

WEDNESDAY, MARCH 6, 1985

1643

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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FORTIETH DAY

Bismarck, March 6, 1985

The House convened at 1:00 p.m., with Acting Speaker Conmy presiding.

The prayer was offered by Reverend Stanley Malmgren, First Baptist Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Knudson, Myrdal, Shaw, Starke, C. Williams, R. Hausauer.

A quorum was declared by the Acting Speaker.

REVISION AND CORRECTION OF THE JOURNAL

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-ninth Day and finds the same to be correct.

REP. KENT, Chairman

REP. MELBY MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly enrolled:

HB 1044, HB 1058, HB 1059, HB 1066, HB 1068, HB 1073,
HB 1075, HB 1093, HB 1095, HB 1101, HB 1107, HB 1111,
HB 1113, HB 1117, HB 1118, HB 1121, HB 1122, HB 1124,
HB 1125, HB 1132, HB 1136, HB 1137, HB 1150, HB 1160

REP. HEDSTROM, Chairman

REP. HILL MOVED that the report be adopted, which motion prevailed.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills and find the same correctly enrolled:

HB 1162, HB 1164, HB 1181, HB 1184, HB 1238, HB 1346,
HB 1529, HCR 3006, HCR 3007, HCR 3008, HCR 3009, HCR 3010

REP. HEDSTROM, Chairman

REP. HILL MOVED that the report be adopted, which motion prevailed.

POINT OF PERSONAL PRIVILEGE

REP. SKJERVEN: Mr. Speaker: I rise on a point of personal privilege and request that my remarks be printed in the Journal.

Congratulations are extended to the Grafton Spoilers for winning the 1985 North Dakota High School Hockey Championship and to their coach, Keith Lindenberg, for being named Coach of the Year.

The Grafton Spoilers, a cooperative high school hockey team composed of players from Grafton and Park River, displayed outstanding ability and competitive determination in their march to the state championship and set an example of sportsmanship of which Grafton and Park River communities may be justifiably proud.

It should be noted that this cooperative effort between the Park River and Grafton school districts sets an example for the entire state.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Reps. R. Anderson, Hughes, Rice and Sens. Wenstrom, D. Meyer, Bakewell introduced:

(Approved by the Committee on Delayed Bills)

HCR 3093: A concurrent resolution congratulating Peter Nygaard on being named one of the nation's four outstanding young farmers of 1985 by the United States Jaycees.

Was read the first time.

MOTION

REP. R. ANDERSON MOVED that the rules be suspended, that HCR 3093 not be printed, not be referred to committee, 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. R. Anderson, Hughes, Rice and Sens. Wenstrom, D. Meyer, Bakewell introduced:

HOUSE CONCURRENT RESOLUTION NO. 3093

A concurrent resolution congratulating Peter Nygaard on being named one of the nation's four outstanding young farmers of 1985 by the United States Jaycees.

WHEREAS, the United States Jaycees give awards to the nation's four outstanding young farmers based on criteria including progress in an agricultural career, extent of soil and water conservation practices, and contributions to the well-being of the state, community, and nation; and

WHEREAS, Peter Nygaard farms 9,300 acres in wheat, barley, safflower, and sunflowers, with winter wheat as his main crop; and

WHEREAS, his experimentation with chemical fallow and continuous cropping no-till systems has contributed to his agricultural success; and

WHEREAS, he is active in the North Dakota Wheat Producers, the National Association of Wheat Growers, and the promotion of farm legislation; and

WHEREAS, he was named the Outstanding North Dakota Farmer by the North Dakota Jaycees in October 1984; and

WHEREAS, he was one of four men chosen from a field of 41 state winners and was honored at the annual Outstanding Young Farmer Award Congress in Great Falls, Montana; and

WHEREAS, he is the tenth North Dakotan to receive this award;

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

That the Forty-ninth Legislative Assembly of the state of North Dakota extends its sincere and hearty congratulations to Peter Nygaard of Williston, North Dakota, on being named one of the nation's four outstanding young farmers of 1985 by the United States Jaycees; and

BE IT FURTHER RESOLVED, that the Secretary of State forward a copy of this resolution to Peter Nygaard and to the Williston Jaycees.

SECOND READING OF A HOUSE CONCURRENT RESOLUTION

HCR 3093: A concurrent resolution congratulating Peter Nygaard on being named one of the nation's four outstanding young farmers of 1985 by the United States Jaycees.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3093 was declared adopted on a voice vote.

FIRST READING OF A HOUSE CONCURRENT RESOLUTION

Rep. Mertens introduced:

(Approved by the Committee on Delayed Bills)

HCR 3094: A concurrent resolution directing the Legislative Council to study the feasibility of and the various means

and methods of, as well as the timing involved in, the development and transition to an alternative structure for the higher education system encompassing all state institutions of higher education in the state of North Dakota, and that the Legislative Council conduct the study in cooperation with the Board of Higher Education.

Was read the first time and referred to the **Committee on Education**.

MOTION

REP. STRINDEN MOVED that SB 2150 be removed from the Fourteenth order on the calendar and be rereferred to the **Committee on State and Federal Government**, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. TIMM MOVED that the amendments to SB 2080 as recommended by the **Committee on Transportation** as printed on page 1632 of the House Journal be adopted, and when so adopted, recommends that SB 2080 DO NOT PASS, which motion prevailed.

SB 2080 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2116 as recommended by the **Committee on Judiciary** as printed on pages 1632-1633 of the House Journal be adopted, and when so adopted, recommends that SB 2116 DO PASS, which motion prevailed.

SB 2116 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to SB 2161 as recommended by the **Committee on State and Federal Government** as printed on pages 1633-1644 of the House Journal be adopted, and when so adopted, recommends that SB 2161 DO PASS, which motion prevailed.

SB 2161 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. HAUGLAND MOVED that the amendments to SB 2232 as recommended by the **Committee on Social Services and Veterans Affairs** as printed on page 1635 of the House Journal be adopted, and when so adopted, recommends that SB 2232 DO PASS, which motion prevailed.

SB 2232 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. LANG MOVED that the amendments to SB 2286 as recommended by the **Committee on Political Subdivisions** as printed on pages 1635-1636 of the House Journal be adopted, and when so adopted, recommends that SB 2286 DO PASS, which motion prevailed.

SB 2286 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to SB 2377 as recommended by the Committee on Transportation as printed on page 1637 of the House Journal be adopted, and when so adopted, recommends that SB 2377 DO NOT PASS, which motion prevailed.

SB 2377 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SECOND READING OF HOUSE BILLS

HB 1050: A BILL for an Act to amend and reenact section 57-15-14 of the North Dakota Century Code, relating to tax levy limitations in school districts; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 75 YEAS, 22 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, G.; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kloubec; Klundt; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Martinson; Melby; Mertens; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Shaw; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Anderson, R.; Belter; DeMers; Goetz; Gunsch; Hanson, O.; Hughes; Kelly; Kent; Kingsbury; Koland; Linderman; Lipsiea; Murphy; Olsen, D.; Olson, A.; Schneider; Shide; Thompson; Timm; Wald; Whalen

ABSENT AND NOT VOTING: Brokaw; Gerntholz; Gullickson; Knudson; Martin; Myrdal; Riley; Starke; Speaker Hausauer, R.

HB 1050 passed and the title was agreed to.

HB 1087: A BILL for an Act to amend and reenact section 57-62-03 of the North Dakota Century Code, relating to coal development impact loans to impacted areas from the coal development trust fund.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 96 YEAS, 2 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS. Gunsch; O'Shea

ABSENT AND NOT VOTING: Brokaw; Gerntholz; Gullickson; Knudson; Myrdal; Riley; Starke; Speaker Hausauer, R.

HB 1087 passed and the title was agreed to.

HB 1263: A BILL for an Act to amend and reenact sections 24-10-02 and 24-10-07 of the North Dakota Century Code, relating to maintenance of cattle guards and cattle ways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 98 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren;

Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Myrdal; Riley; Starke; Unhjsem; Speaker Hausauer, R.

HB 1263 passed and the title was agreed to.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3041: A concurrent resolution for the amendment of subsection 1 of section 6 of article VIII and sections 12 and 13 of article IX of the Constitution of the State of North Dakota, relating to the establishment of a system of higher education composed of the university of North Dakota and school of mines at Grand Forks, the North Dakota state university at Fargo, with the experiment station at Fargo with its substations, the Minot state university at Minot, the Bismarck state community college at Bismarck, the Bottineau state community college at Bottineau, the Devils Lake state community college at Devils Lake, the Dickinson state community college at Dickinson, the Mayville state community college at Mayville, the Valley City state community college at Valley City, the Wahpeton state community college at Wahpeton, and the Williston state community college at Williston; to establish the highest degree to be granted by state community colleges; to remove the authority to establish other institutions of higher education; and to provide an effective date.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 6 YEAS, 92 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Cleveland; Kingsbury; Mertens; Schmidt; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Wold; Acting Speaker Conny

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Myrdal; Olsen, D.; Shockman; Starke; Speaker Hausauer, R.

HCR 3041 was declared lost.

MESSAGES TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has passed unchanged:

SB 2041, SB 2043, SB 2044, SB 2045, SB 2046, SB 2050,
SB 2058, SB 2084, SB 2106, SB 2107, SB 2121, SB 2122,
SB 2123, SB 2124, SB 2125, SB 2131, SB 2149, SB 2155,
SB 2166, SB 2190, SCR 4019, SCR 4027

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the House has failed to pass:

SB 2071, SB 2083

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SCR 4001, SCR 4012, SCR 4039, SCR 4041, SCR 4045

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to return herewith the following which the Speaker has signed:

SCR 4001, SCR 4012, SCR 4039, SCR 4041, SCR 4045
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House has refused to concur in the Senate amendments to HB 1057 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1057: Reps. Dalrymple, Kretschmar, A. Williams
ROY GILBREATH, Chief Clerk

MOTION

REP. MELBY MOVED that the House reconsider its action whereby SB 2277 failed to pass.

REQUEST

REP. ULMER REQUESTED a recorded roll call vote on the motion to reconsider the action whereby SB 2277 failed to pass, which request was granted.

MOTION

REP. UNHJEM MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the motion to reconsider the action whereby SB 2277 failed to pass, the roll was called and there were 55 YEAS, 46 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Cleveland; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Graba; Halmrast; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Klundt; Kretschmar; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Melby; Mertens; Meyer; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Pederson, R.; Retzer; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shockman; Skjerven; Solberg, O.; Solberg, R.; Stofferahn; Ulmer; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Conmy; Dorso; Dotzenrod; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hughes; Kent; Kingsbury; Kloubec; Koland; Kuchera; Lang; Larson; Lindgren; Lipsiea; Moore; Murphy; Nalewaja; Olsen, D.; Olson, A.; Payne; Peterson, J.; Rice; Riley; Schmidt; Shide; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Whalen; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Knudson; Martinson; Myrdal; Starke

So the motion to reconsider the action whereby SB 2277 failed to pass prevailed.

SECOND READING OF SENATE BILLS

SB 2277: A BILL for an Act to create and enact a new section to chapter 50-10.2 of the North Dakota Century Code, relating to enforcement of the rights of long-term care facility residents; and to amend and reenact sections 50-10.2-01, 50-10.2-02, and 50-10.2-03 of the North Dakota Century Code, relating to rights of long-term care facility residents.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 53 YEAS, 49 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Brokaw; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Keller; Kelly; Klundt; Kretschmar; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Melby; Mertens; Meyer; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Pederson, R.; Retzer; Richard; Riehl; Sauter; Schneider; Shaw; Shockman; Skjerven; Solberg, O.; Solberg, R.; Stofferahn; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dorso; Dotzenrod; Gerntholz; Goetz; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury; Kloubec; Koland; Kuchera; Lang; Larson; Lindgren; Lipsiea; Martinson; Mocre; Murphy; Nalewaja; Olsen, D.; Olson, A.; Olson, V.; Payne; Peterson, J.; Rice; Riley; Rydell; Schindler; Schmidt; Shide; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Wald; Whalen; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Knudson; Myrdal; Starke

SB 2277 was declared lost for want of a Constitutional majority.

SB 2040: A BILL for an Act to amend and reenact section 27-08.1-01 of the North Dakota Century Code, relating to small claims court venue for collection of nonsufficient fund or no account checks.

Which has been read and has committee recommendation of DO NOT PASS.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 1 YEA, 97 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Mertens

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Myrdal; Nicholas; Peterson, J.; Starke; Whalen

SB 2040 was declared lost.

SB 2073: A BILL for an Act to amend and reenact section 65-04-15 of the North Dakota Century Code, relating to release of payroll information from employers.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 65 YEAS, 33 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Cleveland; Conmy; DeMers; Dotzenrod; Eckroth; Frey; Gates; Graba; Halmrast; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Kloubec; Klundt; Kretschmar; Lang; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Melby; Mertens; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Payne; Retzer; Richard; Riehl; Rydell; Sauter; Schneider; Shaw; Shide; Shockman; Skjerven; Smette;

Solberg, O.; Stofferahn; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Belter; Dalrymple; Dorso; Enget; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Koland; Kuchera; Larson; Martin; Martinson; Murphy; Olsen, D.; Olson, A.; Olson, V.; Pederson, R.; Rice; Schindler; Schmidt; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Wald

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Myrdal; Peterson, J.; Riley; Starke; Whalen

SB 2073 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2085, which motion prevailed.

SB 2085: A BILL for an Act to create two new sections to chapter 32-20 of the North Dakota Century Code, relating to the trial of a special answer when foreclosing on personal property; to amend and reenact sections 32-20-02 and 32-20-05 of the North Dakota Century Code, relating to the procedure used to seize the property when foreclosing on personal property and to the contents of the judgment; and to repeal section 32-20-03 of the North Dakota Century Code, relating to the form of the warrant to seize the property when foreclosing on personal property.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Stofferahn; Thompson; Timm; Tollefson;

Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Myrdal; Peterson, J.; Riley; Skjerven; Starke; Strinden; Whalen

SB 2085 passed and the title was agreed to.

SB 2087: A BILL for an Act to amend and reenact section 1-02-09 of the North Dakota Century Code, relating to reconciliation of statutes passed during the same session.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 1 NAY, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Kelly

ABSENT AND NOT VOTING: Brokaw; Dorso; Gullickson; Knudson; Peterson, J.; Riley; Skjerven; Starke; Whalen

SB 2087 passed and the title was agreed to.

SB 2088: A BILL for an Act to amend and reenact section 1-02-12 of the North Dakota Century Code, relating to headnotes.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 94 YEAS, 0 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gansch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gullickson; Kelly; Knudson; Mertens; Nicholas; Peterson, J.; Riehl; Riley; Wald; Whalen

SB 2088 passed and the title was agreed to.

SB 2099: A BILL for an Act to amend and reenact section 12-59-15 of the North Dakota Century Code, relating to violations of parole agreements and redetermining the period remaining in supervision.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 2 NAYS, 13 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd;

Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Gunsch; Murphy

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Frey; Gullickson; Knudson; Mertens; Nicholas; Peterson, J.; Riley; Schmidt; Stofferahn; Wald; Whalen

SB 2099 passed and the title was agreed to.

SB 2102: A BILL for an Act to create and enact a new section to chapter 12.1-17 of the North Dakota Century Code, relating to assault; and to amend and reenact sections 12.1-01-04 and 12.1-17-02 of the North Dakota Century Code, relating to general criminal definitions and aggravated assault.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 90 YEAS, 1 NAY, 15 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Kingsbury

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gullickson; Gunsch; Knudson; Myrdal; Nicholas; Olson, A.;

Peterson, J.; Riley; Schmidt; Stofferahn; Unhjem; Wald; Whalen

SB 2102 passed and the title was agreed to.

MOTION

REP. KUCHERA MOVED that the House reconsider its action whereby SB 2315 failed to pass, which motion prevailed on a verification vote.

SECOND READING OF SENATE BILLS

SB 2315: A BILL for an Act to amend and reenact subsection 5 of section 57-15-06.8 of the North Dakota Century Code, relating to county tax levy limitations for extraordinary expenditures.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 75 YEAS, 23 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Cleveland; Conny; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Kelly; Kent; Kloubec; Klundt; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, V.; Opedahl; Payne; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Tollefson; Ulmer; Unhjem; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Belter; Dalrymple; Dorso; Gunsch; Hedstrom; Hughes; Keller; Kingsbury; Koland; Laughlin; Lipsiea; Murphy; O'Connell; Olson, A.; O'Shea; Pederson, R.; Richard; Shockman; Timm; Vander Vorst; Watne

ABSENT AND NOT VOTING: Brokaw; Goetz; Gullickson; Knudson; Nicholas; Peterson, J.; Wald; Whalen

SB 2315 passed and the title was agreed to.

SB 2110: A BILL for an Act to amend and reenact section 35-24-19 of the North Dakota Century Code, relating to the allowance of attorney's fees in well or pipeline lien foreclosures.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 1 NAY, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: O'Connell

ABSENT AND NOT VOTING: Brokaw; Gullickson; Hanson, O.; Knudson; Nicholas; Pederson, R.; Peterson, J.; Whalen

SB 2110 passed and the title was agreed to.

SB 2117: A BILL for an Act to amend and reenact section 29-10.1-18 of the North Dakota Century Code, relating to expenses of grand juries.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 79 YEAS, 20 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Cleveland; Conmy; Dalrymple; DeMers; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Kelly; Kloubec; Klundt; Koland; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lindgren;

Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Nalewaja; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; Payne; Pederson, R.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold

NAYS: Belter; Berg, R.; Dorso; Dotzenrod; Gunsch; Hanson, O.; Hughes; Kent; Kingsbury; Kuchera; Lang; Myrdal; Olsen, D.; Olson, A.; O'Shea; Shide; Strinden; Whalen; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Brokaw; Gullickson; Keller; Knudson; Nicholas; Peterson, J.; Retzer

SB 2117 passed and the title was agreed to.

SB 2118: A BILL for an Act to amend and reenact subsection 8 of section 27-07.1-17 of the North Dakota Century Code, relating to the jurisdiction of county courts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, C.; Brockaw; Gullickson; Keller; Knudson; Martin; Martinson; Nicholas; Peterson, J.; Retzer; Thompson

SB 2118 passed and the title was agreed to.

SB 2119: A BILL for an Act to amend and reenact sections 1-03-01 and 1-03-02 of the North Dakota Century Code, relating to the date of observance of Memorial Day holiday.

Which has been read and is placed on the calendar without recommendation.

MOTION

REP. HAMERLIK MOVED the previous question, which motion prevailed.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 55 YEAS, 46 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Dalrymple; Dotzenrod; Eckroth; Enget; Gerntholz; Gunsch; Hanson, O.; Haugland; Hedstrom; Hughes; Klundt; Kuchera; Lang; Laughlin; Linderman; Lloyd; Martin; Melby; Meyer; Murphy; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Pederson, R.; Peterson, J.; Rice; Riehl; Schindler; Schmidt; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Tollefson; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Berg, R.; Cleveland; Conmy; DeMers; Dorso; Frey; Gates; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Koland; Kretschmar; Larson; Lautenschlager; Lindgren; Lipsiea; Martinson; Mertens; Moore; Myrdal; Oban; O'Connell; Opedahl; Payne; Riley; Rydell; Sauter; Schneider; Shaw; Skjerven; Strinden; Timm; Ulmer; Wald; Winkelman; Wold

ABSENT AND NOT VOTING: Brockaw; Gullickson; Knudson; Retzer; Richard

SB 2119 passed and the title was agreed to.

MESSAGES FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1168 and HB 1279 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1168

On page 1 of the engrossed bill, line 3, after the second word "care" insert the words "; and to declare an emergency"

On page 1 of the engrossed bill, line 27, after the word "facility" insert the words "or, if a former resident of Grafton state school or San Haven released after August 31, 1982, who has been determined by the department to have a developmental need for services provided in an intermediate care facility for the developmentally disabled"

On page 3 of the engrossed bill, after line 7, insert the following new section:

"SECTION 3. EMERGENCY. This Act is hereby declared to be an emergency measure and is in effect from and after its passage and approval."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1279

On page 1 of the engrossed bill, line 1, delete the words "to create and enact a new section to chapter 27-15"

On page 1 of the engrossed bill, delete line 2

On page 1 of the engrossed bill, delete the word "funding;"

On page 5 of the engrossed bill, delete lines 10 through 14

And renumber the lines, sections, and pages accordingly

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has passed unchanged:

HB 1014, HB 1040, HB 1047, HB 1063, HB 1144, HB 1235,
HB 1277, HB 1305, HB 1387, HB 1413, HB 1435, HB 1447,
HB 1451, HB 1512, HB 1532, HB 1619, HCR 3023, HCR 3028,
HCR 3059, HCR 3066

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the Senate has failed to pass:

HB 1215, HB 1306

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

SB 2134: A BILL for an Act to create and enact two new sections to chapter 45-11 of the North Dakota Century Code, relating to fictitious partnership names; and to amend and reenact sections 45-11-01, 45-11-02, 45-11-03, 45-11-04, 45-11-05, 45-11-06, 45-11-07, and 45-11-08 of the North Dakota Century Code, relating to fictitious partnership names.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 1 NAY, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gertholz; Goetz; Graba; Gansch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Berg, R.

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Moore; Nowatzki; Olsen, D.; Richard; Riehl; Schmidt; Wold

SB 2134 passed and the title was agreed to.

SB 2142: A BILL for an Act to create and enact a new subsection to section 26.1-03-17 relating to the payment of estimated premium tax; and to amend and reenact subsections 1 and 2 of section 26.1-03-17 of the North Dakota Century Code, relating to premium tax, credits, and penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Lang; Mertens; Nowatzki; Riley; Strinden; Wentz

SB 2142 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2156, which motion prevailed.

SB 2156: A BILL for an Act to create and enact a new subsection to section 15-10-17 of the North Dakota Century Code, relating to early retirement of faculty and officers of the board of higher education; and to amend and reenact subsection 1 of section 54-14-04.3 and section 54-52.1-03 of the North Dakota Century Code, relating to severance pay and contributions to the uniform group insurance program.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.;

Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Belter; Brokaw; Gullickson; Knudson; Lang; Mertens; Nowatzki; Riley; Strinden; Unhjem; Wentz

SB 2156 passed and the title was agreed to.

SB 2157: A BILL for an Act to create and enact a new subdivision to subsection 13 of section 15-10-17 of the North Dakota Century Code, relating to certain college teachers under the teachers' fund for retirement; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 0 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald;

Watne; Williams, A.; Williams, C.; Williams, W.;
Winkelman; Wold; Speaker Hausauer. R.

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gullickson; Gunsch; Kent;
Knudson; Mertens; Nowatzki; Riley; Wentz; Whalen

SB 2157 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2207: A BILL for an Act to create and enact a new subsection to section 6-09-35 of the North Dakota Century Code, relating to the confidentiality of Bank records.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 89 YEAS, 8 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Conmy; Graba; Gunsch; Kuchera; Nalewaja; O'Connell; Schmidt; Ulmer

ABSENT AND NOT VOTING: Brokaw; Gullickson; Kent;
Knudson; Mertens; Nowatzki; Riley; Shockman; Timm

SB 2207 passed and the title was agreed to.

SB 2261: A BILL for an Act to amend and reenact section 15-47-15 of the North Dakota Century Code, relating to bidding requirements for school contracts.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gullickson; Kent; Knudson; Mertens; Myrdal; Richard; Riley; Shockman

SB 2261 passed and the title was agreed to.

SB 2271: A BILL for an Act to amend and reenact subsection 4 of section 12.1-20-02 of the North Dakota Century Code, relating to the definition of sexual contact.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 97 YEAS, 0 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell;

Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Brokaw; Gullickson; Hanson, O.; Kent; Knudson; Mertens; Pederson, R.; Riley; Shockman

SB 2271 passed and the title was agreed to.

SB 2318: A BILL for an Act to amend and reenact section 4-33-11 of the North Dakota Century Code, relating to financing of local pest control programs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 7 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kloubec; Klundt; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Conmy; Gunsch; Kingsbury; Kuchera; O'Connell; Shockman; Stofferahn

ABSENT AND NOT VOTING: Brokaw; Gullickson; Hanson, O.; Kent; Knudson; Mertens; Nowatzki

SB 2318 passed and the title was agreed to.

SB 2339: A BILL for an Act to amend and reenact section 36-01-01 of the North Dakota Century Code, relating to the term of office of members of the state livestock sanitary board.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 1 NAY, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Olsen, D.

ABSENT AND NOT VOTING: Brokaw; Gullickson; Gunsch; Kent; Knudson; Kuchera; Mertens; Nowatzki; Wald

SB 2339 passed and the title was agreed to.

SB 2340: A BILL for an Act to create and enact a new section to chapter 36-09 of the North Dakota Century Code, relating to police powers of livestock brand inspectors.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 87 YEAS, 15 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Haugland;

Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kent; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Riehl; Rydell; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: DeMers; Graba; Halmrast; Hanson, L.; Hoffner; Kelly; Kingsbury; Linderman; Oban; Peterson, J.; Richard; Sauter; Schneider; Solberg, O.; Wentz

ABSENT AND NOT VOTING: Brokaw; Gullickson; Knudson; Riley

SB 2340 passed and the title was agreed to.

MESSAGE TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed, but the emergency clause failed to carry:

HB 1653

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGES FROM SENATE

REP. A. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1094, which motion prevailed.

HB 1094 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the House do not concur in the Senate amendments to HB 1128, and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1128:

Reps. Payne, R. Berg, DeMers

CONSIDERATION OF MESSAGES FROM SENATE

REP. HUGHES MOVED that the House do concur in the Senate amendments to HB 1171, which motion prevailed.

HB 1171 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the House do not concur in the Senate amendments to HB 1204, and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1204:

Reps. Moore, Hughes, Schneider

CONSIDERATION OF MESSAGES FROM SENATE

REP. HUGHES MOVED that the House do concur in the Senate amendments to HB 1352, which motion prevailed.

HB 1352 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the House do concur in the Senate amendments to HB 1383, which motion prevailed.

HB 1383 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the House do not concur in the Senate amendments to HB 1384 and that a conference committee be appointed to meet with a like committee from the Senate, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE SPEAKER APPOINTED as a Conference Committee on HB 1384:

Reps. Martinson, Melby, L. Hanson

CONSIDERATION OF MESSAGE FROM SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HCR 3030, which motion prevailed.

HCR 3030 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. KRETSCHMAR MOVED that the absent members be excused, which motion prevailed.

REP. KRETSCHMAR MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House stand adjourned until 12:30 p.m., Thursday, March 7, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1648 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, after the numerals "57-38-04" insert the words "and section 57-38-10"

On page 1, after line 19, insert the following new section:

"SECTION 2. AMENDMENT. Section 57-38-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-38-10. Allocation and apportionment of partnership income. The income or loss of a partnership shall be allocated and apportioned to North Dakota and outside North Dakota as the income or loss of a corporation is allocated and apportioned to the state and outside the state. Provided, however, that those partners, limited to individuals, estates, and trusts who are residents of this state, must report their entire distributive share to this state, as provided in subdivision b of subsection 6 of section 57-38-04, and may claim a credit for taxes paid to another state on that portion of their distributive share attributable to and taxed by another state, as provided in subdivision c of subsection 6 of section 57-38-04."

And renumber the lines, sections, and pages accordingly
 REP. A. HAUSAUER, Chairman

HB 1648 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred HB 1649 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 26, after the word "warrants" insert the words "executed as evidence of loans to mitigate coal development impact"

On page 2, line 28, delete the words "or from the oil and gas gross production tax"

On page 2, line 32, after the period insert the following sentence: "Warrants executed as evidence of loans to mitigate oil and gas development impact are payable from any funds of the borrowing political subdivision and constitute a general obligation and indebtedness of the

political subdivision.", overstrike the word "the" and insert immediately thereafter the word "a", and after the word "loan" insert the words "to mitigate coal development impact"

On page 2, line 34, delete the words "or section 57-51-15"

On page 3, line 1, after the period insert the following sentence: "The terms of a loan to mitigate oil and gas development impact shall provide for repayment of the loan from any moneys available to the political subdivision.", and overstrike the words "withheld by the"

On page 3, line 2, overstrike the words "state treasurer as" and insert immediately thereafter the words "which constitutes"

On page 3, line 3, overstrike the words "withheld by the state treasurer as" and insert immediately thereafter the words "which constitutes"

On page 3, line 15, after the word "moneys" insert the words "under this chapter"

On page 3, line 20, delete the words "or oil and gas gross production tax"

On page 3, line 22, after the period insert the following sentence: "A loan made to mitigate oil and gas development impact shall not be canceled for any reason."

On page 3, line 24, delete the words "or section 57-51-15"

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

HB 1649 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred HB 1654 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

HB 1654 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2039 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KLOUBEC, Chairman

Engrossed SB 2039 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2059 has had the same under consideration and recommends by a vote of 8 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 18, delete the word "a"

On page 1, line 19, delete the word "pool" and insert in lieu thereof the word "pools"

On page 1, line 20, immediately after the word "dollars" insert the words "for each pool"

And renumber the lines accordingly

REP. CONMY, Chairman

SB 2059 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2074 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, after the word "appointed" insert the words ", one of whom must be"

On page 1, line 11, after the word "association" insert the words "and one of whom must be from a list of four submitted by the state health care association"

On page 2, line 9, after the word "services" insert the words ", the executive director of the North Dakota Indian affairs commission"

And renumber the lines and pages accordingly

REP. HAULAND, Chairman

SB 2074 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2082 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2082 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2090 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2090 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2126 had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

Engrossed SB 2126 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2128 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SB 2128 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2129 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

Engrossed SB 2129 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2143 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 14, delete the word "his" and insert in lieu thereof the words "that person's"

And renumber the lines accordingly

REP. CONMY, Chairman

SB 2143 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2150 has had the same under consideration and

recommends by a vote of 7 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

SB 2150 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2152 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2152 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SB 2153 has had the same under consideration and recommends by a vote of 15 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 11, delete the words "one hundred", and delete the word "for"

On page 1, line 12, delete the words "the president and one hundred dollars for all other members"

And renumber the lines accordingly

REP. SCHINDLER, Vice Chairman

SB 2153 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2154 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2154 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2158 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2158 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2191 has had the same under consideration and

recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2191 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2210 has had the same under consideration and recommends by a vote of 7 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2210 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2211 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2211 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2221 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SB 2221 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2226 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2226 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2227 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2227 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2246 has had the same under consideration and recommends by a

vote of 8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2246 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SB 2267 has had the same under consideration and recommends by a vote of 14 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "15-60-04" insert the word and numerals "and 15-60-05"

On page 1 of the engrossed bill, line 2, delete the words "limitations on the amount of"

On page 1 of the engrossed bill, line 4, after the word "fund" insert the words "and the interest incurred by school districts on such loans"

On page 1 of the engrossed bill, line 11, remove the overstrike over the word "~~three~~", and delete the word "five"

On page 1 of the engrossed bill, immediately following line 19, insert the following:

"SECTION 2. AMENDMENT. Section 15-60-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

15-60-05. Contracts to lease and leases by school districts from board. Any school district within the state shall have power and authority to enter into contracts with the board to lease as lessee from the board, any school building constructed or improved by the board, for a term not exceeding thirty years, at such rental or rentals as may be determined by the board, and upon the completion of said school building the school district shall have power and authority to lease as lessee any school building completed by the board for a term, with respect to each not exceeding thirty years, at such rental or rentals as may be determined by the board. Such rental or rentals shall be applied on the total cost of the construction or improvement for such district until the full amount expended by the board shall have been repaid together with ~~two and one-half~~ five percent interest per annum. Any unexpended proceeds of any bond issue of any school district may be paid over to the fund in the form of advance rentals under such contract. Upon full payment of

all rentals by the school district, the board shall execute and deliver such deeds or bills of sale as may be necessary to transfer complete title and interest to the school district."

And renumber the lines and pages accordingly

REP. SCHINDLER, Vice Chairman

SB 2267 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SB 2279 has had the same under consideration and recommends by a vote of 17 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 3, delete the word "dates" and insert in lieu thereof the word "date", and after the second word "the" insert the word "second"

On page 2 of the engrossed bill, line 15, remove the overstrike over the word "~~fifteenth~~", and delete the word "first"

On page 2 of the engrossed bill, line 16, delete the word "fifteenth" and insert in lieu thereof the word "thirty-first"

On page 2 of the engrossed bill, line 28, remove the overstrike over the word "~~fifteenth~~", and delete the word "first"

On page 2 of the engrossed bill, line 30, delete the word "fifteenth" and insert in lieu thereof the word "thirty-first"

On page 3 of the engrossed bill, line 28, remove the overstrike over the word "~~fifteenth~~"

On page 3 of the engrossed bill, line 29, delete the word "first"

On page 3 of the engrossed bill, line 30, delete the word "fifteenth" and insert in lieu thereof the word "thirty-first"

And renumber the lines and pages accordingly

REP. SCHINDLER, Vice Chairman

SB 2279 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2294 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SB 2294 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2299 has had the same under consideration and recommends by a vote of 9 YEAS, 5 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SB 2299 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2323 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SB 2323 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2326 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SB 2326 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2357 has had the same under consideration and recommends by a vote of 10 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 10, delete the word "thirty" and insert in lieu thereof the word "forty-five"

On page 1 of the engrossed bill, line 21, delete the word "thirty" and insert in lieu thereof the word "forty-five"

On page 1 of the engrossed bill, line 24, delete the word "thirty" and insert in lieu thereof the word "forty-five"

On page 2 of the engrossed bill, line 20, delete the word "thirty" and insert in lieu thereof the word "forty-five"

On page 2 of the engrossed bill, line 22, delete the word "thirty" and insert in lieu thereof the word "forty-five"

And renumber the lines accordingly

REP. MARTINSON, Chairman

SB 2357 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2368 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2368 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2427 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 16, after the word "section" insert the words "as it applies to the project"

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

SB 2427 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2434 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2434 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal government to which was referred SB 2472 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2472 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SB 2476 has had the same under consideration and recommends by a

vote of 15 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. SCHINDLER, Vice Chairman

SB 2476 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2487 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. KLOUBEC, Chairman

Engrossed SB 2487 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SCR 4006 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. KLOUBEC, Chairman

SCR 4006 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SCR 4013 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. KLOUBEC, Chairman

SCR 4013 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SCR 4030 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SCR 4030 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SCR 4034 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SCR 4034 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SCR 4038 has had the same under consideration and recommends by a

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vote of 14 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. SCHINDLER, Vice Chairman

SCR 4038 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SCR 4047 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SCR 4047 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SCR 4048 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. SCHINDLER, Vice Chairman

SCR 4048 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SCR 4065 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. KLOUBEC, Chairman

SCR 4065 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

The House stood adjourned pursuant to Representative Kretschmar's motion.

ROY GILBREATH, Chief Clerk