

TUESDAY, MARCH 5, 1985

1593

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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THIRTY-NINTH DAY

Bismarck, March 5, 1985

The House convened at 12:30 p.m., with Speaker R. Hausauer presiding.

The prayer was offered by Pastor Jonathan Starks, Word of Faith and Outreach Center, Mandan, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives R. Anderson, Gullickson, O. Hanson, Lipsiea, Murphy, Wold.

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 reexamined the Journal of the First Day of the Organizational Session and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 1 of the Organizational Session, after line 16, insert the following:

The prayer was offered by Bishop Marvin Schumacher, Western North Dakota District of the American Lutheran Church, Bismarck, North Dakota.

MR. SPEAKER: Your Committee on Revision and Correction of the Journal has carefully examined the Journal of the Thirty-eighth Day and recommends that the same be corrected as follows and when so corrected, recommends that the same be approved:

On page 1562, line 14, delete the words "lost for want of a Constitutional majority" and insert in lieu thereof the following: "adopted"

REP. KENT, Chairman

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

REPORT OF PROCEDURAL COMMITTEE

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

HCR 3069

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 they have examined the following bill and find the same correctly enrolled:

HB 1061 (veto sustained)

REP. HEDSTROM, Chairman

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

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker was about to sign the certification by which HB 1061 failed to pass the House over the Governor's veto, and the Speaker signed the same in the presence of the House of Representatives:

HB 1061

ROY GILBREATH, Chief Clerk

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 1:00 p.m., March 5, 1985:

House Bill No. 1061, which has failed to pass the House of Representatives over the Governor's veto, also a copy of the Governor's objections as well as the certificate of the presiding officers of the House of Representatives as to the final action of that body with reference to the passage of this bill.

REP. HEDSTROM, Chairman

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

SECOND READING OF SENATE BILLS

SB 2047: A BILL for an Act to amend and reenact sections 36-21-16 and 36-21-18 of the North Dakota Century Code, relating to the authority of the public service commission and to filing evidence of solvency and title to livestock

remaining in an auction market or seller until settlement is made.

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

YEAS: Lloyd; Mertens; Williams, A.

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

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lang; Lipsiea; Wold

SB 2047 was declared lost.

SB 2094: A BILL for an Act to create and enact a new subsection to section 2-02-06 and a new subsection to section 2-06-07 of the North Dakota Century Code, relating to power of certain airport operators and airport authorities to establish toll access roadways.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 68 YEAS, 32 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Gerntholz; Goetz; Graba; Hamerlik; Hedstrom; Hill; Hoffner; Hughes; Kelly; Kent; Kingsbury; Kloubec;

Klundt; Knudson; Kuchera; Larson; Lautenschlager;
Lindgren; Martin; Mertens; Moore; Myrdal; Nalewaja;
Nicholas; Oban; Olsen, D.; Olson, V.; Opedahl; O'Shea;
Payne; Peterson, J.; Retzer; Rice; Richard; Riley;
Rydell; Sauter; Schmidt; Schneider; Shide; Skjerven;
Smette; Solberg, O.; Starke; Stofferahn; Strinden;
Thompson; Timm; Tollefson; Unhjem; Wald; Whalen;
Williams, A.; Williams, C.; Winkelman;
Speaker Hausauer, R.

NAYS: Anderson, C.; Enget; Frey; Gunsch; Halmrast;
Hanson, L.; Haugland; Hausauer, A.; Keller; Koland;
Kretschmar; Lang; Laughlin; Linderman; Lloyd;
Martinson; Melby; Meyer; Murphy; O'Connell; Olson, A.;
Pederson, R.; Riehl; Schindler; Shaw; Shockman;
Solberg, R.; Ulmer; Vander Vorst; Watne; Wentz;
Williams, W.

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Nowatzki; Wold

SB 2094 passed and the title was agreed to.

SB 2112: A BILL for an Act to amend and reenact section
37-18.1-01 of the North Dakota Century Code, relating to
the administrative committee on veterans' affairs.

Which has been read.

ROLL CALL

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

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

NAYS: Gates

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Kelly; Lipsiea; Nowatzki; Rydell; Wold

SB 2112 passed and the title was agreed to.

SB 2132: A BILL for an Act to create and enact a new section to chapter 60-04 of the North Dakota Century Code, relating to the joinder of the surety in a grain warehouseman insolvency proceeding; and to amend and reenact sections 60-04-01, 60-04-04, and 60-04-09 of the North Dakota Century Code, relating to insolvent grain warehousemen and the insolvency proceedings for insolvent grain warehousemen.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 1 NAY, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Kingsbury

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Nowatzki; Unhjem; Wold

SB 2132 passed and the title was agreed to.

SB 2185: A BILL for an Act to amend and reenact section 43-17-30 of the North Dakota Century Code, relating to reinstatement

of physicians delinquent in the payment of registration fees.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Nowatzki; Strinden; Thompson; Unhjem; Wold

SB 2185 passed and the title was agreed to.

SB 2192: A BILL for an Act to amend and reenact section 54-17-07.4 of the North Dakota Century Code, relating to the restriction that requires housing finance agency bonds to be sold at not less than ninety-five percent of par; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 1 NAY, 14 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.;

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

NAYS: Kingsbury

ABSENT AND NOT VOTING: Anderson, R.; Goetz; Gullickson; Hanson, O.; Kent; Lipsiea; Nicholas; Nowatzki; Peterson, J.; Strinden; Thompson; Unhjem; Wald; Wold

SB 2192 passed, the title was agreed to, and the emergency clause was declared carried.

RECOGNITION

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

SECOND READING OF SENATE BILLS

SB 2195: A BILL for an Act to amend and reenact subsection 1 of section 19-02.1-04, sections 19-02.1-06 and 19-02.1-07 of the North Dakota Century Code, relating to penalties, prosecutions, and minor violations of the Food, Drug, and Cosmetic Act; and providing a penalty.

Which has been read.

ROLL CALL

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

YEAS: Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conny; Dalrymple; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl;

O'Shea; Fayne; 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; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, C.; Anderson, R.; Dorso; Gullickson; Hanson, O.; Lipsiea; Nowatzki; Thompson; Timm; Unhjem; Wold

SB 2195 passed and the title was agreed to.

SB 2199: A BILL for an Act to amend and reenact subsection 8 of section 57-37.1-01 and subsection 1 of section 57-37.1-13 of the North Dakota Century Code, relating to definitions for estate tax purposes and depository notices of transfer of decedent's assets.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Nowatzki; Wold

SB 2199 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that SB 2206 be placed at the bottom of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2208: A BILL for an Act to amend and reenact section 54-17-25 of the North Dakota Century Code, relating to the issuance by the industrial commission of student loan revenue bonds.

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, 3 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; 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; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; 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; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Gunsch; Kingsbury; Murphy

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Nowatzki; Schneider; Strinden; Whalen; Wold

SB 2208 passed and the title was agreed to.

SB 2209: A BILL for an Act to amend and reenact subsection 1 of section 57-36-07 and sections 57-36-12 and 57-36-25 of the North Dakota Century Code, relating to packaging, discounts, and penalties for the tobacco products tax; 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 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Nowatzki; Whalen; Wold

SB 2209 passed and the title was agreed to.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HB 1115, HB 1245, HB 1264, HB 1270, HB 1273, HB 1320,
HB 1321, HB 1326, HB 1355, HB 1373, HB 1396, HB 1411,
HB 1433, HB 1566, HB 1603, HCR 3001, HCR 3029, HCR 3043,
HCR 3044, HCR 3048, HCR 3054, HCR 3055

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1094, HB 1128, HB 1157 which the Senate has amended:

SENATE AMENDMENTS TO HB 1094

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact sections 57-02-26 and 57-24-31 of the North Dakota Century Code, relating to taxable property used for oil and gas discovery, exploration,

processing, or transportation being taxable to the owner of that property; and to provide an effective date.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:**

SECTION 1. AMENDMENT. Section 57-02-26 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-02-26. Certain property taxable to lessee or equitable owner.

1. Property held under a lease for a term of years, or under a contract for the purchase thereof, belonging to the United States or to the state or a political subdivision thereof, except such lands as have been leased for pasture or grazing purposes, or to any religious, scientific, or benevolent society or institution, whether incorporated or unincorporated, or to any railroad corporation whose property is not taxed in the same manner as other property, shall be considered, for all purposes of taxation, as the property of the person so holding the same.
2. Property held under an easement or a lease for a term of years and any improvements upon that property which are used for any purpose relating to discovery, exploration, processing, or transportation of oil or gas shall be considered the property of the lease or easement holder. For the purposes of this subsection, "improvements" does not include pipelines or property subject to the provisions of chapter 57-06 or property subject to the in lieu of ad valorem tax provisions of chapter 57-51.

SECTION 2. AMENDMENT. Section 57-24-31 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

57-24-31. Collection of real estate taxes on leasehold or other possessory interests.

1. If any holder of a leasehold or other possessory interest in exempt real property neglects or refuses to pay any real estate taxes legally assessed and levied thereon at such time as now is or may hereafter be required by law for the payment of real property taxes, such leasehold or other possessory interest shall be sold in the manner provided by law for the sale of real property for delinquent taxes. Such taxes shall

also constitute a personal charge against the holder of the lease or other possessory interest from and after the day they become due, and all of the provisions of law with respect to the enforcement of collection of personal property taxes shall be applicable.

2. For property subject to assessment under the provisions of subsection 2 of section 57-02-26, taxes upon the property constitute a personal charge against the lease or easement holder from and after the day they become due, and all of the provisions of law with respect to the enforcement of collection of personal property taxes shall be applicable.

SECTION 3. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1984."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1128

On page 1 of the engrossed bill, line 12, delete the words "with the written"

On page 1 of the engrossed bill, line 13, delete the words "consent of the member's spouse, if any"

And renumber the lines accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1157

On page 2 of the engrossed bill, line 3, after the word "writing" insert the words "to a longer notice period or a different notice time"

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 failed to pass:

HB 1351, HB 1385

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

SB 2213: A BILL for an Act to amend and reenact section 39-25-05 of the North Dakota Century Code, relating to the expiration and renewal of commercial driver training school licenses and fees.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Belter; Berg, G.; 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; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Berg, R.; Gunsch; Kingsbury; Laughlin; Murphy; O'Connell; Skjerven

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Nowatzki; Payne; Wold

SB 2213 passed and the title was agreed to.

SB 2215: A BILL for an Act to amend and reenact subdivision 1 of subsection 1 of section 28-32-01 of the North Dakota Century Code, relating to exempting the North Dakota housing finance agency from the provisions of the Administrative Practices Act; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 61 YEAS, 38 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, G.; Berg, R.; Cleveland; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Halmrast; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hughes; Kent; Kloubec; Knudson; Koland; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Martin; Martinson; Melby; Mertens; Meyer; Moore; Nalewaja; Nicholas; Olson, V.; Opedahl; Payne; Peterson, J.; Rice; Richard; Riehl; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Smette; Solberg, O.; Starke; Strinden; Thompson; Timm; Tollefson; Vander Vorst;

Wald; Whalen; Williams, A.; Williams, C.;
Speaker Hausauer, R.

NAYS: Anderson, C.; Brokaw; Conmy; Dalrymple; DeMers;
Frey; Graba; Gunsch; Hanson, L.; Hill; Hoffner; Keller;
Kelly; Kingsbury; Klundt; Kretschmar; Kuchera; Lloyd;
Murphy; Myrdal; O'Connell; Olsen, D.; Olson, A.;
O'Shea; Pederson, R.; Retzer; Sauter; Schneider;
Shockman; Skjerven; Solberg, R.; Stofferahn; Ulmer;
Unhjem; Watne; Wentz; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Nowatzki; Oban; Wold

SB 2215 passed, the title was agreed to, but the emergency clause lost.

MOTION

REP. STRINDEN MOVED that SB 2206 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2206: 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 postretirement benefit adjustments under the teachers' fund for retirement; and to amend and reenact subsection 2 of section 15-39.1-10 of the North Dakota Century Code, relating to benefits paid to members of the teachers' fund for retirement.

Which has been read.

CONFLICT OF INTEREST

REP. KNUDSON STATED that he had a conflict of interest on SB 2206, and requested permission to vote.

The question being on whether or not Rep. Knudson could vote on SB 2206, which request was granted on a voice vote, pursuant to Rules 318 and 319 of the House Rules.

REP. SHAW STATED that he had a conflict of interest on SB 2206, and requested permission to vote.

The question being on whether or not Rep. Shaw could vote on SB 2206, which request was granted on a voice vote, pursuant to Rules 318 and 319 of the House Rules.

REP. RICE STATED that he had a conflict of interest on SB 2206, and requested permission to vote.

The question being on whether or not Rep. Rice could vote on SE 2206, which request was granted on a voice vote, pursuant to Rules 318 and 319 of the House Rules.

REP. C. ANDERSON STATED that he had a conflict of interest on SB 2206, and requested permission to vote.

The question being on whether or not Rep. C. Anderson could vote on SB 2206, which request was granted on a voice vote, pursuant to Rules 318 and 319 of the House Rules.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 94 YEAS, 6 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; 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; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Mertens; Meyer; Moore; 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; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Gunsch; Kingsbury; Melby; Murphy; Skjerven; Whalen

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Nowatzki; Wold

SB 2206 passed and the title was agreed to.

SB 2219: A BILL for an Act to amend and reenact section 46-03-11 of the North Dakota Century Code, relating to the copyright of the North Dakota session laws.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 96 YEAS, 3 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod;

Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Knudson; Koland; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; 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; Shide; Shockman; Skjervan; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Kretschmar; Kuchera; Olson, A.

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Klundt; Lipsiea; Nowatzki; Wold

SB 2219 passed and the title was agreed to.

SB 2220: A BILL for an Act to amend and reenact section 12-48-15 of the North Dakota Century Code, relating to penitentiary inmate accounts.

Which has been read.

ROLL CALL

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

YEAS: Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, C.; Anderson, R.;
Conmy; Frey; Gullickson; Hanson, O.; Lipsiea; Nowatzki;
Skjerven; Ulmer; Wold

SB 2220 passed and the title was agreed to.

SB 2223: A BILL for an Act to amend and reenact subsection 9 of section 39-24-01, subsection 5 of section 39-24-09, and section 39-24-09.1 of the North Dakota Century Code, relating to the definition and operation of snowmobiles.

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 87 YEAS, 13 NAYS, 6 ABSENT AND NOT VOTING.

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

NAYS: Belter; Gunsch; Halmrast; Klundt; Kuchera; Melby;
O'Connell; Schindler; Shockman; Solberg, R.; Starke;
Wald; Whalen

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Nowatzki; Wold

SB 2223 passed and the title was agreed to.

SB 2224: A BILL for an Act to amend and reenact sections 21-02-02, 21-02-05, 21-02-07, 21-02-08, 21-02-09, 21-02-10, 21-02-11 and 21-02-13 of the North Dakota Century Code, relating to the issuance and recording of certificates of indebtedness by taxing districts; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 98 YEAS, 1 NAY, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Erokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; 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; Speaker Hausauer, R.

NAYS: Kretschmar

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Mertens; Nowatzki; Wold

SB 2224 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2230: A BILL for an Act to create and enact a new section to chapter 54-17 of the North Dakota Century Code, authorizing the execution of instruments affecting interests in real property by personnel of the North Dakota housing finance agency; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

Lautenschlager; Linderman; Lindgren; 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.; 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; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Knudson; Lipsiea; Mertens; Wold

SS 2230 passed, the title was agreed to, and the emergency clause was declared carried.

MESSAGES FROM THE SENATE
SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1071, HB 1104, HB 1140, HB 1169, HB 1171, HB 1204, HB 1221, HB 1257, HB 1352, HB 1383, HB 1384, HB 1592, HB 1614, and HCR 3030 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1071

On page 1 of the engrossed bill, line 13, delete the words "The court may not suspend the defendant's privileges for a"

On page 1 of the engrossed bill, delete line 14

On page 1 of the engrossed bill, line 15, delete the words "violation of this title in the last three years" and insert in lieu thereof the words "Upon conviction for a violation of section 20.1-01-18, the court shall suspend the defendant's hunting, fishing, and trapping privileges for a period of six months to two years"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1104

On page 1 of the engrossed bill, line 12, delete the word "to" and insert in lieu thereof the words "and where harm to the public is so imminent and critical that substantial harm would likely result if the physician's license is not suspended prior to a hearing"

On page 1 of the engrossed bill, delete line 13

On page 1 of the engrossed bill, line 14, delete the words "disposition of a complaint"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1140

On page 1, line 24, delete the word "only" and after the word "toxicologist" insert the word "only"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1169

On page 3 of the engrossed bill, line 15, delete the words "in consultation", and after the word "with" insert the words "the consent of"

On page 5 of the engrossed bill, line 16, remove the overstrike over the word "~~willfully~~", and delete the word "knowingly" and insert in lieu thereof the comma and words ", as defined in section 12.1-02-02,"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1171

On page 1, delete lines 8 through 28, and insert in lieu thereof the following:

"21-03-22. ~~Registration, certification, and delivery~~ Recording of bonds. After the bonds have been executed, they shall be delivered to the county auditor, except in cities or school districts or park districts having a population of more than four thousand, in which cities, school districts, or park districts they shall be delivered to the auditor, clerk, or secretary thereof. When ~~such~~ the bonds are delivered to the county auditor, there shall be delivered to him a certified copy of the resolution of the governing body showing their sale. The county auditor, or the auditor, clerk, or secretary of a city, school district, or park district having a population of more than four thousand, upon receipt of ~~such~~ the bonds, shall ~~register record~~, in a separate book provided for the purpose, an accurate description of every bond so issued, specifying its number, date, purpose, amount, rate of interest, when and where payable, and the coupons attached. In all cases where the ~~registering~~ recording officer is not the ~~recording~~ recording officer of the governing body of the municipality issuing the bonds, there also shall be filed ~~with him~~ a certified copy of all proceedings of the municipality relating to ~~such~~ the issue. When the transaction relating to the sale of ~~said~~ the bonds is to be consummated, there shall be delivered to the ~~registering~~ recording officer a detailed financial statement of the municipality given by the ~~treasurer auditor, clerk, or~~ secretary of the municipality under oath. When ~~such~~ the

bonds have been fully registered recorded as required by this section, and when he the recording officer has received such the detailed financial statement of the municipality, the registering recording officer shall sign an endorsement on the back of each bond certifying that such the bond is registered fully recorded in his that office, and, if such is the truth, that such the bond is issued in accordance with law and is within the debt limit of the municipality issuing the same bond. No bond shall be valid without such the certificate endorsed thereon. When the bonds have been so registered and certified, such registering and certifying officer shall deliver the same to the purchaser thereof in accordance with the terms of the resolution awarding their sale, and shall forthwith transmit the proceeds thereof to the treasurer of the municipality.

SECTION 2. AMENDMENT. Section 21-03-23 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

21-03-23. Bond register record. The county auditor shall keep a bond register record in which shall be entered, as to each issue of bonds issued by a taxing district in the county required by the provisions of section 21-03-22 to be delivered to the county auditor after execution, a record of the date of issuance, the aggregate amount authorized, the aggregate amount issued, the number of bonds and the denomination of each, the date of maturity of each bond, the rate of interest, the amount of the levy on taxable property for each year certified by the taxing board, the amount levied on any other object of taxation by the municipality, the amount pledged or allocated from other sources of revenue of the municipality, and the amount of any annual or periodic payments or distributions appropriated or allocated by the legislative assembly. Such bond register also shall contain similar information regarding each issue of certificates of indebtedness of each taxing district in the county. The state auditor shall prescribe for the use of the county auditors a uniform form of bond register."

Delete page 2

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1204

On page 1 of the engrossed bill, line 17, delete the words "The total amount of credits"

On page 1 of the engrossed bill, delete line 18

On page 1 of the engrossed bill, line 19, delete the words "of the current true and full value of the property."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1221

On page 1 of the engrossed bill, line 18, after the word "required" insert the words "by the department or a county social service board"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1257

On page 3 of the engrossed bill, line 13, overstrike the word "four" and insert immediately thereafter the word "eight"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1352

On page 1, line 9, after the word "The" insert the word "qualified"

On page 1, line 11, overstrike the word "voters" and insert immediately thereafter the words "qualified electors"

On page 1, line 14, overstrike the word "voters" and insert immediately thereafter the words "qualified electors"

On page 1, line 17, overstrike the word "township" and insert immediately thereafter the words "the qualified", and after the word "electors" insert the words "of the township", and after the word "The" insert the word "qualified"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1383

On page 1, line 12, remove the overstrike over the words "~~including apartments of~~", and after the word "five" insert the word "two"

On page 1, line 13, remove the overstrike over the words "~~or mere units~~", and delete the words "or any building which is being leased or has rental"

On page 1, line 14, delete the word "units"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1384

On page 1 of the engrossed bill, line 12, delete the words "is at"

On page 1 of the engrossed bill, line 13, delete the words "least the age of sixty and"

And renumber the lines accordingly

TUESDAY, MARCH 5, 1985

1615

SENATE AMENDMENTS TO ENGROSSED HB 1592

On page 1 of the engrossed bill, line 4, after the word "sections" insert the numerals "43-35-03,"

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

"SECTION 1. AMENDMENT. Section 43-35-03 of the 1983 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

43-35-03. State board of water well contractors - Members' appointment - Qualification. The state board of water well contractors shall consist of the state engineer and the state health officer, or their duly authorized designees, and two water well contractors appointed by the governor, and one water well pump and pitless unit installer appointed by the governor, and one member appointed at large by the governor."

And renumber the lines, sections, and pages accordingly

SENATE AMENDMENTS TO HB 1614

On page 1, line 14, delete the words "and has increased the"

On page 1, delete line 15

On page 1, line 16, delete the word "section"

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HCR 3030

On page 1, line 25, after the word "lands" insert the words ", and urges the Congress to speed up the approval of funds by reviewing these regulations which nearly inhibit the spraying of federal lands"

And renumber the lines and pages accordingly

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:

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

LEO LEIDHOLM, Secretary

SECOND READING OF SENATE BILLS

SB 2233: A BILL for an Act to amend and reenact section 54-17-07.7 of the North Dakota Century Code, relating to the granting to the North Dakota industrial commission, acting as the North Dakota housing finance agency, the authority not to require program restrictions necessary to

the exemption from federal income taxes of the interest payable on its housing revenue bonds; and to declare an emergency.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; 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; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Goetz; Gullickson; Hanson, O.; Knudson; Lipsiea; Melby; Wentz; Wold

SB 2233 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2236: A BILL for an Act to amend and reenact section 39-06.1-09 of the North Dakota Century Code, relating to the definition of a moving violation.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent;

Kingsbury; Kloubec; Klundt; Knudson; Koland;
 Kretschmar; Kuchera; Lang; Larson; Laughlin;
 Lautenschlager; Linderman; Lindgren; Lloyd; Martin;
 Martinson; 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; Shockman; 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; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Cleveland;
 Gullickson; Hanson, O.; Lipsiea; Melby; Strinden; Wold

SB 2236 passed and the title was agreed to.

SB 2237: A BILL for an Act to create and enact a new subsection to section 57-15-06.7 of the North Dakota Century Code, relating to a property tax levy in addition to the general fund levy for county correction centers; to amend and reenact sections 57-15-06.6 and 57-15-06.8 of the North Dakota Century Code, relating to the county correction centers levy.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw;
 Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod;
 Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba;
 Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland;
 Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller;
 Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson;
 Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin;
 Lautenschlager; Linderman; Lindgren; Lloyd; Martin;
 Martinson; 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; Shockman; Skjerven;
 Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn;
 Strinden; Thompson; Timm; Tollefson; Ulmer;
 Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.;

Williams, C.; Williams, W.; Winkelman;
Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Melby; Unhjem; Wold

SB 2237 passed and the title was agreed to.

SB 2239: A BILL for an Act to amend and reenact subsection 2 of section 19-02.1-14.1 of the North Dakota Century Code, relating to the label of drugs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 100 YEAS, 0 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman;
Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Unhjem; Wold

SB 2239 passed and the title was agreed to.

SB 2241: A BILL for an Act to amend and reenact sections 57-40.2-06 and 57-40.2-09 of the North Dakota Century Code,

relating to payment of use tax and records preservation for use tax purposes.

Which has been read.

ROLL CALL

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

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

NAYS: Winkelman

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Mertens; Strinden; Unhjem; Wold

SB 2241 passed and the title was agreed to.

SB 2252: A BILL for an Act to cancel and declare forfeited a portion of water permit numbers 153B and 2143 relating to the right of the Jamestown state hospital and the Hettinger experiment station to appropriate water; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 95 YEAS, 3 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; 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;

Kingsbury; Kloubec; Klundt; Knudson; Koland;
 Kretschmar; Kuchera; Lang; Larson; Laughlin;
 Lautenschlager; Linderman; Lindgren; Lloyd; Martin;
 Martinson; Meyer; Moore; Murphy; Myrdal; Nalewaja;
 Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.;
 Olson, A.; Olson, V.; Opedahl; O'Shea; Fayne;
 Pederson, R.; Retzer; Rice; Richard; Riehl; Riley;
 Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw;
 Shide; Shockman; Skjerven; Smette; Solberg, O.;
 Solberg, R.; Starke; Stofferahn; Thompson; Timm;
 Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne;
 Wentz; Williams, A.; Williams, C.; Williams, W.;
 Winkelman; Speaker Hausauer, R.

NAYS: Gunsch; Melby; Whalen

ABSENT AND NOT VOTING: Anderson, R.; Cullickson;
 Hanson, O.; Lipsiea; Mertens; Peterson, J.; Strinden;
 Wold

SB 2252 passed, the title was agreed to, and the emergency clause was declared carried.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2254, which motion prevailed.

SB 2254: A BILL for an Act to create and enact a new subdivision to subsection 1 of section 38-14.1-14 of the North Dakota Century Code, relating to surface coal mining and reclamation permit application requirements for cultural resources; to amend and reenact section 38-14.1-10, subdivision q of subsection 1 of section 38-14.1-14, subsection 4 of section 38-14.1-21, subsection 1 of section 38-14.1-30, and section 55-03-01 of the North Dakota Century Code, relating to the necessity of a permit, administrative review, permit for investigation, evaluation, or mitigation of adverse effects on cultural resources, permit application requirements for topographic maps, and to permit approval or denial standards.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw;
 Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod;
 Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba;
 Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland;
 Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller;

Kelly; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Kent; Lipsiea; Mertens; Strinden; Wold

SB 2254 passed and the title was agreed to.

SB 2258: A BILL for an Act to create and enact a new subsection to section 11-11-14 and a new subsection to section 40-05-01 of the North Dakota Century Code, relating to powers of boards of county commissioners and governing bodies of cities regarding community development block grant funds; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Mertens; Strinden; Wold

SB 2258 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2264: A BILL for an Act to amend and reenact section 57-15-28 of the North Dakota Century Code, relating to county emergency fund levies.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 90 YEAS, 6 NAYS, 10 ABSENT AND NOT VOTING.

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

NAYS: Belter; Dorso; Gunsch; Hausauer, A.; Kingsbury; Murphy

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Kuchera; Lipsiea; Mertens; Nowatzki; Riley; Strinden; Wold

SB 2264 passed and the title was agreed to.

SB 2268: A BILL for an Act to amend and reenact sections 11-19.1-15, 11-19.1-16, and 11-19.1-17 of the North Dakota Century Code, relating to the duties of coroners to notify relatives and fee responsibilities of the counties.

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, 3 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; 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; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Gunsch; O'Connell; Olsen, D.

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Kuchera; Lipsiea; Nowatzki; Riley; Strinden; Wold

SB 2268 passed and the title was agreed to.

SB 2270: A BILL for an Act to amend and reenact section 57-19-02 of the North Dakota Century Code, relating to the disposition of investment income from school district special reserve funds.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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; Rydell; Sauter; Schindler; Schmidt; Schneider;
Shaw; Shide; Shockman; Smette; Solberg, O.;
Solberg, R.; Starke; Stofferahn; Strinden; Thompson;
Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald;
Watne; Wentz; Williams, A.; Williams, C.; Williams, W.;
Winkelman; Speaker Hausauer, R.

NAYS: Hausauer, A.

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Kuchera; Lipsiea; Riley; Skjerven; Whalen;
Wold

SB 2270 passed and the title was agreed to.

SB 2272: 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 partial service retirement under the teachers' fund for
retirement.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was
called and there were 99 YEAS, 0 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Riehl; Riley; Wold

SB 2272 passed and the title was agreed to.

SB 2276: A BILL for an Act to amend and reenact subsection 3 of section 50-10.1-01, sections 50-10.1-03, 50-10.1-05, 50-10.1-06, and subsection 1 of section 50-10.1-07 of the North Dakota Century Code, relating to long-term care ombudsmen.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 88 YEAS, 11 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Solberg, O.; Solberg, R.; Stofferahn; Strinden; Tollefson; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Williams, A.; Williams, C.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: Goetz; Gunsch; Hausauer, A.; Kingsbury; Klundt; Richard; Smette; Starke; Timm; Wald; Whalen

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Riehl; Thompson; Wold

SB 2276 passed and the title was agreed to.

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

Which has been read.

MOTION

REP. KRETSCHMAR 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 49 YEAS, 50 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Belter; Brokaw; Cleveland; Dalrymple; DeMers; Enget; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kretschmar; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Mertens; Nowatzki; Oban; O'Connell; Olson, V.; Opedahl; O'Shea; Richard; Riehl; Sauter; Schneider; Shaw; Shockman; Skjerven; Solberg, O.; Solberg, R.; Stofferahn; Ulmer; Vander Vorst; Watne; Wentz; Williams, A.; Williams, W.

NAYS: Anderson, C.; Berg, G.; Berg, R.; Conmy; Dorso; Dotzenrod; Eckroth; Gerntholz; Goetz; Gunsch; Hausauer, A.; Hughes; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Olsen, D.; Olson, A.; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shide; Smette; Starke; Strinden; Thompson; Timm; Tollefson; Unhjem; Wald; Whalen; Winkelman; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Lipsiea; Meyer; Williams, C.; Wold

SB 2277 was declared lost.

SB 2280: A BILL for an Act to amend and reenact section 24-02-11 of the North Dakota Century Code, relating to confidentiality of certain records of the highway commissioner.

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, 9 NAYS, 8 ABSENT AND NOT VOTING.

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

Murphy; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.;
Olson, A.; Olson, V.; Opedahl; O'Shea; Payne;
Pederson, R.; Peterson, J.; Retzer; Rice; Richard;
Riehl; Riley; Rydell; Sauter; Schindler; Schmidt;
Schneider; Shaw; Shide; Shockman; Skjerven; Smette;
Solberg, O.; Solberg, R.; Starke; Strinden; Thompson;
Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne;
Whalen; Williams, A.; Williams, W.; Winkelman;
Speaker Hausauer, R.

NAYS: Brokaw; Conmy; Frey; Kingsbury; Kuchera; O'Connell;
Stofferahn; Ulmer; Wentz

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Meyer; Nowatzki; Williams, C.;
Wold

SB 2280 passed and the title was agreed to.

SB 2297: A BILL for an Act to create and enact a new section to chapter 40-05.1 of the North Dakota Century Code, relating to definitions of the terms "city officers", "executive officer", and "governing body"; to amend and reenact subsection 4 of section 40-05.1-06 of the North Dakota Century Code, to allow a home rule city the power to provide for its own form and structure of government; and to declare an emergency.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Brokaw; Gullickson;
Hanson, O.; Lipsiea; Meyer; Nowatzki; Williams, C.;
Wold

SB 2297 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2298: A BILL for an Act to amend and reenact section 49-18-41 of the North Dakota Century Code, relating to identification tags secured by motor carriers as evidence of receipt of certificate of public convenience.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; 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.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Winkelman; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Anderson, R.; Gullickson;
Hanson, O.; Lipsiea; Nowatzki; Starke; Williams, C.;
Wold

SB 2298 passed and the title was agreed to.

SB 2310: A BILL for an Act to amend and reenact section 11-11-19 of the North Dakota Century Code, relating to authority of county commissioners to purchase land without an election.

Which has been read.

ROLL CALL

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

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

NAYS: Retzer

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Kuchera; Lipsiea; Nowatzki; Timm; Ulmer; Williams, C.; Wold

SB 2310 passed and the title was agreed to.

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 42 YEAS, 56 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Cleveland; Conmy; DeMers; Dotzenrod; Eckroth; Enget; Frey; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hoffner; Kelly; Kloubec; Krietschmar; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Mertens; Moore; Nalewaja; Oban; Olson, V.; Peterson, J.; Retzer; Riley; Sauter; Schneider; Shaw; Stofferahn; Strinden; Thompson; Ulmer; Unhjem; Wentz; Speaker Hausauer, R.

NAYS: Anderson, C.; Belter; Berg, G.; Eerg, R.; Brokaw; Dalrymple; Dorso; Gerntholz; Goetz; Gunsch; Hausauer, A.; Hedstrom; Hill; Hughes; Keller; Kent; Kingsbury; Klundt; Knudson; Koland; Laughlin; Martinson; Melby; Meyer; Murphy; Myrdal; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Opedahl; O'Shea; Payne; Pederson, R.; Rice; Riehl; Rydell; Schindler; Schmidt; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Timm; Tollefson; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, W.; Winkelman

ABSENT AND NOT VOTING: Anderson, R.; Gullickson; Hanson, O.; Kuchera; Lipsiea; Richard; Williams, C.; Wold

SB 2315 was declared lost.

MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby SB 2151 was passed, which motion prevailed on a verification vote.

REP. STRINDEN MOVED that SB 2151 be rereferred to the **Committee on Education**, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that SB 2151 was referred to the **Committee on Education**.

REP. STRINDEN MOVED that SB 2352 be removed from the Fourteenth order on the calendar and be rereferred to the **Committee on State and Federal Government**, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that SB 2352 was rereferred to the **Committee on State and Federal Government**.

CONSIDERATION OF MESSAGES FROM SENATE

REP. A. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1050, which motion prevailed.

HB 1050 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 1057 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 1057:

Reps. Dalrymple, Kretschmar, A. Williams

CONSIDERATION OF MESSAGES FROM SENATE

REP. A. HAUSAUER MOVED that the House do concur in the Senate amendments to HB 1087, which motion prevailed.

HB 1087 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. NICHOLAS MOVED that the House do concur in the Senate amendments to HB 1263, which motion prevailed.

HB 1263 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REPORT OF PROCEDURAL COMMITTEE

MR. SPEAKER: Your procedural Committee on Delayed Bills recommends that the following be introduced:

HB 1654, HB 1655, HB 1656

REP. STRINDEN, Chairman

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

MOTIONS

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

REP. KRETSCHMAR MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House be on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Wednesday, March 6, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Joint Constitutional Revision to which was referred HCR 3041 has had the same under consideration and recommends by a vote of 8 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTIN, Chairman

HCR 3041 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2061 has had the same under consideration and recommends by a vote of 8 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2061 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SB 2063 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and be rereferred to the Committee on Appropriations.

REP. KNUDSON, Chairman

SB 2063 was rereferred to the Committee on Appropriations.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2077 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SB 2077 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2080 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1, line 2, delete the words "and a new section to chapter 49-10.1"

On page 1, line 4, delete the words "and the duty of the public"

On page 1, line 5, delete the words "service commission to intervene in railroad line abandonment cases"

On page 1, delete lines 19 through 27

And renumber the lines accordingly

REP. TIMM, Chairman

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

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2116 has had the same under consideration and recommends by a vote of 11 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 3 of the engrossed bill, line 8, delete the word "twenty" and insert in lieu thereof the word "twenty-five"

On page 3 of the engrossed bill, line 9, delete the word "five" and insert in lieu thereof the word "ten"

On page 3 of the engrossed bill, line 13, delete the word "five" and insert in lieu thereof the word "ten"

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On page 3 of the engrossed bill, line 15, delete the word "two" and insert in lieu thereof the word "five"

And renumber the lines and pages accordingly

REP. CONMY, Chairman

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

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2141 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2141 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2145 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2145 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2147 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2147 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2150 has had the same under consideration and recommends by a vote of 7 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

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

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2161 has had the same under consideration and recommends by a vote of 9 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 12, overstrike the words "of the" and insert immediately thereafter the word "as"

On page 1 of the engrossed bill, line 13, overstrike the words "historical society as possessing historical value,"

On page 1 of the engrossed bill, line 14, overstrike the words "as defined in this section," and insert immediately thereafter the words "historic sites according to written criteria established by the board"

On page 1 of the engrossed bill, line 16, delete the word "those"

On page 1 of the engrossed bill, line 17, delete the words "possess historic value" and insert in lieu thereof the words "meet the criteria"

On page 1 of the engrossed bill, line 20, overstrike the word "in"

On page 1 of the engrossed bill, line 21, overstrike the words "accordance with state law dealing with publications"

And renumber the lines accordingly

REP. MARTINSON, Chairman

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

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2162 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2162 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2189 has had the same under consideration and recommends by a vote of 13 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2189 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2232 has had the same under consideration and recommends by a vote of 13 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 1, line 26, delete the word "of" and insert in lieu thereof the words ", or by"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

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

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2285 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2285 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2286 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact subsection 4 of section 57-27-02 of the North Dakota Century Code, relating to the county auditor giving notice of expiration of the period of redemption after a tax sale.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Subsection 4 of section 57-27-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4. Duplicate copies of the notice of expiration of the period of redemption shall be prepared by the county auditor. If any mortgagee or assignee of a mortgage holding an unsatisfied mortgage on said land, as shown by the records in the office of the register of deeds, shall have requested in writing that the county auditor mail him one of said duplicate copies and shall have paid to the auditor the sum of one dollar and fifty cents as a fee for such purpose, the county auditor shall mail one of said copies of the notice to such mortgagee or assignee by registered or certified mail addressed to the mortgagee or assignee at least ninety days before the time for redemption expires. The county auditor shall serve the notice of the expiration of the period of

redemption upon each mortgagee, lienholder, and other person interested therein as may appear from the records of the register of deeds and the clerk of the district court of the county. The notice must be served by registered mail and a registry and return receipt must be demanded and filed with proof of service. The expense of service by registered mail shall be added to the amount required to redeem and must be paid by the person making the redemption in addition to the amounts stated in the notice. The auditor shall make proof of service by affidavit showing the names and addresses of all parties upon whom the notice was served with the date of mailing in each case, and the auditor shall attach the registry, certification, and return receipts and file the affidavit and receipts with the original notice of the expiration of the period of redemption. Within ten days after a request by the county auditor the register of deeds and the clerk of the district court shall furnish the county auditor with a certified list giving the names and addresses of all persons who appear to be interested as owners, mortgagees, lienholders, or otherwise in the real estate, upon whom the notice of the expiration of the period of redemption, must be served."

And renumber the lines and pages accordingly

REP. LANG, Chairman

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

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2319 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SB 2319 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2333 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SB 2333 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2347 has had the same under consideration and

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recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SB 2347 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2376 has had the same under consideration and recommends by a vote of 7 YEAS, 2 NAYS, 6 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

SB 2376 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2377 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 0 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 23, overstrike the words "a class A"

On page 1 of the engrossed bill, line 24, overstrike the word "misdemeanor" and insert immediately thereafter the words "an infraction"

And renumber the lines and pages accordingly

REP. TIMM, Chairman

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

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2379 has had the same under consideration and recommends by a vote of 7 YEAS, 3 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2379 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2380 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2380 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2383 has had the same under consideration and recommends by a vote of 6 YEAS, 4 NAYS, 5 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

SB 2383 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SB 2384 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SB 2384 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2388 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 1 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. MARTINSON, Chairman

SB 2388 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2392 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2392 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2416 has had the same under consideration and recommends by a vote of 9 YEAS, 1 NAY, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2416 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2447 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2447 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2496 has had the same under consideration and recommends by a vote of 11 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. MARTINSON, Chairman

SB 2496 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2506 has had the same under consideration and recommends by a vote of 17 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2506 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SCR 4004 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. KNUDSON, Chairman

SCR 4004 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILLS

Rep. Mertens introduced:

(Approved by the Committee on Delayed Bills)

HB 1654: A BILL for an Act to amend and reenact subsection 1 of section 54-21.3-03 of the North Dakota Century Code, relating to the incorporation of the Uniform Mechanical Code as part of the state building code; and to declare an emergency.

Was read the first time and referred to the Committee on Industry, Business and Labor.

Reps. Opedahl, Schmidt and Sens. Wenstrom, Bakewell introduced:

(Approved by the Committee on Delayed Bills)

HB 1655: A BILL for an Act to create and enact a new subsection to section 38-08-08 of the North Dakota Century Code, authorizing the industrial commission in its discretion after hearing to impose a risk penalty from production against a nonparticipating lessee in the pooling of fractional tracts of oil and gas interests in a drilling unit.

Was read the first time and referred to the Committee on Natural Resources.

Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

HB 1656: A BILL for an Act to create and enact a new section to chapter 25-02, three new sections to chapter 25-04, and a

new chapter to title 50 of the North Dakota Century Code, relating to 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 and care of patients at the state hospital and Grafton state school.

Was read the first time and referred to the **Committee on State and Federal Government**.

FIRST READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4052: A concurrent resolution directing the Legislative Council to determine whether the state compulsory school attendance law should be revised to accommodate alternative methods of student instruction.

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

SCR 4053: A concurrent resolution directing the Legislative Council to study sales and purchases of power produced by small power producers.

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

SCR 4054: A concurrent resolution directing the Legislative Council to study the regulatory and enforcement authority of the State Highway Department, the Highway Patrol, and the Motor Vehicle Department.

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

SCR 4055: A concurrent resolution directing the Legislative Council to study motor carrier laws and regulations as they relate to the trucking industry.

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

SCR 4056: A concurrent resolution directing the Legislative Council to study the investigation and prosecution procedures for child abuse and neglect cases and to determine whether state law protects the interests of justice and of all parties involved in such cases.

Was read the first time and referred to the **Committee on Social Services and Veterans Affairs**.

SCR 4058: A concurrent resolution directing the Legislative Council to study the feasibility of allowing the conducting of various games of chance, on an infrequent basis, by small charitable organizations, and to study the licensing process applicable to such events.

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

SCR 4059: A concurrent resolution directing the Legislative Council to study the use of psychological tests and treatment of children attending elementary and secondary

schools in this state and the desirability of providing certain safeguards against such testing and treatment without the consent of the children's parents or legal guardians.

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

SCR 4060: A concurrent resolution directing the Legislative Council to study alternatives to the present court system for solving civil disputes.

Was read the first time and referred to the Committee on Judiciary.

SCR 4061: A concurrent resolution directing the Legislative Council to study state laws relating to the issuance, suspension, and revocation of drivers' licenses with specific emphasis on the efficient administration of those laws, the use of uniform terms in the relevant statutes, and the adequacy of drivers' education programs.

Was read the first time and referred to the Committee on Judiciary.

SCR 4062: A concurrent resolution directing the Legislative Council to study the financial basis under which airports in this state and elsewhere operate, including the manner and degree in which scheduled air carriers are the source of the cost of airports, and the extent to which scheduled airlines should help bear these costs.

Was read the first time and referred to the Committee on Transportation.

SCR 4063: A concurrent resolution directing the Legislative Council to study the desirability of requiring use of seatbelts by occupants of motor vehicles.

Was read the first time and referred to the Committee on Transportation.

SCR 4064: A concurrent resolution directing the Legislative Council to study governmental immunity for political subdivisions, the desirability of enacting a tort claims act, liability insurance for political subdivisions, and the desirability of enacting a state insurance program to provide coverage for political subdivisions.

Was read the first time and referred to the Committee on Political Subdivisions.

SCR 4065: A concurrent resolution directing the Legislative Council to study the comparative negligence laws and their interaction with the products liability, strict liability, and workmen's compensation laws in light of recent North Dakota Supreme Court decisions.

Was read the first time and referred to the Committee on Industry, Business and Labor.

SCR 4066: A concurrent resolution directing the Legislative Council to study the status and impact of charitable gambling in this state.

Was read the first time and referred to the Committee on Judiciary.

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

ROY GILBREATH, Chief Clerk