

## JOURNAL OF THE SENATE - SPECIAL SESSION

## Fifty-third Legislative Assembly

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Bismarck, July 1, 1994

The Senate convened at 8:00 a.m., with President Myrdal presiding.

The prayer was offered by Senator Scherber.

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

A quorum was declared by the President.

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

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SCR 4078.

## CORRECTION AND REVISION OF THE JOURNAL

MADAM PRESIDENT: Your Committee on Correction and Revision of the Journal (Sen. Yockim, Chairman) has carefully examined the Journals of the First and Second Days of Special Session and recommends that they be corrected as follows and when so corrected, recommends that they be approved:

Page 1920, line 8, replace "1993" with "1994"

Page 1924, line 18, replace "Eleventh" with "Fourteenth"

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

## SECOND READING OF HOUSE BILL

HB 1520: A BILL for an Act to create and enact a new section to chapter 57-39.2 of the North Dakota Century Code, relating to a sales tax exemption for materials used to construct an agricultural commodity processing facility; to amend and reenact sections 40-57.1-03, 40-57.1-06, 57-15-31, and subsection 4 of section 57-39.2-04.3 of the North Dakota Century Code and subsection 5 of section 57-39.2-04.3 of the North Dakota Century Code as amended by section 1 of chapter 565 of the 1993 Session Laws, relating to a property tax exemption or payments in lieu of taxes which may be granted for new industries and sales tax exemptions for manufacturing machinery and construction materials for agricultural commodity processing facilities; to repeal section 40-57.1-08 of the North Dakota Century Code, relating to limitations on industrial projects that may qualify for tax exemptions for new industries; to provide an effective date; and to provide an expiration date.

## CONFLICT OF INTEREST

SEN. THANE STATED that he had a conflict of interest on HB 1520 and requested permission to vote.

The question being on whether Sen. Thane could vote on HB 1520, 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 47 YEAS, 1 NAY, 0 EXCUSED, 1 ABSENT AND NOT VOTING.

YEAS: Andrist; Bowman; DeMers; Dotzenrod; Evanson; Freborg; Goetz; Graba; Grindberg; 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; Tennefos; Thane; Tomac; Traynor; Urlacher; Wogsland; Yockim

**NAYS:** Heinrich

**ABSENT AND NOT VOTING:** Holmberg

Engrossed HB 1520 passed and the title was agreed to.

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**MOTION**

**SEN. MATHERN MOVED** that the vote by which HB 1520 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

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

**MR. SPEAKER:** The Senate has passed unchanged: HB 1520.

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

**MADAM PRESIDENT:** The Speaker has signed: SCR 4078.

**MOTION**

**SEN. MATHERN MOVED** that the President appoint a committee of three to notify the House that the Senate has completed its business and is about to adjourn sine die, which motion prevailed.

**THE PRESIDENT APPOINTED** as such a committee: Sens. Dotzenrod, Kelly, Thane.

**MOTION**

**SEN. MATHERN MOVED** that the President appoint a committee of three to notify the Governor that the Senate has completed its business and is about to adjourn sine die, which motion prevailed.

**THE PRESIDENT APPOINTED** Sens. Jerome, Maxson, Urlacher.

**ANNOUNCEMENT**

**SEN. JEROME ANNOUNCED** that the committee appointed to inform the Governor that the Senate has completed its business and is about to adjourn sine die, has completed its task, and requested that the committee be discharged, which request was granted.

**ANNOUNCEMENT**

A committee from the House was received and announced that the House had completed its business and was ready to adjourn sine die.

**SEN. DOTZENROD ANNOUNCED** that the committee appointed to inform the House that the Senate has completed its business and is about to adjourn sine die, has completed its task, and requested that the committee be discharged, which request was granted.

**DELIVERY OF ENROLLED BILLS AND RESOLUTIONS**

The following resolution was delivered to the Secretary of State for his filing at the hour of 8:54 a.m., July 1, 1994: SCR 4078.

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

**MADAM PRESIDENT:** The Speaker has signed and your signature is respectfully requested on: HB 1520.

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

**MR. SPEAKER:** The President has signed: HB 1520.

**MOTION**

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

**MOTION**

SEN. MATHERN MOVED that the Senate be on the Fourth, Twelfth, Fifteenth, and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned sine die, which motion prevailed.

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

**CAROL SIEGERT, Secretary**