

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

\* \* \* \* \*

FIFTIETH DAY

Bismarck, March 20, 1985

The House convened at 9:00 a.m., with Speaker R. Hausauer presiding.

The prayer was offered by Representative C. Anderson.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Dorso, Gullickson, Laughlin, Lautenschlager, Lipsiea, Winkelman.

A quorum was declared by the 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 Forty-ninth Day and finds the same to be correct.

REP. KENT, Chairman

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

CONSIDERATION OF MESSAGES FROM SENATE

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1432, which motion prevailed.

HB 1432 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 1159, which motion prevailed.

HB 1159 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the House do concur in the Senate amendments to HB 1199, which motion prevailed.

HB 1199 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the House do not concur in the Senate amendments to HB 1295 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 1295:

Reps. Cleveland, A. Williams, Oban

**CONSIDERATION OF MESSAGES FROM SENATE**

**REP. KLOUBEC** MOVED that the House do concur in the Senate amendments to HB 1334, which motion prevailed.

HB 1334 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 1431, which motion prevailed.

HB 1431 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**REP. KLOUBEC** MOVED that the House do concur in the Senate amendments to HB 1500, which motion prevailed.

HB 1500 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

**MESSAGES FROM THE SENATE**

**SENATE CHAMBER**

**MR. SPEAKER:** I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2073, SB 2085, SB 2087, SB 2088, SB 2099, SB 2102,  
 SB 2110, SB 2117, SB 2118, SB 2119, SB 2134, SB 2142,  
 SB 2156, SB 2157, SB 2207, SB 2261, SB 2271, SB 2315,  
 SB 2318, SB 2339, SB 2340

LEO LEIDHOLM, Secretary

**SENATE CHAMBER**

**MR. SPEAKER:** I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2094, SB 2112, SB 2132, SB 2185, SB 2192, SB 2195,  
 SB 2199, SB 2206, SB 2208, SB 2213, SB 2215, SB 2219,  
 SB 2220, SB 2224, SB 2230, SB 2233, SB 2236, SB 2237,  
 SB 2239, SB 2241, SB 2252, SB 2254, SB 2258, SB 2264,  
 SB 2268, SB 2270, SB 2272, SB 2276, SB 2280, SB 2297,  
 SB 2298, SB 2310

LEO LEIDHOLM, Secretary

**MESSAGES TO THE SENATE**

**HOUSE CHAMBER**

**MADAM PRESIDENT:** I have the honor to inform you that the House does not concur in the Senate amendments to HB 1242 and the

Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1242: Reps. Retzer, Whalen, Lloyd

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2251: Reps. Riley, Shide, Dotzenrod

ROY CILBREATH, Chief Clerk

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 engrossed:

HB 1656, HCR 3094

REP. HEDSTROM, Chairman

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

SECOND READING OF HOUSE CONCURRENT RESOLUTION

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 to study admissions and tuition policies for foreign and nonresident students, and that the Legislative Council conduct the study in cooperation with the Board of Higher Education.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were 93 YEAS, 3 NAYS, 10 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; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell;

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

**NAYS:** Retzer; Rice; Unhjem

**ABSENT AND NOT VOTING:** Brokaw; Dorso; Gullickson; Laughlin; Lautenschlager; Nowatzki; Opedahl; Schneider; Whalen; Wold

HCR 3094 was declared adopted.

\*\*\*\*\*

#### SECOND READING OF HOUSE BILL

**HB 1656:** A BILL for an Act to create and enact a new section to chapter 25-02, five new sections to chapter 25-04, and a new chapter to title 50 of the North Dakota Century Code, relating to payment and waiver of payment of expenses of care and treatment for patients at the state hospital and Grafton state school and the imposition and collection of fees and expenses by the department of human services; and to repeal chapter 25-09 of the North Dakota Century Code, relating to expenses for care of patients at the state hospital and Grafton state school.

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 97 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING.

**YEAS:** Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; 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; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne;

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

NAYS: Meyer; O'Connell; Stofferahn; Ulmer

ABSENT AND NOT VOTING: Dorso; Gullickson; Laughlin;  
Nowatzki; Olson, V.

HB 1656 passed and the title was agreed to.

\*\*\*\*\*

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3096: A concurrent resolution directing the Legislative Council to study the positive and adverse impacts of current tuition reciprocity agreements on postsecondary educational institutions, the communities where such institutions are located, postsecondary students, and state government.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; 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; 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; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Dorso; Gullickson; Laughlin;  
Nowatzki

HCR 3096 was declared adopted.

\*\*\*\*\*

## MOTION

REP. STRINDEN MOVED that the rules be suspended and that HCR 3094, HCR 3096, and HB 1656 be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE SENATE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the House has passed and your favorable consideration is requested on:

HB 1656, HCR 3094, HCR 3096

ROY GILBREATH, Chief Clerk

## MOTION

REP. STRINDEN MOVED that the House stand in recess until 12:30 p.m., which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with Speaker R. Hausauer presiding.

## SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1014, HB 1040, HB 1047, HB 1050, HB 1062, HB 1063,  
 HB 1076, HB 1087, HB 1144, HB 1235, HB 1263, HB 1277,  
 HB 1289, HB 1305, HB 1369, HB 1370, HB 1374, HB 1375,  
 HB 1381, HB 1387, HB 1392, HB 1413, HB 1424, HB 1428,  
 HB 1435, HB 1447, HB 1451, HB 1512, HB 1532, HB 1555,  
 HB 1561, HB 1569, HB 1600, HB 1619, HB 1623, HCR 3011,  
 HCR 3023, HCR 3026, HCR 3028, HCR 3039, HCR 3049, HCR 3053,  
 HCR 3059, HCR 3060, HCR 3061, HCR 3063, HCR 3064, HCR 3066,  
 HCR 3068, HCR 3073

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE  
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to transmit herewith the following which the Speaker has signed and your signature is respectfully requested:

HB 1014, HB 1040, HB 1047, HB 1050, HB 1062, HB 1063,  
 HB 1076, HB 1087, HB 1144, HB 1235, HB 1263, HB 1277,  
 HB 1289, HB 1305, HB 1369, HB 1370, HB 1374, HB 1375,  
 HB 1381, HB 1387, HB 1392, HB 1413, HB 1424, HB 1428,  
 HB 1435, HB 1447, HB 1451, HB 1512, HB 1532, HB 1555,  
 HB 1561, HB 1569, HB 1600, HB 1619, HB 1623, HCR 3011,  
 HCR 3023, HCR 3026, HCR 3028, HCR 3039, HCR 3049, HCR 3053,  
 HCR 3059, HCR 3060, HCR 3061, HCR 3063, HCR 3064, HCR 3066,  
 HCR 3068, HCR 3073

ROY GILBREATH, Chief Clerk

CONSIDERATION OF MESSAGE FROM SENATE

REP. A. OLSON MOVED that the House do not concur in the Senate amendments to HB 1070 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 1070:

Reps. Kretschmar, Koland, L. Hanson

CONSIDERATION OF MESSAGES FROM SENATE

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1078, which motion prevailed.

HB 1078 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1521, which motion prevailed.

HB 1521 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 1571, which motion prevailed.

HB 1571 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the House do concur in the Senate amendments to HB 1539, which motion prevailed.

HB 1539 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 HCR 3037, which motion prevailed.

HCR 3037 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HCR 3065, which motion prevailed.

HCR 3065 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. KRETSCHMAR MOVED that the amendments to HB 1057 as recommended by your Conference Committee as printed on page 1989 of the House Journal be adopted, and when so adopted, recommends that HB 1057 DO PASS, which motion prevailed.

HB 1057 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KNUDSON MOVED that the amendments to SB 2062 as recommended by the Committee on Education as printed on page 2039 of the House Journal be adopted, and when so adopted, recommends that SB 2062 DO PASS, which motion prevailed.

SB 2062 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to SB 2167 as recommended by the Committee on Transportation as printed on pages 2039-2040 of the House Journal be adopted, and when so adopted, recommends that SB 2167 DO PASS, which motion prevailed.

SB 2167 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to SB 2186 as recommended by the Committee on Finance and Taxation as printed on pages 2040-2041 of the House Journal be adopted, and when so adopted, recommends that SB 2186 DO PASS, which motion prevailed.

SB 2186 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. TIMM MOVED that the amendments to SB 2214 as recommended by the Committee on Transportation as printed on page 2041 of the House Journal be adopted, and when so adopted, recommends that SB 2214 DO PASS, which motion prevailed.

SB 2214 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2245 as recommended by the Committee on Judiciary as printed on pages 2041-2042 of the House Journal be adopted, and when so adopted, recommends that SB 2245 DO PASS, which motion prevailed.

SB 2245 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to SB 2250 as recommended by the Committee on Finance and Taxation as printed on page 2042 of the House Journal be adopted, and when so adopted, recommends that SB 2250 DO PASS, which motion prevailed.

SB 2250 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2260 as recommended by the Committee on Judiciary as printed on pages 2042-2043 of the



House Journal be adopted, and when so adopted, recommends that SB 2260 DO PASS, which motion prevailed.

SB 2260 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. HAUSAUER MOVED that the amendments to SB 2300 as recommended by the Committee on Finance and Taxation as printed on pages 2043-2045 of the House Journal be adopted, and when so adopted, recommends that SB 2300 DO PASS, which motion prevailed.

SB 2300 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to SB 2352 as recommended by the Committee on State and Federal Government as printed on pages 2046-2047 of the House Journal be adopted, and when so adopted, recommends that SB 2352 DO PASS, which motion prevailed.

SB 2352 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

#### SIXTH ORDER OF BUSINESS

REP. HAUGLAND MOVED that the amendments to SB 2369 as recommended by the Committee on Social Services and Veterans Affairs as printed on page 2047 of the House Journal be adopted, and when so adopted, recommends that SB 2369 DO PASS, which motion prevailed.

SB 2369 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. MARTINSON MOVED that the amendments to SB 2388 as recommended by the Committee on State and Federal Government as printed on page 2048 of the House Journal be adopted, and when so adopted, recommends that SB 2388 DO PASS and be rereferred to the Statutory Committee on Retirement, which motion prevailed.

SB 2388 was rereferred to the Statutory Committee on Retirement.

REP. TIMM MOVED that the amendments to SB 2413 as recommended by the Committee on Transportation as printed on pages 2048-2049 of the House Journal be adopted, and when so adopted, recommends that SB 2413 DO PASS, which motion prevailed.

SB 2413 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2435 as recommended by the Committee on Judiciary as printed on page 2049 of the House Journal be adopted, and when so adopted, recommends that SB 2435 DO PASS, which motion prevailed.

SB 2435 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**REP. A. OLSON MOVED** that the amendments to SB 2455 as recommended by the **Committee on Natural Resources** as printed on pages 2049-2050 of the House Journal be adopted, and when so adopted, recommends that SB 2455 DO PASS, which motion prevailed.

SB 2455 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**REP. CONMY MOVED** that the amendments to SB 2489 as recommended by the **Committee on Judiciary** as printed on page 2051 of the House Journal be adopted, and when so adopted, recommends that SB 2489 DO PASS, which motion prevailed.

SB 2489 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**REP. A. HAUSAUER MOVED** that the amendments to SB 2491 as recommended by the **Committee on Finance and Taxation** as printed on page 2051 of the House Journal be adopted, and when so adopted, recommends that SB 2491 DO PASS, which motion prevailed.

SB 2491 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**REP. NICHOLAS MOVED** that the amendments to SB 2495 as recommended by the **Committee on Agriculture** as printed on page 2052 of the House Journal be adopted, and when so adopted, recommends that SB 2495 DO PASS, which motion prevailed.

SB 2495 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

**REP. A. OLSON MOVED** that the amendments to SCR 4010 as recommended by the **Committee on Natural Resources** as printed on pages 2052-2053 of the House Journal be adopted, and when so adopted, recommends that SCR 4010 DO PASS and BE PLACED ON THE CONSENT CALENDAR, which motion prevailed.

SCR 4010 was placed on the Consent Calendar.

**REP. CONMY MOVED** that the amendments to SCR 4066 as recommended by the **Committee on Judiciary** as printed on page 2054 of the House Journal be adopted, and when so adopted, recommends that SCR 4066 DO PASS and BE PLACED ON THE CONSENT CALENDAR, which motion prevailed.

SCR 4066 was placed on the Consent Calendar.

#### MOTION

**REP. MARTINSON MOVED** that the House reconsider the action whereby the House adopted the amendments to SB 2388, rereferred

SB 2388 to the Statutory Committee on Retirement, and accepted the committee report on SB 2388 placing SB 2388 on the Sixth order of business, and the motion to reconsider be laid on the table, which motion failed on a verification vote.

#### SECOND READING OF SENATE BILLS

SB 2109: A BILL for an Act to amend and reenact section 39-06.1-11 of the North Dakota Century Code, relating to issuance of temporary restricted operator's licenses.

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

#### ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 41 YEAS, 61 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Berg, G.; Berg, R.; Brokaw; Dalrymple; Dorso; Dotzenrod; Gertholz; Graba; Gunsch; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kingsbury; Kretschmar; Lang; Laughlin; Lindgren; Lloyd; Murphy; Myrdal; Olsen, D.; Olson, A.; Olson, V.; Richard; Schindler; Schmidt; Schneider; Skjerven; Smette; Stofferahn; Thompson; Timm; Tollefson; Whalen; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Belter; Cleveland; Conmy; DeMers; Eckroth; Enget; Frey; Gates; Goetz; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Kelly; Kloubec; Klundt; Knudson; Koland; Kuchera; Larson; Lautenschlager; Linderman; Lipsiea; Martin; Martinson; Melby; Mertens; Moore; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Shaw; Shide; Solberg, O.; Solberg, R.; Starke; Strinden; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Meyer; Shockman; Wald

SB 2109 was declared lost.

\*\*\*\*\*

SB 2170: A BILL for an Act to amend and reenact section 39-04-12 of the North Dakota Century Code, relating to transfer of number plates.

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, 4 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Cleveland; Hoffner; Olson, V.; Rydell

ABSENT AND NOT VOTING: Gullickson; Keller; Meyer; Shockman; Wald; Watne

SB 2170 passed and the title was agreed to.

\*\*\*\*\*

SB 2228: A BILL for an Act to create and enact a new subsection to section 61-03-05 of the North Dakota Century Code, relating to the fees of the state engineer.

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 94 YEAS, 6 NAYS, 6 ABSENT AND NOT VOTING.

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

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

NAYS: Brokaw; Kingsbury; Murphy; Pederson, R.; Skjerven; Williams, W.

ABSENT AND NOT VOTING: Frey; Gullickson; Meyer; Shockman; Solberg, O.; Wald

SB 2228 passed and the title was agreed to.

\*\*\*\*\*

SB 2304: A BILL for an Act to create and enact a new section to chapter 18-01 of the North Dakota Century Code, relating to equipment of motor vehicles powered by flammable pressurized gas.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 13 YEAS, 89 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Hausauer, A.; Kelly; Koland; Lang; Laughlin; Lipsiea; Melby; Olsen, D.; Rydell; Schindler; Shide; Timm; Wentz

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

ABSENT AND NOT VOTING: Frey; Gullickson; Shockman; Wald

SB 2304 was declared lost.

\*\*\*\*\*

MESSAGES FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1072, HB 1287, HB 1290, and HB 1363 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1072

On page 1 of the engrossed bill, line 27, overstrike the words "If full payment of the instrument and collection fees is"

On page 1 of the engrossed bill, overstrike line 28

On page 2 of the engrossed bill, line 1, overstrike the words "dishonor, a" and insert immediately thereafter the word "A", and after the word "is" insert the word "also"

On page 3 of the engrossed bill, overstrike lines 6 through 10

On page 4 of the engrossed bill, line 23, overstrike the words "If full"

On page 4 of the engrossed bill, overstrike line 24

On page 4 of the engrossed bill, line 25, overstrike the words "within ten days from receipt of the notice of dishonor, a" and insert immediately thereafter the word "A"

On page 4 of the engrossed bill, line 26, after the word "is" insert the word "also"

On page 6 of the engrossed bill, overstrike lines 6 through 10

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1287

On page 1 of the engrossed bill, line 1, delete the words "to provide for issuance by insurers of evidence of"

On page 1 of the engrossed bill, line 2, delete the words "motor vehicle liability insurance coverage;"

On page 1 of the engrossed bill, delete lines 16 through 20

On page 2 of the engrossed bill, line 13, delete the words "The card required to be issued under section 1 of this Act"

On page 2 of the engrossed bill, delete lines 14 through 23

On page 2 of the engrossed bill, line 24, delete the words "effect at the time of citation."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1290

On page 1, line 4, after the word "contracts" insert the words "; and to declare an emergency"

On page 2, after line 9, 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 and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1363

On page 1 of the engrossed bill, line 10, delete the words "fifty" and "motor"

And renumber the lines accordingly

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1135, HB 1143, HB 1211, HB 1284, HB 1426, HB 1454

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1146, HB 1347, HB 1552

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2007, SB 2043, SB 2044, SB 2045, SB 2046, SB 2050, SB 2058, SB 2084, SB 2106, SB 2121, SB 2122, SB 2123, SB 2124, SB 2125, SB 2131, SB 2149, SB 2155, SB 2166, SB 2190, SCR 4019, SCR 4027

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2082, SB 2090, SB 2126, SB 2128, SB 2129, SB 2152,  
 SB 2154, SB 2158, SB 2191, SB 2210, SB 2211, SB 2221,  
 SB 2226, SB 2294, SB 2299, SB 2380

LEO LEIDHOLM, Secretary

#### SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the President has signed and your signature is respectfully requested:

SB 2077, SB 2141, SB 2145, SB 2147, SB 2162, SB 2189,  
 SB 2285, SB 2333, SB 2347, SB 2372, SB 2376, SB 2378,  
 SB 2382, SB 2384, SB 2392, SB 2393, SB 2399, SB 2407,  
 SB 2416, SB 2447, SB 2483, SB 2496, SB 2506, SCR 4003

LEO LEIDHOLM, Secretary

#### SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2082, SB 2090, SB 2126, SB 2128, SB 2129, SB 2152,  
 SB 2154, SB 2158, SB 2191, SB 2210, SB 2211, SB 2221,  
 SB 2226, SB 2294, SB 2299, SB 2380

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE SENATE HOUSE CHAMBER

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

SB 2082, SB 2090, SB 2126, SB 2128, SB 2129, SB 2152,  
 SB 2154, SB 2158, SB 2191, SB 2210, SB 2211, SB 2221,  
 SB 2226, SB 2294, SB 2299, SB 2380

ROY GILBREATH, Chief Clerk

#### SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2077, SB 2141, SB 2145, SB 2147, SB 2162, SB 2189,  
 SB 2285, SB 2333, SB 2347, SB 2372, SB 2376, SB 2378,  
 SB 2382, SB 2384, SB 2392, SB 2393, SB 2399, SB 2407,  
 SB 2416, SB 2447, SB 2483, SB 2496, SB 2506, SCR 4003

ROY GILBREATH, Chief Clerk

#### MESSAGE TO THE SENATE HOUSE CHAMBER

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



SB 2077, SB 2141, SB 2145, SB 2147, SB 2162, SB 2189,  
SB 2285, SB 2333, SB 2347, SB 2372, SB 2376, SB 2378,  
SB 2382, SB 2384, SB 2392, SB 2393, SB 2399, SB 2407,  
SB 2416, SB 2447, SB 2483, SB 2496, SB 2506, SCR 4003

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2073, SB 2085, SB 2087, SB 2088, SB 2099, SB 2102,  
SB 2110, SB 2117, SB 2118, SB 2119, SB 2134, SB 2142,  
SB 2156, SB 2157, SB 2207, SB 2261, SB 2271, SB 2315,  
SB 2318, SB 2339, SB 2340

ROY GILBREATH, Chief Clerk

MESSAGE TO THE SENATE  
HOUSE CHAMBER

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

SB 2073, SB 2085, SB 2087, SB 2088, SB 2099, SB 2102,  
SB 2110, SB 2117, SB 2118, SB 2119, SB 2134, SB 2142,  
SB 2156, SB 2157, SB 2207, SB 2261, SB 2271, SB 2315,  
SB 2318, SB 2339, SB 2340

ROY GILBREATH, Chief Clerk

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

SB 2094, SB 2112, SB 2132, SB 2185, SB 2192, SB 2195,  
SB 2199, SB 2206, SB 2208, SB 2213, SB 2215, SB 2219,  
SB 2220, SB 2224, SB 2230, SB 2233, SB 2236, SB 2237,  
SB 2239, SB 2241, SB 2252, SB 2254, SB 2258, SB 2264,  
SB 2268, SB 2270, SB 2272, SB 2276, SB 2280, SB 2297,  
SB 2298, SB 2310

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:

SB 2094, SB 2112, SB 2132, SB 2185, SB 2192, SB 2195,  
SB 2199, SB 2206, SB 2208, SB 2213, SB 2215, SB 2219,  
SB 2220, SB 2224, SB 2230, SB 2233, SB 2236, SB 2237,  
SB 2239, SB 2241, SB 2252, SB 2254, SB 2258, SB 2264,  
SB 2268, SB 2270, SB 2272, SB 2276, SB 2280, SB 2297,  
SB 2298, SB 2310

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1070 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1070: Reps. Kretschmar, Koland, L. Hanson

ROY GILBREATH, Chief Clerk

## HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1295 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1295: Reps. Cleveland, A. Williams, Oban

ROY GILBREATH, Chief Clerk

## SECOND READING OF SENATE BILL

SB 2342: A BILL for an Act to amend and reenact sections 40-08-07 and 40-09-06 of the North Dakota Century Code, relating to the compensation of city aldermen and commissioners.

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 100 YEAS, 2 NAYS, 4 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; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; 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; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; Murphy

ABSENT AND NOT VOTING: Gullickson; Nicholas; Shockman;  
Wald

SB 2342 passed and the title was agreed to.

\*\*\*\*\*

MOTION

REP. STRINDEN MOVED that SB 2455, which was acted upon on the Sixth order of business today, and the amendments were adopted, be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that SB 2455 was rereferred to the Committee on Appropriations.

SECOND READING OF SENATE BILLS

SB 2343: A BILL for an Act to provide for the adoption of the water's edge combination approach to unitary taxation for corporate income tax purposes; 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 passage of the bill, as amended, the roll was called and there were 3 YEAS, 99 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Moore; Olson, A.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; 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; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; 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.

ABSENT AND NOT VOTING: Gullickson; Peterson, J.;  
Shockman; Wald

SB 2343 was declared lost.

\*\*\*\*\*

SB 2354: A BILL for an Act to amend and reenact subsection 2 of section 57-43.1-14, section 57-43.1-15, subsection 11 of section 57-43.2-01, and section 57-43.2-25 of the North Dakota Century Code, relating to license fees and definitions for various taxes.

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, 3 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Kloubec; Knudson; 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; Pederson, R.; Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; 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: Kingsbury; Klundt; Skjerven

ABSENT AND NOT VOTING: Gullickson; Mertens; Retzer; Shockman; Wald

SB 2354 passed and the title was agreed to.

\*\*\*\*\*

SB 2364: A BILL for an Act to amend and reenact section 11-10-10 of the North Dakota Century Code, relating to the salary of state's attorneys.

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 59 YEAS, 43 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hoffner; Keller; Kelly; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martinson; Mertens; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Oban; Olson, V.; Payne; Peterson, J.; Retzer; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Solberg, R.; Stofferahn; Strinden; Timm; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Speaker Hausauer, R.

NAYS: Anderson, R.; Belter; Berg, R.; Brokaw; Dotzenrod; Gunsch; Halmrast; Hanson, O.; Hedstrom; Hill; Hughes; Kent; Kingsbury; Knudson; Lang; Laughlin; Lipsiea; Martin; Melby; Murphy; Myrdal; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Pederson, R.; Rice; Richard; Schindler; Shide; Skjerven; Smette; Solberg, O.; Starke; Thompson; Tollefson; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

ABSENT AND NOT VOTING: Berg, G.; Gullickson; Shockman; Wald

SB 2364 passed and the title was agreed to.

\*\*\*\*\*

MOTION

REP. STRINDEN MOVED that the House stand at recess to await the start of the Memorial Service, which motion prevailed.

HOUSE MEMORIAL SERVICE

REP. STRINDEN MOVED that the House be on a Special Order of Business, which motion prevailed.

Invocation: Rev. James Pomeroy  
Epworth United Methodist Church  
Valley City, North Dakota

Musical Selections: Valley City Troubadours - "Goin' Home"  
Soloist - Ralph Metcalf  
Melodica - Lawrence Rydquist

Soloist - Lawrence Rydquist  
"Precious Lord, Take My Hand"

REP. GATES INTRODUCED the family members of former Representatives.

**FIRST READING OF A HOUSE MEMORIAL RESOLUTION**

Committee on Memorial Resolutions introduced:

HMR C: A memorial resolution for deceased members of the House of Representatives of the State of North Dakota.

Was read the first time.

**MOTION**

REP. GATES MOVED that the rules be suspended, that HMR C 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.

Committee on Memorial Resolutions introduced:

**HOUSE MEMORIAL RESOLUTION NO. C**

A memorial resolution for deceased members of the House of Representatives of the State of North Dakota.

**WHEREAS**, God in His wisdom has seen fit to summon to eternal rest His servants and our former colleagues:

**Bert A. Balerud**, who served in the 34th through the 37th Legislative Assemblies, from the 29th District, died January 26, 1984.

**John Bruner, Jr.**, who served in the 39th Legislative Assembly, from the 34th District, died January 18, 1984.

**Harold O. Bullis**, who served in the 40th and 41st Legislative Assemblies, from the 25th District, died November 17, 1983.

**Leslie R. Burgum**, who served in the 24th and 25th Legislative Assemblies, from the 23rd District, died August 15, 1984.

**Earl E. Clarke**, who served in the 24th Legislative Assembly, from the 24th District, died February 22, 1984.

**Donnell Haugen**, who served in the 27th through the 30th, and the 33rd Legislative Assemblies, from the 46th District, died September 7, 1983.

**Arthur C. Johnson**, who served in the 23rd, and the 25th through the 32nd Legislative Assemblies, from the 9th District, died June 5, 1983.

**Richard H. Lynch**, who served in the 32nd through the 35th, and the 37th Legislative Assemblies, from the 40th District, died June 1, 1983.

Henry O. Lundene, who served in the 38th and 39th, and the 41st through the 45th Legislative Assemblies, from the 16th District, died October 15, 1983.

Roger T. Melroe, who served in the 35th Legislative Assembly, from the 13th District, died January 2, 1985.

Fred Olafson, who served in the 39th Legislative Assembly, from the 11th District, died September 7, 1984.

Samuel Rudolf, Sr., who served in the 30th through the 33rd Legislative Assemblies, from the 36th District, died December 6, 1983.

John A. Unke, who served in the 38th Legislative Assembly from the 1st District, died January 17, 1985.

WHEREAS, today, we, as members of the House of Representatives of the 49th Legislative Assembly of the State of North Dakota, pause to mourn the passing of our former colleagues, and to honor their memories; and

WHEREAS, these legislators rendered outstanding service to the people of the state by their contribution to their fellowmen and their communities;

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

That we express our keen sorrow on their passing and our appreciation, on behalf of the people of North Dakota, of the loyal and devoted service of these our former colleagues; and

BE IT FURTHER RESOLVED, that for the perpetuation of their memory this token of respect and sympathy by their successors in trust be printed in the journal of the House of Representatives and that duly enrolled copies of this resolution be presented by the Secretary of State to the surviving families of these deceased representatives.

SECOND READING OF A HOUSE MEMORIAL RESOLUTION

HMR C: A memorial resolution for deceased members of the House of Representatives of the State of North Dakota.

Which has been read.

The question being on the final adoption of the resolution.

HMR C was declared adopted on a voice vote.

\*\*\*\*\*

Musical Selections: Soloist - Erwin Overly  
"Let There Be Peace On Earth"

"God Bless America" - sung by the  
entire Assembly

The benediction was given by the Rev. James Pomeroy.

REP. STRINDEN MOVED that the Special Order of Business be dissolved, which motion prevailed.

THE HOUSE RECONVENED pursuant to recess taken, with the Speaker presiding.

#### MOTION

REP. KRETSCHMAR MOVED that SCR 4018 be placed immediately after SB 2498 on the calendar, which motion prevailed.

#### RECOGNITION

THE SPEAKER ANNOUNCED that a former Representative was in the chambers, and requested that the House recognize former Representative Ralph Hickel, and Representative Hickel was thereupon introduced to the House.

#### MOTIONS

REP. A. HAUSAUER MOVED that the House reconsider its action whereby the amendments to SB 2491 were adopted, which motion prevailed.

REP. A. HAUSAUER MOVED that the House reconsider the action whereby the Committee Report was accepted and SB 2491 was placed on the Sixth order of business, which motion prevailed.

REP. A. HAUSAUER MOVED that SB 2491 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that SB 2491 was rereferred to the Committee on Finance and Taxation.

#### SECOND READING OF SENATE BILLS

SB 2405: A BILL for an Act to amend and reenact subdivision e of subsection 3 of section 39-06-14 of the North Dakota Century Code, relating to operation of motorcycles by persons less than sixteen years old.

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, R.; Belter; Berg, G.; Berg, R.; Brokaw;  
Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod;



Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; 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; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Kingsbury; Murphy

ABSENT AND NOT VOTING: Anderson, C.; Gullickson; Gunsch; Hausauer, A.; Opedahl; Shockman; Stofferahn; Wald

SB 2405 passed and the title was agreed to.

\*\*\*\*\*

SB 2410: A BILL for an Act to provide for licensure of environmental health practitioners; and to provide a penalty.

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 74 YEAS, 26 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, G.; Berg, R.; Brokaw; Dalrymple; DeMers; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Richard; Riehl; Sauter; Schindler; Schneider; Shaw; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

NAYS: Anderson, R.; Belter; Cleveland; Conmy; Eckroth; Goetz; Hanson, O.; Hausauer, A.; Hughes; Kingsbury;

Larson; Linderman; Lindgren; Melby; Murphy; Olsen, D.;  
Olson, A.; Rice; Riley; Rydell; Schmidt; Shide;  
Skjerven; Thompson; Whalen; Winkelman

ABSENT AND NOT VOTING: Gullickson; Gunsch; Opedahl;  
Shockman; Strinden; Wald

SB 2410 passed and the title was agreed to.

\*\*\*\*\*

SB 2430: A BILL for an Act to create and enact a new section to chapter 37-10 of the North Dakota Century Code, relating to national guard facilities.

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 99 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.;  
Berg, R.; Brokaw; 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; Kent;  
Kingsbury; Kloubec; Klundt; Knudson; Koland;  
Kretschmar; Kuchera; Lang; Larson; Laughlin;  
Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd;  
Martin; Martinson; Melby; Mertens; Meyer; Moore;  
Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki;  
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; Stofferahn; Thompson;  
Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne;  
Wentz; Whalen; Williams, A.; Williams, C.;  
Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Oban; O'Connell

ABSENT AND NOT VOTING: Gullickson; Gunsch; Shockman;  
Strinden; Wald

SB 2430 passed and the title was agreed to.

\*\*\*\*\*

SB 2432: A BILL for an Act to create and enact a new section to chapter 28-22 of the North Dakota Century Code, relating to exemption of a debtor's wages.

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 97 YEAS, 3 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; 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.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Shaw; Shide; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Hausauer, A.; Kretschmar; Schneider

ABSENT AND NOT VOTING: Gullickson; Gunsch; Shockman; Solberg, R.; Strinden; Wald

SB 2432 passed and the title was agreed to.

\*\*\*\*\*

SB 2442: A BILL for an Act to provide for the manner in which state agencies shall contract for architect, engineer, and land surveying services; to create and enact a new subdivision to subsection 6 of section 28-32-01 of the North Dakota Century Code, relating to a definition of rules adopted by certain agencies; and to declare an emergency.

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 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Kent; Kingsbury; Kloubec; Klundt; Knudson; 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.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Gunsch; Shockman; Strinden; Wald

SB 2442 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

SB 2477: A BILL for an Act to amend and reenact section 40-22-29 of the North Dakota Century Code, relating to limitations on awards of bids for improvements by special assessment.

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 92 YEAS, 8 NAYS, 6 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; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Brokaw; Graba; Hanson, O.; Hausauer, A.; Kingsbury; Koland; Murphy; Schindler

ABSENT AND NOT VOTING: Gullickson; Gunsch; Rydell; Shockman; Strinden; Wald

SB 2477 passed and the title was agreed to.

\*\*\*\*\*

SB 2498: A BILL for an Act to create and enact subsection 3 of section 19-03.1-13 of the North Dakota Century Code, relating to definitions of certain controlled substances; and to amend and reenact sections 19-03.1-05, 19-03.1-07, 19-03.1-09, 19-03.1-11, and subsection 6 of section 19-03.1-16 of the North Dakota Century Code, relating to the Uniform Controlled Substances Act schedules.

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 102 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Knudson; 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.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Shockman; Strinden; Wald

SB 2498 passed and the title was agreed to.

\*\*\*\*\*

## SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4018: A concurrent resolution for the amendment of sections 12 and 13 of article V and section 12 of article X of the Constitution of the State of North Dakota, relating to the office of state treasurer; to repeal section 15 of article XII of the Constitution of the State of North Dakota, relating to the duties of state treasurer on issuance of legal tender by banks in the state; 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 25 YEAS, 77 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Cleveland; Conmy; Dorso; Dotzenrod; Gates; Hausauer, A.; Hughes; Kingsbury; Kloubec; Kretschmar; Lautenschlager; Lindgren; Lipsiea; Moore; Payne; Riley; Rydell; Schindler; Schmidt; Unhjem; Wentz; Winkelman; Wold

NAYS: Belter; Berg, G.; Berg, R.; Brokaw; Dalrymple; DeMers; Eckroth; Enget; Frey; Gertholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Linderman; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Sauter; Schneider; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Nowatzki; Shockman; Strinden

SCR 4018 was declared lost.

\*\*\*\*\*

## SECOND READING OF SENATE BILL

SB 2056: A BILL for an Act to amend and reenact subsections 3 and 4 of section 53-06.1-11 of the North Dakota Century Code, relating to allowable expenses of charitable organizations conducting games of chance.

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 14 YEAS, 88 NAYS, 4 ABSENT AND NOT VOTING.

**YEAS:** Belter; Berg, R.; Cleveland; Dorso; Dotzenrod; Frey; Gates; Hanson, L.; Hedstrom; Kuchera; Laughlin; Lloyd; Nalewaja; Schneider

**NAYS:** Anderson, C.; Anderson, R.; Berg, G.; Brokaw; Conmy; Dalrymple; DeMers; Eckroth; Enget; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; 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; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

**ABSENT AND NOT VOTING:** Gullickson; Riley; Shockman; Strinden

SB 2056 was declared lost.

\*\*\*\*\*

MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith the following which the President has signed:

HB 1014, HB 1040, HB 1047, HB 1050, HB 1062, HB 1063,  
HB 1076, HB 1087, HB 1144, HB 1235, HB 1263, HB 1277,  
HB 1289, HB 1305, HB 1369, HB 1370, HB 1374, HB 1375,  
HB 1381, HB 1387, HB 1392, HB 1413, HB 1424, HB 1428,  
HB 1435, HB 1447, HB 1451, HB 1512, HB 1532, HB 1555,  
HB 1561, HB 1569, HB 1600, HB 1619, HB 1623, HCR 3011,  
HCR 3023, HCR 3026, HCR 3028, HCR 3039, HCR 3049, HCR 3053,  
HCR 3059, HCR 3060, HCR 3061, HCR 3063, HCR 3064, HCR 3066,  
HCR 3068, HCR 3073

LEO LEIDHOLM, Secretary

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 3:10 p.m., March 20, 1985:

HCR 3011, HCR 3026, HCR 3039, HCR 3049, HCR 3060, HCR 3061,  
HCR 3063, HCR 3064, and HCR 3073

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Secretary of State for his filing at the hour of 3:10 p.m., March 20, 1985:

HCR 3023, HCR 3028, HCR 3059, HCR 3066

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 3:10 p.m., March 20, 1985:

HCR 3053

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bill was delivered to the Secretary of State for his filing at the hour of 3:10 p.m., March 20, 1985:

HCR 3068

REP. HEDSTROM, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:14 p.m., March 20, 1985:

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

REP. HEDSTROM, Chairman



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

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:14 p.m., March 20, 1985:

HB 1062, HB 1289, HB 1374, HB 1375, HB 1381, HB 1424,  
HB 1428, HB 1600

REP. HEDSTROM, Chairman

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

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:14 p.m., March 20, 1985:

HB 1050, HB 1076, HB 1087, HB 1263, HB 1369, HB 1392

REP. HEDSTROM, Chairman

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

## REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your Committee on Enrollment and Engrossment respectfully report that the following bills were delivered to the Governor for his approval at the hour of 3:14 p.m., March 20, 1985:

HB 1370, HB 1555, HB 1561, HB 1569, HB 1623

REP. HEDSTROM, Chairman

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

## SECOND READING OF SENATE BILLS

SB 2151: A BILL for an Act to create and enact a new section to chapter 15-39.1 of the North Dakota Century Code, relating to reversion of unclaimed retirement moneys under the teachers' fund for retirement.

Which has been read.

## MOTIONS

REP. DORSO MOVED the previous question, which motion failed on a verification vote.

REP. RILEY 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 58 YEAS, 45 NAYS, 3 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers; Eckroth; Enget; Frey; Gates; Graba; Halmrast; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Klundt; Knudson; Kretschmar; Kuchera; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Mertens; Meyer; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Rice; Richard; Riehl; Sauter; Schneider; Shaw; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Speaker Hausauer, R.

NAYS: Anderson, R.; Conmy; Dalrymple; Dorso; Dotzenrod; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Kloubec; Koland; Lang; Larson; Lindgren; Lipsiea; Martinson; Melby; Moore; Murphy; Myrdal; Olsen, D.; Olson, A.; Payne; Pederson, R.; Peterson, J.; Retzer; Riley; Rydell; Schindler; Schmidt; Shide; Skjerven; Thompson; Timm; Unhjem; Wald; Whalen; Winkelman; Wold

ABSENT AND NOT VOTING: Gullickson; Shockman; Strinden

SB 2151 passed and the title was agreed to.

\*\*\*\*\*

## MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2172, which motion prevailed.

SB 2172: A BILL for an Act to create and enact chapter 30.1-30 of the North Dakota Century Code as a new part 5 of article V of the Uniform Probate Code, relating to the Uniform Durable Power of Attorney Act; to amend and reenact sections 30.1-28-11 and 30.1-29-10 of the North Dakota Century Code, relating to the appointment of guardians and conservators; and to repeal the present chapter 30.1-30 of the North Dakota Century Code.

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, 7 NAYS, 5 ABSENT AND NOT VOTING.

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

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

NAYS: Gunsch; Hanson, O.; Hausauer, A.; Melby; Olson, A.; Shide; Whalen

ABSENT AND NOT VOTING: Gullickson; Meyer; Shockman; Strinden; Wald

SB 2172 passed and the title was agreed to.

\*\*\*\*\*

MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1013, HB 1083, HB 1327, HB 1354, HB 1446, HB 1464, and HB 1536 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1013

- On page 2 of the engrossed bill, line 11, delete the numerals "140,000" and insert in lieu thereof the numerals "410,000"
- On page 2 of the engrossed bill, line 12, delete the numerals "140,000" and insert in lieu thereof the numerals "410,000"
- On page 2 of the engrossed bill, delete lines 28 through 31
- On page 2 of the engrossed bill, line 32, delete the numerals "11" and insert in lieu thereof the numeral "10"
- On page 2 of the engrossed bill, after line 35, insert the following lines:

"Subdivision 11.

EDUCATION COMMISSION OF THE STATES

Operating expenses	<u>\$ 40,000</u>
Total general fund appropriation	\$ 40,000

## Subdivision 12.

## MIDWEST TECHNOLOGY DEVELOPMENT INSTITUTE

Operating expenses	<u>\$100,000</u>
Total general fund appropriation	\$100,000"

On page 3 of the engrossed bill, line 1, delete the numerals "545,600" and insert in lieu thereof the numerals "930,600"

On page 3 of the engrossed bill, line 3, delete the numerals "599,650" and insert in lieu thereof the numerals "984,650"

On page 3 of the engrossed bill, line 22, delete the numerals "11" and insert in lieu thereof the numerals "10"

And renumber the lines and pages accordingly

## STATEMENT OF PURPOSE OF AMENDMENT:

Miscellaneous Refunds

The grants, benefits, and claims line item is increased from \$140,000 to \$410,000, an increase of \$270,000 from the general fund.

Commission on Uniform State Laws

Funding is deleted for the Commission on Uniform State Laws.

Education Commission of the States

General fund money is added for the Education Commission of the States in the amount of \$40,000.

Midwest Technology Development Institute

General fund money is added for the State of North Dakota to join the Midwest Technology Development Institute in the amount of \$100,000.

## SENATE AMENDMENTS TO ENGROSSED HB 1083

On page 1 of the engrossed bill, line 2, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "12.1-01-05" insert the word and numerals "and 57-01-02.1"

On page 1 of the engrossed bill, line 5, after the word "crimes" insert the words "and to allow home rule counties to enter sales tax collection agreements with the tax commissioner"

- On page 2 of the engrossed bill, line 34, after the semicolon insert the words "subject to the limitations of this section", and delete the word "any" and insert in lieu thereof the word "property", and delete the words "excises, fees," and insert in lieu thereof the words "sales taxes, motor vehicle fuels and special fuels taxes, motor vehicle registration fees,"
- On page 2 of the engrossed bill, line 35, delete the word "charges,"
- On page 3 of the engrossed bill, line 5, after the word "services" insert the words "to the extent authorized by state law"
- On page 3 of the engrossed bill, delete lines 14 through 16
- On page 3 of the engrossed bill, line 20, after the comma insert the words "after adoption of a home rule charter", and after the word "county" insert the word "elected"
- On page 3 of the engrossed bill, line 24, after the period insert the following sentence: "Notwithstanding the other provisions of this subsection, a charter or ordinance or act of a governing body of a home rule county may not supersede any state law concerning the office or jurisdiction of the county court or county judge."
- On page 3 of the engrossed bill, line 31, after the period insert the words "However, this subsection does not confer any authority to regulate any industry or activity which is regulated by state law or by rules adopted by a state agency."
- On page 4 of the engrossed bill, delete lines 1 through 3
- On page 4 of the engrossed bill, delete lines 7 and 8
- On page 6 of the engrossed bill, after line 19, insert the following new section:

"SECTION 14. AMENDMENT. Section 57-01-02.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-01-02.1. Tax collection agreements with home rule cities or counties.

1. The governing body of any incorporated city that has adopted the home rule provisions of chapter 40-05.1, or of any county which has adopted the home rule provisions of sections 1 through 12 of this Act, and the tax commissioner are hereby authorized and empowered to enter into

contractual agreements whereby the tax commissioner shall have authority to collect any sales ~~and~~ or use taxes assessed by such incorporated city or county.

2. It shall be the duty of the tax commissioner to deposit with the state treasurer all money collected ~~by him~~ under this section and to accompany each remittance with a certificate showing the city or county for which it was collected. The state treasurer, quarterly, shall pay to the ~~city~~ auditors of the several cities or counties the money to which they are entitled under this section.
3. The agreements entered into under this section may also provide for an agreed amount to be allowed the tax commissioner for services rendered in connection with such collections. Any sums collected for services rendered shall be paid to the state treasurer for deposit in the general fund."

And renumber the lines, subsections, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1327

- On page 1 of the engrossed bill, line 3, delete the second word "and"
- On page 1 of the engrossed bill, line 4, after the word "beverages" insert the words ", powdered drink mixes, and certain soft drinks"
- On page 1 of the engrossed bill, line 17, delete the word "not" and overstrike the words "including candy"
- On page 1 of the engrossed bill, line 18, overstrike the words ", chewing gum"
- On page 1 of the engrossed bill, line 24, after the third comma insert the words "beverages commonly referred to as soft drinks containing less than seventy percent fruit juice, powdered drink mixes,"
- On page 2 of the engrossed bill, line 11, delete the word "not" and overstrike the words "including candy"
- On page 2 of the engrossed bill, line 12, overstrike the words ", chewing gum"
- On page 2 of the engrossed bill, line 18, delete the words "and confectionary products", and after the third comma insert the words "beverages commonly referred to as soft drinks"

containing less than seventy percent fruit juice, powdered drink mixes,"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1354

On page 1, line 3, after the word "license" insert the semicolon and words "; and to provide an effective date"

On page 2, line 4, after the word "The" insert the words "group child care or child care center"

On page 2, line 6, delete the word "employee" and insert in lieu thereof the word "person"

On page 2, line 7, after the word "basic" insert the word "rescuer"

On page 2, after line 13, insert the following new section:

"SECTION 2. EFFECTIVE DATE. Subsection 5 of section 1 of this Act becomes effective on July 1, 1987."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1446

On page 1 of the engrossed bill, line 1, after the word "subsections" insert the numeral and comma "6,"

On page 1 of the engrossed bill, line 7, after the word "Subsections" insert the numeral and comma "6,"

On page 1 of the engrossed bill, after line 9, insert the following new subsection:

"6. "Expert examiner" means a licensed physician, psychiatrist, ~~or~~ clinical psychologist, or master addiction counselor appointed by the court to examine the respondent. An evaluation of a respondent's physical condition shall be made only by a licensed physician or psychiatrist, ~~while~~ an evaluation of a respondent's mental status shall be made only by a licensed psychiatrist or clinical psychologist, and an examination by a master addiction counselor shall be limited to whether the respondent is an alcoholic or drug addict."

On page 1 of the engrossed bill, line 11, after the word "or" insert the word "master."

On page 1 of the engrossed bill, line 12, delete the words "certified by the department of human services as"

On page 1 of the engrossed bill, delete line 13

On page 1 of the engrossed bill, line 14, delete the words "department for master addiction counselors,"

On page 2 of the engrossed bill, line 3, overstrike the word "An" and insert in lieu thereof the words "A master"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1464

On page 6 of the engrossed bill, line 23, delete the words "eighty rods [402.34 meters]" and insert in lieu thereof the words "eight hundred eighty yards [804.68 meters]"

On page 7 of the engrossed bill, line 14, delete the comma and insert in lieu thereof the words "of the state parks and recreation department and"

On page 7 of the engrossed bill, line 16, delete the words ", and is accompanied by a person holding a valid"

On page 7 of the engrossed bill, line 17, delete the words "operator's license"

And renumber the lines accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1536

On page 1 of the engrossed bill, line 21, overstrike the first word "his", overstrike the second word "his", and insert immediately thereafter the word "the"

On page 2 of the engrossed bill, line 1, overstrike the word "he" and insert immediately thereafter the words "the dental hygienist"

On page 2 of the engrossed bill, line 2, overstrike the word "his"

On page 2 of the engrossed bill, line 5, overstrike the word "he" and insert immediately thereafter the words "the dental hygienist"

On page 3 of the engrossed bill, line 22, delete the word "permanent" and insert in lieu thereof the word "business"

On page 3 of the engrossed bill, line 23, delete the comma and words ", by certified mail with return receipt requested"

On page 3 of the engrossed bill, line 25, delete the word "permanent" and insert in lieu thereof the word "business"

And renumber the lines and pages accordingly

LEO LEIDHOLM, Secretary



SECOND READING OF SENATE BILL

SB 2174: A BILL for an Act to adopt the Uniform Premarital Agreement Act, relating to the legal requirements for premarital agreements; and to amend and reenact section 9-06-04 of the North Dakota Century Code, relating to contracts which must be written to be valid.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 73 YEAS, 29 NAYS, 4 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dotzenrod; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Martinson; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schneider; Shaw; Smette; Solberg, R.; Starke; Strinden; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, R.; Berg, R.; Dorso; Eckroth; Goetz; Gunsch; Hanson, O.; Hausauer, A.; Hedstrom; Kent; Kingsbury; Koland; Lloyd; Melby; Olson, A.; Payne; Rice; Schindler; Schmidt; Shide; Skjerven; Solberg, O.; Stofferahn; Thompson; Timm; Tollefson; Wald; Whalen; Wold

ABSENT AND NOT VOTING: Gullickson; Hughes; Olsen, D.; Shockman

SB 2174 passed and the title was agreed to.

\*\*\*\*\*

MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the President has appointed as a conference committee to act with a like committee from the House on:

- HB 1070: Sens. Todd, Freborg, Maixner
- HB 1242: Sens. Mutch, Parker, Kelsh
- HB 1295: Sens. Holmberg, Olson, Maixner

LEO LEIDHOLM, Secretary

## MOTION

REP. HOFFNER MOVED that the House reconsider the action whereby SB 2151 was passed, and the motion to reconsider be laid on the table.

## REQUEST

REP. HOFFNER REQUESTED a recorded roll call vote, which request was granted.

## ROLL CALL

The question being on the motion to reconsider the action whereby SB 2151 was passed, and the motion to reconsider be laid on the table, the roll was called and there were 49 YEAS, 55 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, G.; Berg, R.; Brokaw; Cleveland; DeMers; Eckroth; Enget; Frey; Gates; Graba; Halmrast; Hanson, L.; Haugland; Hill; Hoffner; Keller; Kelly; Klundt; Knudson; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Mertens; Meyer; Nalewaja; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Rice; Richard; Riehl; Sauter; Schneider; Shaw; Solberg, O.; Solberg, R.; Starke; Stofferahn; Ulmer; Watne; Williams, A.; Williams, C.; Williams, W.

NAYS: Anderson, R.; Belter; Conmy; Dalrymple; Dořo; Dotzenrod; Gerntholz; Goetz; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Kent; Kingsbury; Kloubec; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Lipsiea; Martinson; Melby; Moore; Murphy; Myrdal; Nicholas; Olsen, D.; Olson, A.; Payne; Pederson, R.; Peterson, J.; Retzer; Riley; Rydell; Schindler; Schmidt; Shide; Skjerven; Smette; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Shockman

So the motion to reconsider the action whereby SB 2151 was passed and the motion to reconsider be laid on the table failed.

## SECOND READING OF SENATE BILL

SB 2179: A BILL for an Act to adopt the Uniform Extradition and Rendition Act (1980), relating to the interstate retrieval of fugitives; and to repeal chapters 29-30.1 and 29-30.2 of the North Dakota Century Code and section 29 of chapter 375 of the 1979 Session Laws, relating to the Uniform Rendition of Accused Persons Act and the Uniform Criminal Extradition Act.

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.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Mertens; Meyer; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Shaw; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Gunsch; Hanson, O.; Kingsbury; Melby; Olson, A.; Shide; Wald; Whalen

ABSENT AND NOT VOTING: Gullickson; Kloubec; Moore; Olsen, D.; Rydell; Schneider; Shockman; Stofferahn; Timm

SB 2179 passed and the title was agreed to.

\*\*\*\*\*

MOTION

REP. STRINDEN MOVED that SB 2349 and SB 2485 be placed at the top of the Fourteenth order on the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2485: A BILL for an Act to amend and reenact section 26-03-39.1 of the North Dakota Century Code, or in the alternative section 26.1-36-11 of the North Dakota Century Code as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to provisions in any accident or sickness insurance policy denying the insured the right to consult or employ the doctor or chiropractor, or to enter the hospital or sanitarium of his or her choice.

Which has been read.

MOTION

REP. R. ANDERSON 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 33 YEAS, 65 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Dotzenrod; Eckroth; Frey; Gerntholz; Graba; Gunsch; Hanson, L.; Hanson, O.; Hedstrom; Hill; Hoffner; Kingsbury; Laughlin; Lautenschlager; Linderman; Lloyd; Martin; Oban; Olson, V.; O'Shea; Retzer; Richard; Schmidt; Shide; Starke; Thompson; Vander Vorst; Wentz; Whalen; Williams, A.; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Enget; Gates; Goetz; Halmrast; Hamerlik; Haugland; Hausauer, A.; Hughes; Keller; Kelly; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Larson; Lindgren; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; Payne; Pederson, R.; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schneider; Shaw; Skjerven; Smette; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Timm; Ulmer; Unhjem; Wald; Watne; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Klundt; Lang; Lipsiea; Murphy; Peterson, J.; Shockman; Tollefson

SB 2485 was declared lost.

\*\*\*\*\*

SB 2349: A BILL for an Act to create and enact a new section to chapter 4-01 of the North Dakota Century Code, relating to establishing a farm credit counseling program; to provide an appropriation; and to declare an emergency.

Which has been read.

## MOTION

REP. HUGHES 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 104 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; 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; Knudson; 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.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; 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: Gullickson; Shockman

SB 2349 passed, the title was agreed to, and the emergency clause was declared carried.

\*\*\*\*\*

MOTION

REP. STRINDEN MOVED that all amended bills acted upon favorably today be messaged to the Senate immediately, which motion prevailed.

MESSAGE FROM THE SENATE  
SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate has adopted the conference committee report on HB 1128 and HB 1384 and subsequently passed the same.

LEO LEIDHOLM, Secretary

MOTIONS

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

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House stand adjourned until 9:00 a.m., Thursday, March 21, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Natural Resources to which was referred HCR 3095 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

HCR 3095 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred Engrossed SB 2111 has had the same under consideration and

recommends by a vote of 11 YEAS, 4 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 15, after the word "auditor" insert the words "by November first"

And renumber the lines and pages accordingly

REP. NICHOLAS, Chairman

Engrossed SB 2111 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 Engrossed SB 2159 has had the same under consideration and recommends by a vote of 11 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 2 of the engrossed bill, line 13, overstrike the word "eighteen" and insert immediately thereafter the word "fifteen"

And renumber the lines accordingly

REP. KLOUBEC, Chairman

Engrossed SB 2159 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 SB 2160 has had the same under consideration and recommends by a vote of 15 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, line 18, remove the overstrike over the word "~~of~~", and after the word "~~one-half~~" insert the word "three-fourths"

On page 1, line 20, after the word "individual" insert the words "for claims filed on or after July 1, 1985, and by the prorated weekly amount of the pension after deduction of the portion of the pension that is directly attributable to the percentage of the contributions made to the plan by such individual for claims filed on or after July 1, 1986"

On page 1, line 23, delete the words "no part" and insert in lieu thereof the word "one-fourth"

On page 1, line 28, after the word "law" insert the words "for claims filed on or after July 1, 1985, and by no part of the pension if the entire contributions to the plan were provided by such individual, or by the individual and an employer (or any other person or organization) who is not a"

base-period or chargeable employer (as determined under applicable law) for claims filed on or after July 1, 1986"

And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

SB 2160 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 Engrossed SB 2178 has had the same under consideration and recommends by a vote of 13 YEAS, 2 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 26, delete the word "nonpublic"
- On page 9 of the engrossed bill, line 31, delete the word "two" and insert in lieu thereof the word "four"
- On page 10 of the engrossed bill, line 21, delete the word "two" and insert in lieu thereof the word "four"
- On page 12 of the engrossed bill, line 2, delete the words "one year" and insert in lieu thereof the words "two years"
- On page 15 of the engrossed bill, line 13, delete the words "one year" and insert in lieu thereof the words "two years"
- On page 15 of the engrossed bill, line 33, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 16 of the engrossed bill, line 1, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 16 of the engrossed bill, line 15, delete the word "twenty-five" and insert in lieu thereof the words "one hundred"
- On page 17 of the engrossed bill, line 16, delete the word "fifty" and insert in lieu thereof the words "one hundred"
- On page 18 of the engrossed bill, line 20, delete the word "fifty" and insert in lieu thereof the words "one hundred"
- On page 18 of the engrossed bill, line 29, delete the word "fifty" and insert in lieu thereof the words "one hundred"
- On page 31 of the engrossed bill, line 20, delete the words "Interest and penalties" and insert in lieu thereof the word "Penalties"

On page 31 of the engrossed bill, delete lines 21 through 25

On page 31 of the engrossed bill, line 30, delete the words "five thousand dollars" and insert in lieu thereof the words "the value of the property that should have been paid or delivered"

And renumber the lines, subsections, and pages accordingly  
 REP. KLOUBEC, Chairman

Engrossed SB 2178 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 Engrossed SB 2197 has had the same under consideration and recommends by a vote of 15 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 engrossed bill, line 2, after the first comma insert the words "subsection 1 of section 52-03-07,"

On page 1 of the engrossed bill, line 5, after the word "definitions" insert the words ", administrative use of Reed Act moneys,"

On page 11 of the engrossed bill, after line 16, insert the following new section:

"SECTION 2. AMENDMENT. Subsection 1 of section 52-03-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

52-03-07. Administrative use.

1. Money credited to the account of this state in the unemployment trust fund by the secretary of the treasury of the United States of America pursuant to section 903 of the Social Security Act [42 U.S.C. 1103], as amended, may be requisitioned and used for the payment of expenses incurred for the administration of this law pursuant to a specific appropriation by the legislative assembly; provided, that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:
  - a. Specifies the purposes for which money is appropriated and the amounts appropriated therefor;
  - b. Limits the period within which such money may be expended to a period ending not more than



two years after the date of the enactment of the appropriation law; and

- c. Limits the amount which may be used during a twelve-month period beginning on July first and ending on the next June thirtieth to an amount which does not exceed the amount by which:

(1) The aggregate of the amounts credited to the account of this state pursuant to section 903 of the Social Security Act [42 U.S.C. 1103], as amended, during the same twelve-month period and the ~~twenty-four~~ thirty-four preceding twelve-month periods, exceeds

(2) The aggregate of the amounts used pursuant to this section and charged against the amounts credited to the account of this state during any of such ~~twenty-five~~ thirty-five 12-month periods. For the purposes of this section, amounts used during any such twelve-month period shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount used for administration during such twelve-month period may be charged against any amount credited during such a twelve-month period earlier than the ~~twenty-fourth~~ thirty-fourth preceding such period."

On page 16 of the engrossed bill, line 29, overstrike the words "individual claiming benefits" and insert immediately thereafter the word "claimant"

On page 16 of the engrossed bill, overstrike lines 32 through 35

On page 17 of the engrossed bill, line 1, overstrike the words "approved by the bureau.", and after the word "employer" insert the words "or claimant"

On page 17 of the engrossed bill, line 3, after the underscored period insert the following: "A claimant's attorney fees, for representation in district court, shall be paid by the bureau, in an amount approved by the bureau, only if the claimant finally prevails. The bureau shall not pay attorney fees for representation in any proceeding before the bureau or its representatives."

And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

Engrossed SB 2197 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: A majority of your Committee on Finance and Taxation to which was referred SB 2257 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the reengrossed bill, line 2, after the numerals "57-60-01" insert the words "and subsection 4 of section 57-60-02"

On page 1 of the reengrossed bill, line 4, after the word "facilities" insert the words "and relating to the rate of tax on coal conversion facilities"

On page 1 of the reengrossed bill, after line 23, insert the following new section:

"SECTION 2. AMENDMENT. Subsection 4 of section 57-60-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. For coal gasification plants constructed prior to July 1, 1985, the tax shall be either the amount provided in subsection 1 or ~~ten~~ fifteen cents on each one thousand cubic feet [28,316.85 liters] of synthetic natural gas produced for the purpose of sale, whichever is greater."

And renumber the lines, sections, and pages accordingly

Rep. A. Hausauer  
Rep. Moore  
Rep. R. Anderson  
Rep. Gates  
Rep. Goetz  
Rep. Hughes  
Rep. Kent  
Rep. Martin  
Rep. A. Olson  
Rep. Timm

REP. A. HAUSAUER, Chairman

The reports of the majority and the minority were placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: A minority of your Committee on Finance and Taxation to which was referred SB 2257 has had the same under consideration

and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the reengrossed bill, line 2, after the numerals "57-60-01" insert the words "and subsection 4 of section 57-60-02"

On page 1 of the reengrossed bill, line 4, after the word "facilities" insert the words "and relating to the rate of tax on coal conversion facilities"

On page 1 of the reengrossed bill, after line 23, insert the following new section:

"SECTION 2. AMENDMENT. Subsection 4 of section 57-60-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. For coal gasification plants constructed prior to July 1, 1985, the tax shall be either the amount provided in subsection 1 or ~~ten~~ nineteen cents on each one thousand cubic feet [28,316.85 liters] of synthetic natural gas produced for the purpose of sale, whichever is greater."

And renumber the lines, sections, and pages accordingly

Rep. Enget  
Rep. Linderman  
Rep. Richard  
Rep. Schneider  
Rep. Riehl  
Rep. Sauter  
Rep. Watne

REP. A. HAUSAUER, Chairman

The reports of the majority and the minority were 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 Engrossed SB 2274 has had the same under consideration and recommends by a vote of 12 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 reengrossed bill, line 15, delete the second comma and insert in lieu thereof the word "or", and delete the words ", or limited insurance"

On page 1 of the reengrossed bill, line 16, delete the word "representative,"

- On page 1 of the reengrossed bill, line 25, after the period insert the following sentence: "An applicant is exempt from precicensure requirements under this section for a major category of insurance if a national insurance designation that would exempt the applicant from written examination pursuant to section 26-17.1-35 has been obtained."
- On page 2 of the reengrossed bill, line 5, delete the third comma and insert in lieu thereof the word "or", and delete the word ", or"
- On page 2 of the reengrossed bill, line 6, delete the words "limited insurance representative,"
- On page 2 of the reengrossed bill, line 11, after the period insert the following: "The commissioner may waive requirement of seven and one-half hours per year of classroom work. The continuing education advisory task force may recommend granting up to fifteen hours continuing education credit for nationally recognized insurance education correspondence programs. The commissioner shall review the task force's recommendation, and the commissioner may approve up to fifteen hours of credit."
- On page 2 of the reengrossed bill, line 13, after the word "to" insert the words "the year next preceding the year in which they were earned or to"
- On page 3 of the reengrossed bill, line 31, delete the word "six" and insert in lieu thereof the word "three"
- On page 4 of the reengrossed bill, line 33, delete the words ", if that state" and insert in lieu thereof a period
- On page 4 of the reengrossed bill, delete line 34
- On page 5 of the reengrossed bill, delete lines 1 and 2
- On page 5 of the reengrossed bill, line 23, delete the second comma and insert in lieu thereof the word "or", and delete the words ", or limited insurance"
- On page 5 of the reengrossed bill, line 24, delete the word "representative,"
- On page 5 of the reengrossed bill, line 33, after the period insert the following sentence: "An applicant is exempt from precicensure requirements under this section for a major category of insurance if a national insurance designation that would exempt the applicant from written examination pursuant to section 26.1-26-25 has been obtained."

- On page 6 of the reengrossed bill, line 5, delete the third comma and insert in lieu thereof the word "or", and delete the word ", or"
- On page 6 of the reengrossed bill, line 6, delete the words "limited insurance representative,"
- On page 6 of the reengrossed bill, line 11, after the period insert the following: "The commissioner may waive the requirement of seven and one-half hours per year of classroom work. The continuing education advisory task force may recommend granting up to fifteen hours continuing education credit for nationally recognized insurance education correspondence programs. The commissioner shall review the task force's recommendation, and the commissioner may approve up to fifteen hours of credit."
- On page 6 of the reengrossed bill, line 13, after the word "to" insert the words "the year next preceding the year in which they were earned or to"
- On page 7 of the reengrossed bill, line 31, delete the word "six" and insert in lieu thereof the word "three"
- On page 8 of the reengrossed bill, line 33, delete the word ", if that state" and insert in lieu thereof a period
- On page 8 of the reengrossed bill, delete line 34
- On page 9 of the reengrossed bill, delete lines 1 and 2
- And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

Engrossed SB 2274 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 Engrossed SB 2373 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

- On page 2 of the engrossed bill, line 18, immediately after the numerals "39-20" insert the words "and, if applicable, until the provisions of subsection 3.1 of section 39-06.1-10 have been complied with"
- On page 7 of the engrossed bill, line 4, delete the word "completed" and insert in lieu thereof the words "physically attended"
- On page 9 of the engrossed bill, line 13, after the numerals "39-06-43" insert the following: "A temporary"

restricted license may be issued for suspensions ordered under section 1 of this Act if it could have been issued had the suspension resulted from in-state conduct, but no temporary restricted license may be issued for suspensions ordered under subsection 4 of section 39-06-32"

- On page 14 of the engrossed bill, line 20, delete the word "results" and insert in lieu thereof the words "test record"
- On page 16 of the engrossed bill, line 28, delete the word "results" and insert in lieu thereof the word "records"
- On page 18 of the engrossed bill, line 6, delete the word "results" and insert in lieu thereof the word "records"
- On page 23 of the engrossed bill, line 18, delete the word "results" and insert in lieu thereof the word "records"
- On page 24 of the engrossed bill, line 21, delete the word "results" and insert in lieu thereof the word "records"
- On page 26 of the engrossed bill, line 4, immediately after the numerals "39-06-20" insert the words ", or at any other address for the person or the person's legal representative supplied in the request for hearing"
- On page 26 of the engrossed bill, line 7, immediately after the period insert the following sentence: "Even if the person for whom the hearing is scheduled fails to appear at the hearing, the hearing is deemed to have been held on the date for which it is scheduled for purposes of appeal under section 39-20-06."
- On page 29 of the engrossed bill, line 9, immediately after the word "blood" insert the words ", urine, or saliva"
- On page 29 of the engrossed bill, line 10, immediately after the word "signed" insert the word "issued", remove the overstrike over the word "by", and delete the words "received from"
- On page 32 of the engrossed bill, line 1, immediately after the word "driving" insert the words "or being in physical control of a vehicle"

And renumber the lines and pages accordingly

REP. CONMY, Chairman

Engrossed SB 2373 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 Engrossed SB 2411 has had the same under

consideration and recommends by a vote of 12 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 2 of the engrossed bill, line 12, after the second comma, insert the words "seasonal or tourist attractions who derive at least fifty percent of their annual gross sales from seasonal or tourist customers,", and delete the words "and then only if the event"

On page 2 of the engrossed bill, line 13, delete the words "is sponsored by a hobby, craft, or art organization,"

On page 3 of the engrossed bill, line 32, delete the word "Aural" and insert in lieu thereof the words "The sale of aural", and after the period insert the words "Rental of these items is permitted."

On page 4 of the engrossed bill, line 11, delete the words "other than" and insert in lieu thereof the word "except"

On page 4 of the engrossed bill, line 12, after the word "equipment" insert the words "and except sporting goods"

On page 5 of the engrossed bill, line 32, delete the words "of a nongambling nature"

On page 6 of the engrossed bill, line 7, overstrike the word "three" and insert immediately thereafter the word "six"

And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

Engrossed SB 2411 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 Engrossed SB 2414 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 1, delete the word "revolving"

On page 1 of the engrossed bill, line 24, delete the word "two" and insert in lieu thereof the word "four"

On page 2 of the engrossed bill, line 16, delete the word "revolving"

On page 2 of the engrossed bill, line 18, after the word "enterprises" insert the words "and for operating capital of such enterprises"

- On page 2 of the engrossed bill, line 25, delete the word "revolving"
- On page 2 of the engrossed bill, line 30, delete the word "adjudicating" and insert in lieu thereof the word "reviewing"
- On page 2 of the engrossed bill, line 31, after the period insert the following: "The commission shall define the duties and fix the compensation of the advisory board. Board members shall receive expenses as provided by sections 44-08-04 and 54-06-09."
- On page 3 of the engrossed bill, line 21, delete the word "twenty-five" and insert in lieu thereof the word "fifty"
- On page 3 of the engrossed bill, line 22, after the word "capital" insert the words "and operating", and delete the second comma
- On page 3 of the engrossed bill, delete lines 23 through 25
- On page 3 of the engrossed bill, line 26, delete the word "institution"
- On page 3 of the engrossed bill, line 28, delete the words "not to exceed six percent per" and insert in lieu thereof the word "determined by the commission"
- On page 3 of the engrossed bill, line 29, delete the word "year"
- On page 3 of the engrossed bill, after line 34, insert the following new section:

"SECTION 3. Bonds and notes - Security - Legal investments - Exemption from taxes. The commission, acting through the Bank of North Dakota, may issue bonds or notes, the proceeds from the sale of which shall be deposited into the loan fund created by this Act, provided that at no time shall the amount of indebtedness issued and outstanding pursuant to this section exceed fifty million dollars. The bonds and notes shall be secured solely by the property and assets pledged to the bonds and notes and shall not constitute a debt of the state of North Dakota or of any agency, board, department, or officer or agent of the state. Notwithstanding any restrictions contained in any other law, the state and all public officers, boards, and agencies, and political subdivisions and agencies thereof, all national banking associations, state banks, trust companies, savings banks and institutions, savings and loan associations, investment companies, and other persons carrying on a banking business, and all executors, administrators, guardians, trustees, and other fiduciaries, may legally invest any sinking funds, moneys, or other



funds belonging to them or within their control in any bonds or notes issued by the commission, pursuant to this section, and the bonds and notes are authorized security for any and all public deposits. All bonds and notes issued under the provisions of this section and the interest thereon shall be exempt from all state, county, and municipal taxes."

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

Engrossed SB 2414 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 Engrossed SB 2424 has had the same under consideration and recommends by a vote of 9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 17, delete the words "damages any" and insert in lieu thereof the word "bites"

On page 1 of the engrossed bill, line 18, delete the words "property or injuries"

On page 1 of the engrossed bill, line 21, after the word "suffered" insert the words "by the person bitten"

On page 2 of the engrossed bill, line 8, immediately after the word "any" insert the words "dangerous, vicious, or destructive"

On page 2 of the engrossed bill, line 9, delete the words ", which bites or"

On page 2 of the engrossed bill, delete line 10

On page 2 of the engrossed bill, line 11, delete the words "harassess, chases, bites, or attempts to bite any animal"

And renumber the lines and pages accordingly  
REP. CONMY, Chairman

Engrossed SB 2424 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 Reengrossed SB 2436 has had the same under consideration and recommends by a vote of 12 YEAS, 0 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 of the reengrossed bill, line 17, delete the word "and" and insert in lieu thereof the following: "the use of process color printing, presses larger than eleven by seventeen inches [27.94 x 43.18 centimeters], die cutting, snap out forms, continuous forms, perfect binding, and the production in excess of ten thousand impressions of any page or fifty thousand impressions in the aggregate of items consisting of multiple pages."

On page 2 of the reengrossed bill, delete lines 18 through 23

On page 3 of the reengrossed bill, line 16, delete the words "means side or corner stitching with" and insert in lieu thereof the following: "includes procedures used for bid preparation purposes and production of materials for the legislative branch. The level of duplicating services provided by the central duplicating division of the office of management and budget cannot be enlarged from that provided as of January 1, 1985, and cannot include printing."

On page 3 of the reengrossed bill, delete lines 17 through 25

And renumber the lines and pages accordingly

REP. MARTINSON, Chairman

Reengrossed SB 2436 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred Engrossed SB 2450 has had the same under consideration and recommends by a vote of 13 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

Engrossed SB 2450 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 2468 has had the same under consideration and recommends by a vote of 15 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 2 of the engrossed bill, line 30, overstrike the word "during" and insert immediately thereafter the word "for", and delete the words "twelve months" and insert in lieu thereof the words "twelve-month period"

And renumber the lines accordingly

REP. KLOUBEC, Chairman

Engrossed SB 2468 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 Engrossed SCR 4051 has had the same under consideration and recommends by a vote of 14 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 of the engrossed resolution, line 1, after the words "A concurrent resolution" delete the remainder of the resolution and insert in lieu thereof the following: "directing the Legislative Council, with the assistance of citizen advisers, to study issues of concern to the state and persons living within the boundaries of the Fort Berthold Reservation.

WHEREAS, jurisdictional issues affect the interests of the state and persons living within the boundaries of the Fort Berthold Reservation; and

WHEREAS, federal law may provide the basis for tribal and state agreement to resolve these jurisdictional concerns; and

WHEREAS, a study of these jurisdictional issues should be made to determine whether the potential and existing jurisdictional concerns could be resolved through legislative action as allowed under federal law;

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

That the Legislative Council study and make recommendations to the Legislative Assembly and provide its study results and recommendations to the Three Affiliated Tribes regarding the following issues:

1. The feasibility of state legislation under the authority of federal law to resolve jurisdictional issues regarding tribal and state government;
2. State and tribal law and practice regarding the recognition of state and tribal court judgments, especially those affecting the rights of individuals, and whether the rights established by state and tribal court judgments are protected under state and tribal laws;
3. The operation and administration of state tax laws on the Fort Berthold Reservation;
4. The impact on taxing districts of the presence of tax-exempt lands owned by the tribal government and members within the exterior boundaries of the

Fort Berthold Reservation and methods to replace funds lost to political subdivisions by the exemption of those lands; and

BE IT FURTHER RESOLVED, that the committee conducting the study hold at least one of its meetings at a convenient site on the Fort Berthold Reservation to allow testimony of local residents regarding the committee's study; and

BE IT FURTHER RESOLVED, that the Legislative Council call upon citizen advisers to serve as members of the study committee and that the citizen membership of the committee include two representatives of affected political subdivisions and two representatives of the Three Affiliated Tribes; and

BE IT FURTHER RESOLVED, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fiftieth Legislative Assembly."

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

Engrossed SCR 4051 was placed on the 6th order of business on the calendar for the succeeding legislative day.

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

ROY GILBREATH, Chief Clerk