replace "\$37,083,543" with "\$37,069,333"
- Page 3, line 2, replace "\$5,208,416" with "\$5,136,343"
- Page 3, line 3, replace "\$96,985,769" with "\$102,320,238"
- Page 3, line 4, replace "\$102,194,185" with "\$107,456,581"
- Page 3, line 17, remove "There is hereby appropriated to the"
- Page 3, line 18, replace "industrial commission the" with "The"
- Page 3, line 20, after the comma insert "is"
- Page 3, line 24, remove "There is hereby appropriated to the"
- Page 3, line 25, replace "industrial commission the" with "The"
- Page 3, line 27, after the comma insert "is"

Page 4, line 3, remove "There is hereby appropriated to the"

Page 4, line 4, replace "industrial commission the" with "The"

Page 4, line 6, after the comma insert "is"

Page 4, line 9, remove "There is hereby appropriated to the"

Page 4, line 10, replace "industrial commission the" with "The"

Page 4, line 12, after the comma insert "is"

Page 5, line 5, remove "hereby appropriated" and remove "to the industrial"

Page 5, line 6, remove "commission"

Page 5, line 17, replace "\$12,878,304" with "\$12,840,077"

Page 5, line 20, replace "\$294,000" with "\$294,118"

Page 5, line 21, replace "11,995,185" with "11,956,840"

Page 5, line 25, replace "\$12,878,304" with "\$12,840,077"

Page 6, line 3, remove "There is hereby appropriated"

Page 6, remove line 4

Page 6, line 5, replace "otherwise appropriated, the sum of \$800,000," with "The \$800,000 contingency line,"

Page 6, line 6, replace "to the Bank of North Dakota" with "included in subdivision 2 of section 1 of this Act, is"

Page 6, after line 14, insert:

SECTION 15. BANK OF NORTH DAKOTA PROFITS - TRANSFERS. The industrial commission is authorized during the biennium ending June 30, 1995, to transfer to the state general fund \$20,000,000 of accumulated and undivided profits, plus all earnings occurring during the biennium not to exceed \$28,000,000. No transfers may be made which would reduce the Bank's capital structure below \$100,000,000.

SECTION 16. CLEAN COAL DEVELOPMENT PROJECTS. The lignite research grants line in subdivision 1 of section 1 of this Act, includes \$500,000 for the partial funding of the state's share of clean coal demonstration projects if approved by the industrial commission and the United States department of energy, for the biennium beginning July 1, 1993, and ending June 30, 1995. The \$500,000 is to be provided from the coal development trust fund if a constitutional amendment authorizing the use of the coal development trust fund moneys for this purpose is approved by the voters or from the lignite research fund if a constitutional amendment authorizing the use of the moneys for this purpose is not approved.

SECTION 17. COAL PROJECTS REVIEW. If clean coal demonstration projects are approved by the United States department of energy, potential impacts from construction shall be reviewed by the energy impact development officer and funding recommendations, if appropriate, be made to the fifty-fourth legislative assembly as a part of the state land department budget."

Page 6, remove lines 15 through 24

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 405 - INDUSTRIAL COMMISSION

SENATE - The salaries and wages line item is decreased by \$21,120, of which \$19,008 is from the general fund, for reduced employee health insurance costs.

The operating expenses line item is increased by \$34,000 from the general fund and the interagency legal fees line item of \$89,000 from the general fund is deleted to reflect Governor Schafer's recommendation regarding legal fees charged by the Attorney General.

Salaries and wages are increased by \$1,935 from the general fund to correct an error in the bill as introduced.

BOND PAYMENTS - The amount provided for bond payments is reduced by \$38,227 from other funds, from \$12,878,304 to \$12,840,077, to reflect the current estimate of the bond payments. Amendments to Section 11 on page 5 are also made to reflect the current estimates.

LIGNITE RESEARCH GRANTS - The amount provided for lignite research grants is increased by \$5,500,000. Of the \$5,500,000, \$5,000,000 is from unexpended 1991-93 funding provided for lignite research grants and \$500,000 is to help finance the proposed clean coal demonstration projects. Section 16 is added to provide that the \$500,000 will be from the coal development trust fund if a constitutional amendment is approved by the voters in the June 1994 election or from a portion of the coal severance tax if the constitutional amendment is not approved. The state general fund portion of coal severance tax would be reduced by the amount used to fund the project under the second alternative. Section 17 is added to provide a review of the clean coal projects to determine funding recommendations to be presented to the Legislative Assembly.

Sections 4, 5, 6, 7, and 10 are amended to delete provisions appropriating funds twice.

DEPARTMENT 471 - BANK OF NORTH DAKOTA

SENATE - The salaries and wages line item is decreased by \$65,284, for reduced employee health insurance costs.

The operating expenses line item is increased by \$152,300 and the interagency legal fees line item of \$152,300 is deleted to reflect Governor Schafer's recommendation regarding legal fees charged by the Attorney General.

Amendments are made on page 6 to Section 13 to clarify that the \$800,000 appropriation is contained in Section 1. Changes are made to Section 15 to clarify the intent of the section.

DEPARTMENT 475 - MILL AND ELEVATOR

SENATE - The salaries and wages line item is decreased by \$45,698, for reduced employee health insurance costs.

The operating expenses line item is increased by \$10,000 and the interagency legal fees line item of \$10,000 is deleted to reflect Governor Schafer's recommendation regarding legal fees charged by the Attorney General.

DEPARTMENT 473 - HOUSING FINANCE AGENCY

SENATE - The salaries and wages line item is decreased by \$14,210, for reduced employee health insurance costs.

The operating expenses line item is increased by \$14,000 and the interagency legal fees line item of \$14,000 is deleted to reflect Governor Schafer's recommendation regarding legal fees charged by the Attorney General.

In total, the amendments decrease the general fund appropriation by \$72,073, increase other funds by \$5,334,469, and all funds by \$5,262,396.

REPORT OF STANDING COMMITTEE

SB 2029: Appropriations Committee (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2029 was placed on the Sixth order on the calendar.

Page 1, line 14, replace "transit" with "transportation"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 801 - DEPARTMENT OF TRANSPORTATION

SENATE - This amendment provides that any funds available under federal transportation programs may be used to develop and operate transportation systems for before and after school child care programs rather than only funds available under federal transit programs.

REPORT OF STANDING COMMITTEE

SB 2052: Finance and Taxation Committee (Sen. Dotzenrod, Chairman) recommends DO NOT PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2052 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2222: Appropriations Committee (Sen. Tallackson, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2222 was placed on the Sixth order on the calendar.

Page 1, line 4, after the semicolon insert "and"

Page 1, line 11, replace "; to" with a period

Page 1, remove line 12

Page 185, remove lines 3 through 10

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 108 - SECRETARY OF STATE

SENATE - The \$20,000 general fund appropriation to the Secretary of State is deleted.

REPORT OF STANDING COMMITTEE

SB 2223: Appropriations Committee (Sen. Tallackson, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2223 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2230: Natural Resources Committee (Sen. Keller, Chairman) recommends DO NOT PASS (3 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2230 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2301: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO NOT PASS (5 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). SB 2301 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2319: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends BE PLACED ON THE CALENDAR WITHOUT RECOMMENDATION (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2319 was placed on the Sixth order on the calendar.

Page 1, line 3, after "roads" insert "; and to provide an expiration date"

Page 2, after line 8, insert:

"SECTION 3. EXPIRATION DATE. This Act is effective through July 31, 1995, and after that date is ineffective."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2324: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2324 was placed on the Sixth order on the calendar.

Page 1, line 3, after "districts" insert "; and to amend and reenact section 58-04-02 of the North Dakota Century Code, relating to calling of a special township meeting"

Page 1, underscore lines 7 through 9

Page 1, after line 9, insert:

"SECTION 2. AMENDMENT. Section 58-04-02 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

58-04-02. Special meetings - When held. A special township meeting may be held for the purpose of electing township officers to fill vacancies that occur, to authorize expansion of the board of township supervisors from three to five members, and for the purpose of transacting other lawful township business whenever the supervisors or township clerk, or any two of them, ~~together with at least twelve or twenty percent of the~~ freeholders of the township, shall file in the office of the township clerk a written statement that a special meeting is necessary, or whenever a special meeting is required by any other provision of the laws of this state."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2339: Appropriations Committee (Sen. Tallackson, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2339 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2360: Appropriations Committee (Sen. Tallackson, Chairman) recommends DO PASS (10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). SB 2360 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2364: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2364 was placed on the Sixth order on the calendar.

Page 2, line 8, replace "governmental landowners" with "surface coal mining and reclamation operations as defined in chapter 38-14.1"

Page 2, line 17, after the underscored period insert "This section does not apply to surface coal mining and reclamation operations as defined in chapter 38-14.1."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2365: Human Services Committee (Sen. Mathern, Chairman) recommends DO NOT PASS (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2365 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2370: 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 2370 was placed on the Sixth order on the calendar.

Page 1, line 3, after the first comma insert "25-03.1-18.1,"

Page 1, line 4, after the second comma insert "25-03.1-33," and after the fourth comma insert "25-03.1-40, 25-03.1-41,"

Page 1, line 5, after "commitment" insert "and treatment"

Page 1, line 16, after "2." insert "Consent means voluntary permission that is based upon full disclosure of facts necessary to make a decision and which is given by an individual who has the ability to understand those facts.

3."

Page 1, line 17, overstrike "wherein" and insert immediately thereafter "in which"

Page 1, line 18, overstrike "3." and insert immediately thereafter "4."

Page 1, line 19, overstrike "4." and insert immediately thereafter "5."

Page 1, line 21, overstrike "5." and insert immediately thereafter "6."

Page 2, line 6, after "psychologist" insert "trained in a clinical program"

Page 2, line 9, overstrike "6." and insert immediately thereafter "7."

Page 2, line 10, after "psychologist" insert "trained in a clinical program"

Page 2, line 17, after "a" insert "licensed physician or"

Page 2, line 20, overstrike "7." and insert immediately thereafter "8."

Page 2, line 23, overstrike "8." and insert immediately thereafter "9."

Page 3, line 14, overstrike "9." and insert immediately thereafter "10."

Page 3, line 26, overstrike "10." and insert immediately thereafter "11."

Page 4, line 17, overstrike "11." and insert immediately thereafter "12."

Page 4, after line 19, insert:

"13. "Psychiatrist" means a licensed physician who has completed a residency program in psychiatry."

Page 4, line 20, overstrike "12." and insert immediately thereafter "14."

Page 4, line 22, overstrike "13." and insert immediately thereafter "15."

Page 5, line 1, overstrike "14." and insert immediately thereafter "16."

Page 5, line 3, overstrike "15." and insert immediately thereafter "17."

Page 5, line 5, overstrike "16." and insert immediately thereafter "18."

Page 5, line 12, overstrike "17." and insert immediately thereafter "19."

Page 13, after line 8, insert:

"SECTION 10. AMENDMENT. Section 25-03.1-18.1 of the 1991 Supplement to the North Dakota Century Code is amended and reenacted as follows:

25-03.1-18.1. Court authorized involuntary treatment with prescribed medication.

1. a. Upon advance notice ~~to the court and the parties and hearing,~~ a treating psychiatrist may request authorization from the court to treat a ~~patient~~ person under a mental health treatment order with prescribed medication. ~~The request may be considered by the court in an involuntary treatment hearing if.~~ As a part of the request, the treating psychiatrist and another licensed physician or psychiatrist not involved in the current diagnosis or treatment of the patient shall certify:
 - ~~a-~~ (1) That the proposed prescribed medication is clinically appropriate and necessary to effectively treat the patient and there is a reasonable expectation that if the person is not treated as proposed there exists a serious risk of harm to that person, other persons, or property;
 - ~~b-~~ (2) That the patient was offered ~~such~~ that treatment and refused it or that the patient lacks the capacity to make or communicate a responsible decision about ~~such~~ that treatment;
 - ~~c-~~ (3) That ~~the~~ prescribed medication is the least restrictive form of intervention necessary to meet the treatment needs of the patient; and
 - ~~d-~~ (4) That the benefits of the treatment outweigh the known risks to the patient.
 - b. The court shall inquire whether the patient has had a sufficient opportunity to adequately prepare to meet the issue of involuntary treatment with prescribed medication and, at the request of the patient, the court may continue the involuntary treatment hearing for a period not exceeding seven days or may appoint an independent expert examiner as provided in subsection 4.
2. a. Evidence of the factors certified under subsection 1 may be presented to the court at an involuntary treatment hearing held pursuant to sections 25-03.1-19 and

25-03.1-22, or at a separate hearing after motion and notice. The court in ruling on the requested authorization for involuntary treatment with prescribed medication shall consider all relevant evidence presented at the hearing, including:

- a- (1) The danger the patient presents to self or others;
- b- (2) The patient's current condition;
- c- (3) The patient's past treatment history;
- d- (4) The results of previous medication trials;
- e- (5) The efficacy of current or past treatment modalities concerning the patient;
- f- (6) The patient's prognosis; and
- g- (7) The effect of the patient's mental condition on the patient's capacity to consent.

b. Involuntary treatment with prescribed medication may not be authorized by the court solely for the convenience of facility staff or for the purpose of punishment.

3. If the factors certified under subsection 1 have been demonstrated by clear and convincing evidence, the court may include in its involuntary treatment order a provision, or it may issue a separate order after notice and hearing, authorizing the treating psychiatrist to involuntarily treat the patient with prescribed medication on such terms and conditions as are appropriate. ~~However, no such provision is effective. The order for involuntary treatment with prescribed medication, however, may not be in effect for more than ninety days, unless prior to the expiration of that time period the treating psychiatrist submits a report to the court indicating that the involuntary treatment with prescribed medication remains appropriate and necessary to effectively treat the patient. Based on such reports, a review of the patient's progress, and the patient's concerns, the court may extend its authorization for involuntary treatment with prescribed medication for additional ninety day periods if the patient remains under an involuntary treatment order.~~
4. If a patient has requested an examination by an independent expert examiner under this chapter, and if the treating psychiatrist has requested authorization for involuntary treatment with prescribed medication, only a licensed physician or psychiatrist may independently examine the patient as to the issue of involuntary treatment with prescribed medication."

Page 21, line 1, remove ", before the expiration of a continuing treatment order."

Page 22, after line 26, insert: *

"SECTION 18. AMENDMENT. Section 25-03.1-33 of the North Dakota Century Code is amended and reenacted as follows:

25-03.1-33. Legal incompetence - Presumption - Finding - Adjudication negated.

1. No determination that a person requires treatment, no court order authorizing hospitalization or alternative treatment, nor any form of admission to a hospital gives rise to a presumption of, constitutes a finding of, or operates as an adjudication of legal incompetence, or of the inability to give or withhold consent.
2. No order of commitment under any previous statute of this state, in the absence of a concomitant appointment of a guardian, constitutes a finding of or operates as an adjudication of legal incompetence, or of the inability to give or withhold consent."

Page 25, line 14, after "transferred" insert "or placed"

Page 26, after line 6, insert:

"SECTION 21. AMENDMENT. Section 25-03.1-40 of the North Dakota Century Code is amended and reenacted as follows:

25-03.1-40. Rights of patients. Each patient of a treatment facility ~~shall retain~~ retains the following rights, subject only to the limitations and restrictions authorized by section 25-03.1-41. A patient has the right:

1. To receive appropriate treatment for mental and physical ailments and for the prevention of illness or disability.
2. To the least restrictive conditions necessary to achieve the purposes of treatment.
3. To be treated with dignity and respect.
4. To be free from unnecessary restraint and isolation.
5. To visitation and telephone communications.
6. To send and receive sealed mail.
7. To keep and use personal clothing and possessions.
8. To regular opportunities for outdoor physical exercise.
9. ~~To participate in religious worship of choice~~ To be free to exercise religious faith of choice.
10. To be free from unnecessary medication.
11. To exercise all civil rights including the right of habeas corpus.
12. Not to be subjected to experimental research without the express and informed written consent of the patient or of the patient's guardian.
13. Not to be subjected to psychosurgery, electroconvulsive treatment, or aversive reinforcement conditioning, without the express and informed written consent of the patient or of the patient's guardian.

SECTION 22. AMENDMENT. Section 25-03.1-41 of the North Dakota Century Code is amended and reenacted as follows:

25-03.1-41. Limitations and restrictions of patient's rights. The rights enumerated in subsections 5, 6, 7, and 8 of section

25-03.1-40 may be limited or restricted by the treating physician, psychiatrist, or ~~clinical~~ psychologist trained in a clinical program, if in ~~his~~ that person's professional judgment to do so would be in the best interests of the patient and the rights are restricted or limited in the manner authorized by the rules ~~and regulations promulgated~~ adopted pursuant to section 25-03.1-46. Whenever a physician, psychiatrist, or ~~clinical~~ psychologist trained in a clinical program responsible for treatment of a particular patient imposes a special restriction on the rights of the patient as authorized by the rules ~~and regulations~~, a written order specifying the restriction and the reasons ~~therefor~~ for the restriction must be signed by the physician, psychiatrist, or ~~clinical~~ psychologist trained in a clinical program and attached to the patient's chart. These restrictions must be reviewed at intervals of not more than fourteen days and may be renewed by following the procedure set out in this section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2378: Appropriations Committee (Sen. Tallackson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2378 was placed on the Sixth order on the calendar.

Page 1, line 12, remove "or chapters 39-04 through 39-29,"

Page 1, line 13, remove the comma and remove "not"

Page 1, line 14, remove "less than"

Page 2, line 11, replace "in trust" with "interest"

Page 2, line 17, remove "to improve community and"

Page 2, line 18, remove "corrections relations"

Page 2, line 23, replace "is" with "are"

Page 3, line 6, replace "\$913,000" with "\$508,012"

Page 3, line 10, replace "78,000" with "70,000"

Page 3, line 11, replace "58,950" with "6,201"

Page 3, line 12, replace "776,050" with "431,811"

Page 3, line 13, replace "913,000" with "508,012"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 531 - CORRECTIONS AND REHABILITATION

SENATE - This amendment provides that the surcharge is set at \$25 rather than being at least \$25 and reduces the appropriation by \$404,988, from \$913,000 to \$508,012. The appropriation was reduced to the amount expected to be collected from the surcharge. The original appropriation was based on revenue from surcharges for various criminal and traffic violations and the bill in present form has surcharges on just various criminal charges. The grants line remains at 85 percent of total collections and administration is at 15 percent of estimated collections. The salary amount of \$70,000 is to provide funding for one FTE position.

REPORT OF STANDING COMMITTEE

SB 2431: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2431 was placed on the Sixth order on the calendar.

Page 1, line 2, after "buildings" insert "or facilities"

Page 1, line 10, after "buildings" insert "or facilities"

Page 1, line 14, after "building" insert "or facility"

Page 1, line 20, after "building" insert "or facility"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2445: Transportation Committee (Sen. Schoenwald, Chairman) recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2445 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2472: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2472 was placed on the Sixth order on the calendar.

Page 1, line 15, remove "As an option to the"

Page 1, line 16, replace "provisions of this section, the" with "The"

Page 1, line 17, replace "ten" with "five" and after "elect" insert ", at the end of the fiscal year."

Page 1, line 18, remove "each fund within" and replace "at the end of the fiscal year" with "or other budgeted funds and designate the balances for subsequent years"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2501: Agriculture Committee (Sen. Kelsh, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2501 was placed on the Sixth order on the calendar.

Page 1, line 21, after "commission" insert "and within the hours permitted by law"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2503: Political Subdivisions Committee (Sen. Graba, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (6 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2503 was placed on the Sixth order on the calendar.

Page 1, line 5, replace the second "Zoning" with "Upon consideration of the needs of the community, zoning"

Page 1, line 6, replace "must" with "may"

Page 1, line 8, replace "must" with "may"

Page 1, line 10, replace "means" with "includes"

Page 1, line 14, after the period insert "Congregate housing" also includes a house owned by a person who provides living arrangements and supportive services to unrelated residents, at least one of whom is sixty-two years of age or older."

Page 1, line 22, replace "lease" with "least"

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2506: Natural Resources Committee (Sen. Keller, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (4 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2506 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "and"

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

Page 1, after line 13, insert:

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

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2527: Appropriations Committee (Sen. Tallackson, Chairman) recommends DO PASS (12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SB 2527 was placed on the Eleventh order on the calendar.

REPORT OF STANDING COMMITTEE

SB 2534: 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 2534 was placed on the Sixth order on the calendar.

Page 1, line 1, after "reenact" insert "subsection 3 of section 39-21-32 and"

Page 1, line 2, after "to" insert "vehicle brake equipment and"

Page 1, after line 3, insert:

"SECTION 1. AMENDMENT. Subsection 3 of section 39-21-32 of the North Dakota Century Code is amended and reenacted as follows:

3. Every trailer or semitrailer when operated upon a highway at a speed in excess of ~~fifteen~~ twenty-five miles [~~24.14~~ 40.23 kilometers] per hour must be equipped with safety chains or brakes adequate to control the movement of and to stop and to hold such vehicle and so designed as to be applied by the driver of the towing motor vehicle from its cab, and said brakes must be so designed and connected that in case of an accidental breakaway of the towed vehicle the brakes ~~shall~~ be automatically applied."

Page 1, line 7, overstrike "connection" and insert immediately thereafter "coupling device" and overstrike "any two"

Page 1, line 9, replace "both" with "the" and replace "connection" with "coupling device"

Page 1, line 11, after the period insert "This section does not apply to a fifth-wheel coupling device."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4035: Agriculture Committee (Sen. Keish, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SCR 4035 was placed on the Tenth order on the calendar.

Page 1, line 2, after "self-employed" insert "farmers, ranchers, and"

Page 1, line 17, after "self-employed" insert "farmers, ranchers, and"

Renumber accordingly

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

CAROL SIEGERT, Secretary