

JOURNAL OF THE SENATE

Fifty-fifth Legislative Assembly

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Bismarck, March 18, 1997

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

The prayer was offered by Pastor Richard Hagestuen, First Lutheran, Mandan.

The roll was called and all members were present except Senators Nething, Redlin, and Tallackson.

A quorum was declared by the President.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following resolutions were delivered to the Secretary of State for his filing at the hour of 9:39 a.m., March 18, 1997: SR 6001, SMR 8001.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2010, SB 2067, SB 2095, SB 2098, SB 2127, SB 2129, SB 2135, SB 2142, SB 2146, SB 2148, SB 2167, SB 2168, SB 2169, SB 2179, SB 2191, SB 2280, SB 2286, SB 2307, SB 2373, SCR 4003, SCR 4021.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2033, SB 2034, SB 2036, SB 2053, SB 2066, SB 2074, SB 2080, SB 2081, SB 2084, SB 2086, SB 2087, SB 2100, SB 2102, SB 2104, SB 2120, SB 2121, SB 2144, SB 2172, SB 2195, SB 2196, SB 2199, SB 2236, SB 2288, SB 2310, SB 2328, SB 2355, SB 2356, SB 2370, SB 2371, SB 2393, SCR 4043.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed and your signature is respectfully requested on: SB 2105, SB 2109, SB 2134, SB 2137, SB 2151, SB 2158, SB 2165, SB 2171, SB 2220, SB 2269, SB 2287, SB 2312, SB 2317, SB 2383, SCR 4036.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)

MR. SPEAKER: The President has signed: HB 1033, HB 1048, HB 1069, HB 1095, HB 1119, HB 1131, HB 1134, HB 1143, HB 1152, HB 1154, HB 1172, HB 1177, HB 1178, HB 1180, HB 1181, HB 1193, HB 1196, HB 1197, HB 1225, HB 1237, HB 1255, HB 1265, HB 1299, HB 1315, HB 1349, HB 1424, HB 1466, HB 1470, HCR 3030, HCR 3032, HCR 3033, HCR 3036, HCR 3037, HCR 3038.

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

MADAM PRESIDENT: The House has passed unchanged: SB 2051, SB 2094, SB 2141, SB 2182, SB 2184, SB 2230.

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

MADAM PRESIDENT: The House has failed to pass: SB 2308, SB 2360.

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

MADAM PRESIDENT: The House has amended and subsequently passed: SB 2042, SB 2068, SB 2099, SB 2159, SB 2339, SB 2372.

HOUSE AMENDMENTS TO REENGROSSED SENATE BILL NO. 2042

Page 1, line 2, after "providers" insert "; to amend and reenact section 57-38-29.2 of the North Dakota Century Code, relating to an income tax credit for premiums paid for long-term care insurance coverage; and to provide an effective date"

Page 1, underscore lines 6 through 8

Page 1, remove lines 9 through 12

Page 1, line 13, remove "care." and underscore "'Qualified service provider" means a county agency or independent contractor that"

Page 1, line 14, underscore "agrees to meet standards for" and insert immediately thereafter "personal attendant care", underscore "service", replace "and operations" with "as", and underscore "established by the department of human"

Page 1, underscore line 15

Page 1, after line 15, insert:

"SECTION 2. AMENDMENT. Section 57-38-29.2 of the North Dakota Century Code is amended and reenacted as follows:

57-38-29.2. Credit for premiums for long-term care insurance coverage. A credit against an individual's tax liability under this chapter is hereby provided to each taxpayer in the amount of twenty-five percent of any premiums paid by the taxpayer for long-term care insurance coverage for the taxpayer or the taxpayer's spouse, parent, or stepparent, or child. The credit under this section for each ~~policy purchased under this chapter~~ insured individual may not exceed one hundred dollars in any taxable year.

SECTION 3. EFFECTIVE DATE. Section 2 of this Act is effective for taxable years beginning after December 31, 1996."

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2068

Page 2, line 20, remove "and answer fee"

Page 2, line 27, replace "A" with "For purposes of enforcement and execution, a"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2099

Page 37, line 17, replace "four" with "six"

Renumber accordingly

HOUSE AMENDMENTS TO ENGROSSED SENATE BILL NO. 2159

Page 1, line 15, replace "A person may not operate a snowmobile, and an owner of a snowmobile may not" with "Any snowmobile that is required to be registered under this chapter must be covered by"

Page 1, remove lines 16 and 17

Page 1, line 18, remove "has a right of access for snowmobile or other vehicular use, without"

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2339

Page 1, line 7, after "taxation" insert "during construction and"

Page 1, line 8, after "pipeline" insert ", constructed after 1996."

Renumber accordingly

HOUSE AMENDMENTS TO SENATE BILL NO. 2372

Page 1, line 6, after "**considered**" insert "**public roads**"

Page 1, line 10, after "considered" insert "public roads"

Renumber accordingly

MESSAGE TO THE SENATE FROM THE HOUSE (ROY GILBREATH, CHIEF CLERK)
MADAM PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2235.

HOUSE AMENDMENTS TO SENATE BILL NO. 2235

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

Page 2, after line 20, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has passed unchanged: HB 1032, HB 1081, HB 1086, HB 1139, HB 1140, HB 1176, HB 1194, HB 1287, HB 1320, HB 1381, HB 1389.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has amended and subsequently passed: HB 1306.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM C. PARKER, SECRETARY)
MR. SPEAKER: The Senate has failed to pass: HB 1151, HB 1203, HB 1397, HCR 3016, HCR 3027.

CONSIDERATION OF AMENDMENTS

HB 1058, as engrossed: SEN. CHRISTMANN (Natural Resources Committee) MOVED that the amendments on SJ page 772 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1071, as reengrossed: SEN. CHRISTMANN (Natural Resources Committee) MOVED that the amendments on SJ pages 772-773 be adopted and then be **REREFERRED** to the **Appropriations Committee** with **DO PASS**, which motion prevailed. Pursuant to Sen. Christmann's motion, Reengrossed HB 1071, as amended, was rereferred.

CONSIDERATION OF AMENDMENTS

HB 1074, as engrossed: SEN. B. STENEHJEM (Transportation Committee) MOVED that the amendments on SJ page 773 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion failed on a verification vote. Engrossed HB 1074 was placed on the Fourteenth order.

CONSIDERATION OF AMENDMENTS

HB 1084: SEN. LINDAAS (Transportation Committee) MOVED that the amendments on SJ page 773 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

SEN. GOETZ MOVED that Engrossed HB 1135, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1137: SEN. C. NELSON (Government and Veterans Affairs Committee) MOVED that the amendments on SJ pages 773-774 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1138: SEN. KRINGSTAD (Government and Veterans Affairs Committee) MOVED that the amendments on SJ page 774 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1182, as engrossed: SEN. FREBORG (Natural Resources Committee) MOVED that the amendments on SJ pages 774-775 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1189: SEN. BERG (Political Subdivisions Committee) MOVED that the amendments on SJ page 775 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1210, as engrossed: SEN. THOMPSON (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 775 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

MOTION

SEN. GOETZ MOVED that Engrossed HB 1215, which is on the Sixth order, be laid over one legislative day, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1222, as engrossed: SEN. KELSH (Natural Resources Committee) MOVED that the amendments on SJ page 775 be adopted and then be placed on the Fourteenth order with **DO NOT PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1243: SEN. SCHOBINGER (Transportation Committee) MOVED that the amendments on SJ page 776 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1267, as engrossed: SEN. WOGSLAND (Transportation Committee) MOVED that the amendments on SJ page 777 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1445, as engrossed: SEN. KREBSBACH (Industry, Business and Labor Committee) MOVED that the amendments on SJ page 777 be adopted and then be placed on the Fourteenth order with **DO PASS**, which motion prevailed.

CONSIDERATION OF AMENDMENTS

HB 1482, as engrossed: SEN. TRAYNOR (Natural Resources Committee) MOVED that the amendments on SJ page 777 be adopted and then be placed on the Fourteenth order with **DO PASS**.

MOTION

SEN. KELSH MOVED that the Senate divide the proposed amendments to Engrossed HB 1482, vote on those divisions, and then further amend Engrossed HB 1482 as follows:

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1482**DIVISION A**

Page 1, line 23, replace "provisions" with "plans" and after "for" insert "the future construction of"

DIVISION B

Page 2, line 22, replace "of one to four" with "most beneficial to the state"

Renumber accordingly

PROPOSED FURTHER AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1482

That the proposed amendments to Engrossed House Bill No. 1482 as printed on page 777 of the Senate Journal be amended as follows:

Page 777 of the Senate Journal, remove lines 47 and 48

Page 777 of the Senate Journal, after line 48, insert:

"Page 1, line 22, remove "including"

Page 1, line 23, remove "provisions for an inlet"

Page 2, line 6, after "include" insert "provisions for construction of an inlet to Devils Lake;"

Renumber accordingly

The question being on the adoption of Division A of the proposed amendments to Engrossed HB 1482.

Division A of the proposed amendments to Engrossed HB 1482 was adopted on a verification vote.

The question being on the adoption of Division B of the proposed amendments to Engrossed HB 1482.

Division B of the proposed amendments to Engrossed HB 1482 was adopted on a voice vote.

The question being on the adoption of the proposed further amendments to Engrossed HB 1482.

The proposed further amendments to Engrossed HB 1482 failed on a voice vote.

Therefore, Divisions A and B of the proposed amendments to Engrossed HB 1482 were adopted and the proposed further amendments failed. Engrossed HB 1482, as amended, was placed on the Fourteenth order.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4057: A concurrent resolution urging Congress to complete the Garrison Diversion project, to provide water for eastern North Dakota, and to meet the other water needs of the state.

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

SCR 4057 was declared adopted on a voice vote, and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1103: A BILL for an Act to provide for the privacy of driver and motor vehicle records; to amend and reenact section 39-02-05 of the North Dakota Century Code, relating to records of the department; and to provide a penalty.

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

YEAS: Andrist; Berg; Bowman; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Christmann; Stenehjem, W.

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

Engrossed HB 1103, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1141: A BILL for an Act to create and enact a new subsection to section 54-52.1-03.3 of the North Dakota Century Code, relating to benefit options under the retiree health benefits plan; and to declare an emergency.

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

YEAS: Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

HB 1141, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

SEN. GOETZ MOVED that the rules be suspended and that Engrossed HB 1257, as amended, which is on the Fourteenth order, be rereferred to the **Judiciary Committee**, which motion prevailed. Pursuant to Sen. Goetz's motion, Engrossed HB 1257, as amended, was rereferred.

SECOND READING OF HOUSE BILL

HB 1330: A BILL for an Act to amend and reenact section 54-06-08.2 of the North Dakota Century Code, relating to payments by credit card to state agencies, boards, commissions, the judicial branch, and political subdivisions.

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

YEAS: Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Robinson; Sand; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Schobinger

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

Reengrossed HB 1330, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1340: A BILL for an Act to amend and reenact paragraph 5 of subdivision d of subsection 1 of section 57-38-01.2 and subsection 5 of section 57-38-30.3 of the North Dakota Century Code, relating to income tax deductions or credits for adoption expenses; 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 PASS, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: LaFountain; Nething; Redlin; Tallackson

Engrossed HB 1340, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1362: A BILL for an Act to create and enact two new sections to chapter 4-24 of the North Dakota Century Code, relating to induction in the North Dakota agricultural hall of fame; and to amend and reenact section 4-24-08 of the North Dakota Century code, relating to the North Dakota agricultural hall of fame.

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

YEAS: Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; O'Connell; Robinson; Sand; Schobinger; Solberg; St. Aubyn;

Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

HB 1362, as amended, passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3026: A concurrent resolution supporting the de Mores Abattoir Project, the Center for the American West, located in Chimney Park in Medora, North Dakota.

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

HCR 3026, as amended, was declared adopted on a voice vote, and the title was agreed to.

SECOND READING OF HOUSE BILL

HB 1101: A BILL for an Act to amend and reenact section 5-01-07 of the North Dakota Century Code, relating to consent of the board of township supervisors for issuance of a retail beer or liquor license.

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 6 YEAS, 40 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Freborg; Grindberg; Lee; Nalewaja; Nelson, G.; St. Aubyn

NAYS: Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Goetz; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krauter; Krebsbach; Kringstad; LaFountain; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nelson, C.; O'Connell; Robinson; Sand; Schobinger; Solberg; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

Engrossed HB 1101 lost.

MOTION

SEN. GOETZ MOVED that HB 1068 be moved to the top of the calendar, which motion prevailed.

SECOND READING OF HOUSE BILL

HB 1068: A BILL for an Act to amend and reenact sections 57-06-01, 57-06-02, 57-06-05, 57-06-07, 57-06-14, 57-06-18, 57-34-01, 57-34-02, 57-34-03, 57-34-05, 57-34-06, 57-34-10, 57-34-11, and 57-34-12 of the North Dakota Century Code, relating to property tax exemptions and gross receipts taxes for telecommunications carriers and services; to repeal sections 57-06-01.1, 57-34-04, and 57-34-08 of the North Dakota Century Code, relating to assessment of property and gross receipts taxes for telecommunications carriers; to provide a continuing appropriation; and to provide an effective date.

MOTION

SEN. TOMAC MOVED that Engrossed HB 1068 be amended as follows:

Page 8, line 15, after "**appropriation**" insert "**- Credit for real property taxes**"

Page 9, after line 29, insert:

"3. A telecommunications carrier is entitled to a credit against the tax under this section in the amount of real property taxes paid during the calendar year by the telecommunications carrier on its property in this state which is directly used in its telecommunications operations. The credit under this

subsection may be fully or partially transferred between a parent and subsidiary telecommunications carrier."

Page 10, line 12, remove "locally assessed property taxes and"

Page 10, line 14, remove "locally assessed property taxes and"

Page 11, line 4, remove "locally"

Page 11, line 5, remove "assessed property taxes and"

Page 11, line 7, remove "locally assessed property taxes and"

Page 12, line 9, overstrike "real and"

Page 12, line 10, overstrike "real or"

Renumber accordingly

The question being on the motion to adopt the proposed amendments to Engrossed HB 1068.

The proposed amendments to Engrossed HB 1068 failed on a verification vote.

MOTION

SEN. TOMAC MOVED that Engrossed HB 1068 be amended as follows:

Page 10, line 16, remove "of eight million four hundred thousand dollars per taxable year"

Page 10, line 18, replace "and any gross receipts tax revenues exceeding that appropriation" with an underscored period

Page 10, remove lines 19 through 24

Renumber accordingly

REQUEST

SEN. HEITKAMP REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1068, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed HB 1068, the roll was called and there were 21 YEAS, 25 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Cook; DeMers; Freborg; Heitkamp; Kelsh; Kinnoin; Krauter; LaFountain; Lindaas; Mathern; Mutzenberger; Nelson, C.; O'Connell; Robinson; Sand; Thompson; Tomac; Wogsland; Yockim

NAYS: Bowman; Christmann; Fischer; Goetz; Grindberg; Holmberg; Klein; Krebsbach; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Traynor; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

The proposed amendments to Engrossed HB 1068 failed.

MOTION

SEN. TOMAC MOVED that Engrossed HB 1068 be amended as follows:

Page 12, line 7, after "**taxes**" insert "**- Consumer prices to reflect tax changes**"

Page 12, after line 20, insert:

"The net effect of all changes in telecommunications carriers' ad valorem taxes and taxes imposed under this chapter, which are not passed directly to the telecommunications consumer, must be fully reflected in prices for telecommunications services within thirty days of the effective date of the tax changes."

Renumber accordingly

REQUEST

SEN. HEITKAMP REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to Engrossed HB 1068, which request was granted.

ROLL CALL

The question being on the motion to adopt the proposed amendments to Engrossed HB 1068, the roll was called and there were 24 YEAS, 23 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Cook; DeMers; Freborg; Heitkamp; Kelsh; Kinnoin; Krauter; Krebsbach; LaFountain; Lindaas; Mathern; Mutzenberger; Nelson, C.; O'Connell; Robinson; Sand; Thompson; Tomac; Traynor; Wogsland; Yockim; President Myrdal

NAYS: Bowman; Christmann; Fischer; Goetz; Grindberg; Holmberg; Klein; Kringstad; Lee; Lips; Mutch; Naaden; Nalewaja; Nelson, G.; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Urlacher; Wanzek; Watne

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

The proposed amendments to Engrossed HB 1068 were adopted.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 43 YEAS, 3 NAYS, 0 EXCUSED, 3 ABSENT AND NOT VOTING.

YEAS: Andrist; Berg; Bowman; Christmann; Cook; DeMers; Fischer; Freborg; Goetz; Grindberg; Heitkamp; Holmberg; Kelsh; Kinnoin; Klein; Krebsbach; Kringstad; Lee; Lindaas; Lips; Mathern; Mutch; Mutzenberger; Naaden; Nalewaja; Nelson, C.; Nelson, G.; Robinson; Sand; Schobinger; Solberg; St. Aubyn; Stenehjem, B.; Stenehjem, W.; Thane; Thompson; Tomac; Traynor; Urlacher; Wanzek; Watne; Wogsland; Yockim

NAYS: Krauter; LaFountain; O'Connell

ABSENT AND NOT VOTING: Nething; Redlin; Tallackson

Engrossed HB 1068, as amended, passed and the title was agreed to.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. B. STENEHJEM MOVED that the Senate do not concur in the House amendments to Engrossed SB 2037 as printed on SJ pages 731-732 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2037: Sens. B. Stenehjem, Mutch, Wogsland.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. KREBSBACH MOVED that the Senate do not concur in the House amendments to Engrossed SB 2213 as printed on SJ page 657 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2213: Sens. W. Stenehjem, Thane, C. Nelson.

CONSIDERATION OF MESSAGE FROM THE HOUSE

SEN. TRAYNOR MOVED that the Senate do not concur in the House amendments to Engrossed SB 2351 as printed on SJ page 736 and that a conference committee be appointed to meet with a like committee from the House, which motion prevailed on a voice vote.

APPOINTMENT OF CONFERENCE COMMITTEE

THE PRESIDENT APPOINTED as a Conference Committee on Engrossed SB 2351: Sens. Freborg, Fischer, Thompson.

MOTION

SEN. GOETZ MOVED that Engrossed HB 1074, which was placed on the Fourteenth order after action on today's Sixth order, be rereferred to the **Transportation Committee**, which motion prevailed. Pursuant to Sen. Goetz's motion, Engrossed HB 1074 was rereferred.

MOTION

SEN. G. NELSON MOVED that SB 2048 and SB 2201 be placed on the Eleventh order of business on the calendar for the purpose of overriding the Governor's veto pursuant to Article V, Section 9 of the Constitution of North Dakota, which motion prevailed.

MOTION

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

MOTION

SEN. GOETZ MOVED that the Senate be on the Fifth and Sixteenth orders of business and at the conclusion of those orders, the Senate stand adjourned until 1:00 p.m., Wednesday, March 19, 1997, which motion prevailed.

REPORT OF STANDING COMMITTEE

HB 1039, as engrossed: Appropriations Committee (Sen. Naaden, Chairman) recommends **DO PASS** (8 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING). Engrossed HB 1039 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1040, as engrossed: Appropriations Committee (Sen. Naaden, Chairman) recommends **DO PASS** (8 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING). Engrossed HB 1040 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1063, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1063 was placed on the Sixth order on the calendar.

Page 1, line 11, after "proceeding" insert ", except a hearing for a motion to suppress evidence,"

Page 1, line 17, replace "objects" with "files an objection" and replace "before the" with "no later than ten days after the date of notice of assignment or reassignment of a judge for trial of the case"

Page 1, line 18, remove "commencement of the trial"

Page 3, line 14, replace "objects" with "files an objection"

Page 3, line 15, replace "before the commencement of the trial" with "no later than ten days after the date of notice of assignment or reassignment of a judge for trial of the case"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1092, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1092 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1117: Appropriations Committee (Sen. Naaden, Chairman) recommends **DO PASS** (8 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING). HB 1117 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1163, as engrossed: Appropriations Committee (Sen. Naaden, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING). Engrossed HB 1163 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1227: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1227 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1248: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1248 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1261: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1261 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1268, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1268 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1269, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1269 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1270, as engrossed: Industry, Business and Labor Committee (Sen. Mutch, Chairman) recommends **DO PASS** (4 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1270 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1311: Appropriations Committee (Sen. Naaden, Chairman) recommends **DO PASS** (7 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING). HB 1311 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1333, as engrossed: Education Committee (Sen. Freborg, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1333 was placed on the Sixth order on the calendar.

Page 1, line 18, replace "If Labor Day falls on the first, second, or third of September, the school term must" with "The"

Page 1, remove line 19

Page 1, line 20, remove "September, the"

Page 1, line 21, after the underscored period insert "This subsection does not apply to the terms of private elementary and secondary schools."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1351, as engrossed: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed HB 1351 was placed on the Sixth order on the calendar.

Page 1, line 1, after "providers" insert "and informal discussions"

Page 1, line 3, after "**providers**" insert "**and informal discussion**"

Page 1, line 7, replace "information or opinion" with "medical records, opinions, or other information"

Page 1, line 11, replace "informally discuss the information or opinion" with "examine the medical records, opinions, or other information and informally participate in a discussion" and after "provider" insert a comma

Page 1, line 12, after "consents" insert ", regarding the medical records, opinions, or other information that appear reasonably calculated to lead to the discovery of admissible evidence as to any element of the action or the defense of the action" and replace "information or opinions obtained from a physician during an" with "statements made by a health care provider during an informal discussion are not admissible, directly or by

reference in direct or cross-examination of any witness, in any administrative, civil, or criminal proceeding. However, this section does not render inadmissible any statements obtained from the health care provider in discovery or any legal proceedings independent of the informal discussion which are otherwise admissible in the administrative, civil, or criminal proceeding."

Page 1, remove line 13

Page 1, line 17, after the period insert "If the plaintiff's attorney, after consultation with the defendant's attorney, is unable to attend the discussion at the time or on the date specified in the notice or at some other agreed upon date and time, the court in which the action is pending shall, upon motion of any party before the date specified in the notice, hold a scheduling conference to set a date and time for the informal discussion that will best serve the convenience of the parties and the health care provider and the interests of justice."

Page 1, line 20, after "party" insert "to the action"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1360: Appropriations Committee (Sen. Naaden, Chairman) recommends **DO PASS** (10 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HB 1360 was placed on the Fourteenth order on the calendar.

REPORT OF STANDING COMMITTEE

HB 1364, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1364 was placed on the Sixth order on the calendar.

Page 1, line 2, after "reenact" insert "subsection 2 of section 57-40.3-01 and"

Page 1, line 3, after "to" insert "the definition of motor vehicle and"

Page 1, line 8, after "in" insert "subsection 2 of"

Page 1, line 9, replace "57-55-01" with "57-55-10"

Page 1, after line 13, insert:

"SECTION 2. AMENDMENT. Subsection 2 of section 57-40.3-01 of the North Dakota Century Code is amended and reenacted as follows:

2. "Motor vehicle" includes every vehicle ~~which that~~ is self-propelled and every vehicle ~~which that~~ is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, every trailer, semitrailer, park model trailer as defined in subsection 2 of section 57-55-10, all-terrain vehicle, snowmobile, and travel trailer for which a certificate of title is required to be obtained ~~pursuant to the provisions of~~ under chapter 39-05, but not including house trailers, or mobile homes."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1467, as engrossed: Finance and Taxation Committee (Sen. Urlacher, 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). Engrossed HB 1467 was placed on the Sixth order on the calendar.

Page 1, line 1, after "A BILL" replace the remainder of the bill with "for an Act to create and enact a new subsection to section 57-39.2-04 and a new section to chapter 57-61 of the North Dakota Century Code, relating to an exemption for sales of coal used in agricultural processing or sugar beet refining plants and a reduction of the severance tax for coal burned in small boilers; and to amend and reenact sections 57-39.2-02.1, 57-39.2-26.1, and 57-40.2-02.1 of the North Dakota Century Code, relating to the imposition of a sales and use tax on coal and the allocation of sales and use tax revenues from coal.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 57-39.2-02.1 of the North Dakota Century Code is amended and reenacted as follows:

57-39.2-02.1. Sales tax imposed.

1. Except as otherwise expressly provided in ~~subsection~~ subsections 2 and 3 for sales of mobile homes used for residential or business purposes ~~and~~; for sales of farm machinery, farm machinery repair parts, and irrigation equipment used exclusively for agricultural purposes; ~~and for sales of coal,~~ and except as otherwise expressly provided in this chapter, there is imposed a tax of five percent upon the gross receipts of retailers from all sales at retail including the leasing or renting of tangible personal property as provided in this section, within ~~the~~ this state of ~~North Dakota~~ of the following to consumers or users:
 - a. Tangible personal property, consisting of goods, wares, or merchandise, except mobile homes used for residential or business purposes and farm machinery, farm machinery repair parts, and irrigation equipment used exclusively for agricultural purposes.
 - b. The furnishing or service of communication services or steam other than steam used for processing agricultural products.
 - c. Tickets or admissions to places of amusement or entertainment or athletic events, including amounts charged for participation in an amusement, entertainment, or athletic activity, and including the furnishing of bingo cards and the playing of any machine for amusement or entertainment in response to the use of a coin. The tax imposed by this section applies only to eighty percent of the gross receipts collected from coin-operated amusement devices.
 - d. Magazines and other periodicals.
 - e. The leasing or renting of a hotel or motel room or tourist court accommodations.
 - f. The leasing or renting of tangible personal property the transfer of title to which has not been subjected to a retail sales tax under this chapter or a use tax under chapter 57-40.2.
 - g. Coal used for heating buildings in this state and coal used in agricultural processing or sugar beet refining plants located within this state or adjacent states.
2. There is ~~hereby~~ imposed a tax of three percent upon the gross receipts of retailers from all sales at retail of mobile homes used for residential or business purposes, except as provided in subsection 35 of section 57-39.2-04, and of farm machinery, farm machinery repair parts, and irrigation equipment used exclusively for agricultural purposes, including the leasing or renting of farm machinery and irrigation equipment used exclusively for agricultural purposes within ~~the~~ this state of ~~North Dakota~~ to consumers or users.
3. There is imposed a tax of six cents per million British thermal units on all sales at retail of coal, except for coal used for heating buildings in this state and coal used in agricultural processing or sugar beet refining plants located within this state or adjacent states.
4. In the case of a contract for the construction of highways, roads, streets, bridges, and buildings for which the bid was submitted prior to December 9, 1986, the contractor receiving the award is liable only for the sales or use tax at the rate of tax in effect on the date the bid was submitted.

SECTION 2. A new subsection to section 57-39.2-04 of the 1995 Supplement to the North Dakota Century Code is created and enacted as follows:

Gross receipts from all sales of coal used in agricultural processing or sugar beet refining plants located within this state or adjacent states which are exempted from the tax imposed by chapter 57-61.

SECTION 3. AMENDMENT. Section 57-39.2-26.1 of the North Dakota Century Code is amended and reenacted as follows:

57-39.2-26.1. Allocation of sales, use, and motor vehicle excise tax revenues to revenue sharing and personal property tax replacement and coal development fund.

1. Notwithstanding any other provision of law, a portion of sales, use, and motor vehicle excise tax collections, excluding collections allocated under subsection 2, equal to sixty percent of an amount determined by multiplying the quotient of one percent divided by the general sales tax rate, that was in effect when the taxes were collected, times the net sales, use, and motor vehicle excise tax collections under chapters 57-39.2, 57-40.2, and 57-40.3 must be deposited by the state treasurer in the state aid distribution fund. The state tax commissioner shall certify to the state treasurer the portion of sales, use, and motor vehicle excise tax net revenues that must be deposited in the state aid distribution fund as determined under this section. The state aid distribution fund must be allocated, subject to legislative appropriation, as follows:
 - 4- a. Fifty percent of the revenues must be allocated in the first month subsequent to each quarterly period for state revenue sharing as provided in sections 54-27-20.2 and 54-27-20.3.
 - 2- b. Fifty percent of the revenues must be allocated for personal property tax replacement as provided in section 57-58-01.
2. Notwithstanding any other provision of law, the sales and use tax collections on coal imposed by subsection 3 of section 57-39.2-02.1 and subsection 3 of section 57-40.2-02.1 must be deposited in the coal development fund established under section 57-61-10 and distributed under section 57-62-02.

SECTION 4. AMENDMENT. Section 57-40.2-02.1 of the North Dakota Century Code is amended and reenacted as follows:

57-40.2-02.1. Use tax imposed.

1. Except as otherwise expressly provided in ~~subsection~~ subsections 2 and 3 for purchases of mobile homes used for residential or business purposes ~~and~~, for purchases of farm machinery, farm machinery repair parts, and irrigation equipment used exclusively for agricultural purposes, and for purchases of coal used for heating buildings in this state and used in agricultural processing or sugar beet refining plants located within this state or adjacent states, an excise tax is imposed on the storage, use, or consumption in this state of tangible personal property purchased at retail for storage, use, or consumption in this state, at the rate of five percent of the purchase price of the property. Except as limited by section 57-40.2-11, an excise tax is imposed on the storage, use, or consumption in this state of tangible personal property not originally purchased for storage, use, or consumption in this state at the rate of five percent of the fair market value of the property at the time it was brought into this state.
2. An excise tax is imposed on the storage, use, or consumption in this state of mobile homes used for residential or business purposes, except as provided in subsection 19 of section 57-40.2-04, and of farm machinery, farm machinery repair parts, and irrigation equipment used exclusively for agricultural purposes purchased at retail for storage, use, or consumption in this state at the rate of three percent of the purchase price thereof. Except as limited by section 57-40.2-11, and except as provided in subsection 35 of section 57-39.2-04, an excise tax is imposed on the storage, use, or consumption in this state of mobile homes used for residential or business purposes and of farm machinery, farm machinery repair parts, and irrigation equipment used exclusively for agricultural purposes not originally purchased for storage, use, or consumption in this state at the rate of three percent of the fair market value of mobile homes

used for residential or business purposes and of farm machinery, farm machinery repair parts, and irrigation equipment used exclusively for agricultural purposes at the time it was brought into this state.

3. An excise tax is imposed on the storage, use, or consumption in this state of coal at the rate of six cents per million British thermal units, except for coal used for heating buildings in this state and coal used in agricultural processing or sugar beet refining plants located within this state or adjacent states.
4. In the case of a contract awarded for the construction of highways, roads, streets, bridges, and buildings prior to December 1, 1986, the contractor receiving the award shall be liable only for the sales or use tax at the rate of tax in effect on the date of contract.

SECTION 5. A new section to chapter 57-61 of the North Dakota Century Code is created and enacted as follows:

Tax reduction for coal burned in small boilers. For coal subject to taxes under this title which is burned in coal-fired boilers within this state or adjacent states in which the generating station has a total capacity of not more than two hundred ten megawatts, after June 30, 1999:

1. The coal is exempt from fifty percent of the taxes imposed under sections 57-61-01, 57-39.2-02.1, and 57-40.2-02.1;
2. The coal is subject to fifteen percent of the taxes imposed under section 57-61-01 and the entire revenue under this subsection must be deposited in the coal development trust fund for use as provided in subsection 1 of section 57-62-02 and allocated to the lignite research fund as provided in subsection 2 of section 57-61-01.5;
3. In addition to the taxes under subsection 2, the coal is subject to thirty-five percent of the severance taxes imposed under section 57-61-01, and an exemption from a portion of the tax imposed by this subsection may be granted by a city, school district, or the board of county commissioners of the county in which the coal is mined. The board of county commissioners, governing body of a city, or school board of a school district, by resolution, may grant to an operator of a mine that supplies coal to such a small coal-fired generating station, a partial or complete exemption from that county's, city's, or school district's share of revenues from the severance tax for all such coal. Any tax revenue from full or partial taxation under this subsection must be allocated as provided in subsection 2 of section 57-62-02, except that a political subdivision that has granted a partial or complete exemption from its share of severance tax revenues must be omitted from the allocation or have its allocation adjusted to reflect the reduction it has granted; and
4. Taxes imposed under section 57-61-01.5 apply to coal subject to this section and must be allocated as provided in that section."

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1468: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1468 was placed on the Sixth order on the calendar.

Page 2, line 11, after "employee" insert ", from the same employer,"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HCR 3031: Judiciary Committee (Sen. W. Stenehjem, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3031 was placed on the Tenth order on the calendar.

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 1044, HB 1132, HB 1188, HB 1353, HB 1401, HB 1463.

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

MADAM PRESIDENT: The Speaker has signed: SB 2105, SB 2109, SB 2134, SB 2137, SB 2151, SB 2158, SB 2165, SB 2171, SB 2220, SB 2269, SB 2287, SB 2312, SB 2317, SB 2383, SCR 4036.

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

MADAM PRESIDENT: The Speaker has signed: SB 2033, SB 2034, SB 2036, SB 2053, SB 2066, SB 2074, SB 2080, SB 2081, SB 2084, SB 2086, SB 2087, SB 2100, SB 2102, SB 2104, SB 2120, SB 2121, SB 2144, SB 2172, SB 2195, SB 2196, SB 2199, SB 2236, SB 2288, SB 2310, SB 2328, SB 2355, SB 2356, SB 2370, SB 2371, SB 2393, SCR 4043.

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

MADAM PRESIDENT: The Speaker has signed: SB 2010, SB 2067, SB 2095, SB 2098, SB 2127, SB 2129, SB 2135, SB 2142, SB 2146, SB 2148, SB 2167, SB 2168, SB 2169, SB 2179, SB 2191, SB 2280, SB 2286, SB 2307, SB 2373, SCR 4003, SCR 4021.

DELIVERY OF ENROLLED BILLS AND RESOLUTIONS

The following bills were delivered to the Governor for his approval at the hour of 4:28 p.m., March 18, 1997: SB 2010, SB 2067, SB 2095, SB 2098, SB 2127, SB 2129, SB 2135, SB 2142, SB 2146, SB 2148, SB 2167, SB 2168, SB 2169, SB 2179, SB 2191, SB 2280, SB 2286, SB 2307, SB 2373.

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

William C. Parker, Secretary