

THURSDAY, MARCH 7, 1985

1685

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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FORTY-FIRST DAY

Bismarck, March 7, 1985

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

The prayer was offered by Reverend A. Ambrose Netzer, Center for Creative Life, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Kent, Kingsbury, Kretschmar, Nicholas, O'Shea, J. Peterson, Retzer, Schneider, Watne, 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 examined the Journal of the Fortieth Day and finds the same to be correct.

REP. KENT, Chairman

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

MOTION

REP. D. OLSEN MOVED that SB 2074 be removed from the Sixth order on the calendar and be rereferred to the Committee on Social Services and Veterans Affairs, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that SB 2074 was rereferred to the Committee on Social Services and Veterans Affairs.

SIXTH ORDER OF BUSINESS

REP. A. HAUSAUER MOVED that the amendments to HB 1648 as recommended by the Committee on Finance and Taxation as printed on page 1672 of the House Journal be adopted, and when so adopted, recommends that HB 1648 DO PASS, which motion prevailed.

REP. A. HAUSAUER MOVED that the amendments to HB 1649 as recommended by the Committee on Finance and Taxation as printed on pages 1672-1673 of the House Journal be adopted, and when so adopted, recommends that HB 1649 DO PASS, which motion prevailed.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1648 and HB 1649 be deemed properly engrossed and be placed on the

Eleventh order, as amended, for second reading and final passage, which motion prevailed.

SIXTH ORDER OF BUSINESS

REP. CONMY MOVED that the amendments to SB 2059 as recommended by the Committee on Judiciary as printed on page 1674 of the House Journal be adopted, and when so adopted, recommends that SB 2059 DO PASS, which motion prevailed.

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

REP. CONMY MOVED that the amendments to SB 2143 as recommended by the Committee on Judiciary as printed on page 1675 of the House Journal be adopted, and when so adopted, recommends that SB 2143 DO PASS, which motion prevailed.

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

REP. KNUDSON MOVED that the amendments to SB 2153 as recommended by the Committee on Education as printed on page 1676 of the House Journal be adopted, and when so adopted, recommends that SB 2153 DO PASS, which motion prevailed.

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

REP. KNUDSON MOVED that the amendments to SB 2267 as recommended by the Committee on Education as printed on pages 1678-1679 of the House Journal be adopted, and when so adopted, recommends that SB 2267 DO PASS.

REQUEST

REP. LARSON REQUESTED a recorded roll call vote on the motion to adopt the proposed amendments to SB 2267, which request was granted.

ROLL CALL

The question being on the motion to adopt the amendments to SB 2267, the roll was called and there were 53 YEAS, 48 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Conmy; DeMers; Frey; Gerntholz; Halmrast; Hanson, L.; Hanson, O.; Hill; Hoffner; Keller; Kingsbury; Klundt; Knudson; Lang; Lautenschlager; Linderman; Lloyd; Martin; Melby; Mertens; Meyer; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Rice; Richard; Riehl; Sauter; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Stofferahn; Tollefson; Ulmer; Vander Vorst; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Enget; Gates; Goetz; Graba; Gunsch; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kent; Kloubec; Koland; Kuchera; Larson; Laughlin; Lindgren; Lipsiea; Martinson; Moore; Murphy; Myrdal; Nalewaja; Payne; Retzer; Riley; Rydell; Schmidt; Solberg, R.; Strinden; Thompson; Timm; Unhjem; Wald; Wentz; Whalen; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kretschmar; Peterson, J.; Schneider; Watne

The motion to adopt the amendments to SB 2267 passed.

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

SIXTH ORDER OF BUSINESS

REP. KNUDSON MOVED that the amendments to SB 2279 as recommended by the **Committee on Education** as printed on page 1679 of the House Journal be adopted, and when so adopted, recommends that SB 2279 DO PASS, which motion prevailed.

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

REP. MARTINSON MOVED that the amendments to SB 2357 as recommended by the **Committee on State and Federal Government** as printed on pages 1680-1681 of the House Journal be adopted, and when so adopted, recommends that SB 2357 DO PASS, which motion prevailed.

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

REP. A. HAUSAUER MOVED that the amendments to SB 2427 as recommended by the **Committee on Finance and Taxation** as printed on page 1681 of the House Journal be adopted, and when so adopted, recommends that SB 2427 DO PASS, which motion prevailed.

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

MOTION

REP. STRINDEN MOVED that henceforth all Senate Bills which have amendments adopted on the Sixth order of business be placed at the top of the succeeding day's calendar on the Fourteenth order of business, which motion prevailed.

MESSAGES FROM THE SENATE SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1438 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1438

On page 1 of the engrossed bill, line 10, overstrike the word "shall" and after the word "~~receive~~" insert the words "is entitled to"

On page 1 of the engrossed bill, line 19, overstrike the words "shall be" and insert immediately thereafter the word "is"

On page 1 of the engrossed bill, line 21, delete the words "the sheriff", overstrike the word "shall", and after the word "~~receive~~" insert the words "the sheriff is entitled to"

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 1488, HCR 3021, HCR 3057

LEO LEIDHOLM, Secretary

SENATE CHAMBER

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

HB 1017, HB 1023, HB 1062, HB 1289, HB 1374, HB 1375,
HB 1381, HB 1424, HB 1428, HB 1600, HCR 3011, HCR 3026,
HCR 3039, HCR 3049, HCR 3060, HCR 3061, HCR 3063, HCR 3064,
HCR 3073

LEO LEIDHOLM, Secretary

SECOND READING OF HOUSE BILLS

HB 1094: A BILL 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.

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kretschmar; Martin; Meyer; Peterson, J.; Schneider; Watne

HB 1094 passed and the title was agreed to.

HB 1171: A BILL for an Act to amend and reenact sections 21-03-22 and 21-03-23 of the North Dakota Century Code, relating to the registration, certification, and delivery of bonds.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Enget; Gullickson; Haugland;
Kretschmar; Nicholas; Peterson, J.; Retzler; Schneider;
Solberg, O.; Watne

HB 1171 passed and the title was agreed to.

HB 1352: A BILL for an Act to amend and reenact sections 58-04-05 and 58-06-05 of the North Dakota Century Code, relating to the hours for township annual or special meetings and meetings of township boards of supervisors.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Haugland; Kretschmar;
Nicholas; Peterson, J.; Schneider; Solberg, O.; Watne;
Williams, C.

HB 1352 passed and the title was agreed to.

HB 1383: A BILL for an Act to amend and reenact section 32-19.2-01 of the North Dakota Century Code, relating to the appointment of a trustee on application of the mortgagee in any action for the foreclosure of a real estate mortgage.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Haugland; Kretschmar; Nicholas; Peterson, J.; Schneider; Solberg, O.; Watne; Williams, C.

HB 1383 passed and the title was agreed to.

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.

Which has been read.

ROLL CALL

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

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

Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsau, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Lang; Peterson, J.; Schneider; Solberg, O.; Strinden; Watne

HE 1654 passed, the title was agreed to, and the emergency clause was declared carried.

SECOND READING OF HOUSE CONCURRENT RESOLUTION

HCR 3030: A concurrent resolution urging Congress and federal agencies to protect adequately against grasshopper infestations on federal land.

Which has been read.

The question being on the final adoption of the resolution.

HCR 3030 was declared adopted on a voice vote.

MOTION

REP. G. BERG MOVED that the House reconsider its action whereby SB 2119 was passed.

REQUEST

REP. MERTENS REQUESTED a recorded roll call vote on the motion to reconsider the action whereby SB 2119 was passed, which request was granted.

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

ROLL CALL

The question being on the motion to reconsider the action whereby SB 2119 was passed, the roll was called and there were 53 YEAS, 47 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Gates; Goetz;

Graba; Halmrast; Hamerlik; Hanson, L.; Hausauer, A.; Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Klundt; Koland; Larson; Lautenschlager; Lindgren; Lipsiea; Martinson; Mertens; Moore; Malewaja; Nicholas; Nowatzki; Oban; Opedahl; Payne; Riehl; Riley; Rydell; Sauter; Schmidt; Shockman; Skjerven; Starke; Stefferahn; Strinden; Tanna; Ulmer; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Dotzenrod; Enget; Gerntholz; Gunsch; Hanson, O.; Haugland; Hedstrom; Hughes; Kingsbury; Knudson; Kuchera; Lang; Laughlin; Linderman; Lloyd; Martin; Melby; Meyer; Murphy; Myrdal; O'Connell; Olsen, D.; Olson, A.; Olson, V.; O'Shea; Pederson, R.; Retzer; Rice; Richard; Schindler; Shaw; Shide; Smette; Solberg, O.; Solberg, R.; Thompson; Tollefson; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Peterson, J.; Schneider; Watne

So the motion to reconsider the action whereby SB 2119 was passed failed for want of a Constitutional majority.

MOTION

REP. STRINDEN MOVED that the rules be suspended, and that the following amended Senate bills: SB 2051, SB 2080, SB 2116, SB 2161, SB 2232, SB 2286, and SB 2377 be placed at the top of the Fourteenth order on today's calendar, which motion prevailed.

SECOND READING OF HOUSE BILLS

HB 1648: A BILL for an Act to amend and reenact subdivision b of subsection 6 of section 57-38-04 and section 57-38-10 of the North Dakota Century Code, relating to applicability of the Uniform Division of Income Tax Act to and reporting of income derived for carrying on a trade or business by residents of this state; and to provide an effective date.

Which has been read.

ROLL CALL

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

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

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Peterson, J.; Schneider; Watne; Wentz; Whalen

HB 1648 passed and the title was agreed to.

HB 1649: A BILL for an Act to amend and reenact subsection 2 of section 57-62-02 and section 57-62-03 of the North Dakota Century Code, relating to loans to oil and gas development impacted counties, cities, and school districts through the coal development trust fund; and to provide an expiration date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 81 YEAS, 16 NAYS, 9 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hughes; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Gunsch; Halmrast; Hanson, L.; Hill; Hoffner; Keller; Laughlin; Lloyd; Melby; Oban; O'Shea; Richard; Sauter; Shockman; Williams, A.

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Martinson; Mertens; Peterson, J.; Riehl; Schneider; Watne

HB 1649 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that HB 1648, HB 1649, and HB 1654 be messaged to the Senate immediately, which motion prevailed.

SIGNING OF BILLS AND RESOLUTIONS

THE CHIEF CLERK ANNOUNCED that the Speaker signed the following:

HB 1044, HB 1058, HB 1059, HB 1066, HB 1068, HB 1073, HB 1075, HB 1093, HB 1095, HB 1101, HB 1107, HB 1111, HB 1113, HB 1117, HB 1118, HB 1121, HB 1122, HB 1124, HB 1125, HB 1132, HB 1136, HB 1137, HB 1150, HB 1160, HB 1162, HB 1164, HB 1181, HB 1184, HB 1238, HB 1346, HB 1529, HCR 3006, HCR 3007, HCR 3008, HCR 3009, HCR 3010

ROY GILBREATH, Chief Clerk

MESSAGES TO THE SENATE HOUSE CHAMBER

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

HB 1044, HB 1058, HB 1059, HB 1066, HB 1068, HB 1073, HB 1075, HB 1093, HB 1095, HB 1101, HB 1107, HB 1111, HB 1113, HB 1117, HB 1118, HB 1121, HB 1122, HB 1124, HB 1125, HB 1132, HB 1136, HB 1137, HB 1150, HB 1160, HB 1162, HB 1164, HB 1181, HB 1184, HB 1238, HB 1346, HB 1529, HCR 3006, HCR 3007, HCR 3008, HCR 3009, HCR 3010

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

HCR 3069

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2094, SB 2112, SB 2132, SB 2185, SB 2192, SB 2195, SB 2199, SB 2206, SB 2208, SB 2213, SB 2219, SB 2220, SB 2224, SB 2230, SB 2233, SB 2236, SB 2237, SB 2239,

SB 2241, SB 2252, SB 2254, SB 2258, SB 2264, SB 2268,
 SB 2270, SB 2272, SB 2276, SB 2280, SB 2297, SB 2298,
 SB 2310

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2215

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2209, SB 2223

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2047

ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1128, HB 1204, HB 1384 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1128: Reps. Payne, R. Berg, DeMers
 HB 1204: Reps. Moore, Hughes, Schneider
 HB 1384: Reps. Martinson, Melby, L. Hanson

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

SB 2051: A BILL for an Act to amend and reenact section 21-10-07 of the North Dakota Century Code, relating to legal investments of the state investment board.

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 95 YEAS, 3 NAYS, 8 ABSENT AND NOT VOTING.

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

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

NAYS: Kingsbury; Kloubec; Stofferahn

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Nowatzki; Peterson, J.; Schneider; Unhjem; Watne

SB 2051 passed and the title was agreed to.

SB 2080: A BILL for an Act to create and enact a new section to chapter 49-09 of the North Dakota Century Code, relating to eminent domain powers of railroads subject to public service commission jurisdiction.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 30 YEAS, 69 NAYS, 7 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Brokaw; Cleveland; Conmy; Graba; Haugland; Hill; Hoffner; Kelly; Linderman; Lloyd; Martin; Mertens; Meyer; Oban; O'Connell; Opedahl; O'Shea; Richard; Riehl; Sauter; Shockman; Skjerven; Solberg, O.; Stofferahn; Ulmer; Vander Vorst; Whalen; Williams, W.; Winkelman

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gertholz; Goetz; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kingsbury; Kloubec; Klundt; Knudson; Koland; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Payne; Pederson, R.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide;

Smette; Solberg, R.; Starke; Strinden; Thompson; Timm;
Tollefson; Unhjem; Wald; Wentz; Williams, A.;
Williams, C.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar;
Kuchera; Peterson, J.; Schneider; Watne

SE 2080 was declared lost.

MOTION

REP. STRINDEN MOVED that the House waive the reading of the title to SB 2116, which motion prevailed.

SB 2116: A BILL for an Act to create and enact a new subsection to section 14-15-09 of the North Dakota Century Code, relating to the fee for filing an adoption petition; and to amend and reenact sections 11-17-04, 11-26-04, 26.1-02-19, 27-07.1-11, 27-07.1-33, 27-08.1-03, 28-20-20, 28-20.1-05, 30.1-28-03, 32-37-05, 35-18-04, 35-21-05, 35-24-12, 43-01-19, 43-20-04, 44-06-03, and 57-22-32 of the North Dakota Century Code, relating to fees to be charged by the clerks of the district and county courts.

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 89 YEAS, 10 NAYS, 7 ABSENT AND NOT VOTING.

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

NAYS: Anderson, C.; Brokaw; Gunsch; Hanson, O.;
Kingsbury; Mertens; Meyer; Olsen, D.; Riehl; Timm

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar;
 Peterson, J.; Schneider; Strinden; Watne

SB 2116 passed and the title was agreed to.

SB 2161: A BILL for an Act to amend and reenact subsection 4 of section 55-10-02 of the North Dakota Century Code, relating to the state historic sites registry, additions to or deletions from that list, and the discretionary powers of the state historical board regarding that list.

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 95 YEAS, 0 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; 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; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Gunsch;
 Haugland; Kingsbury; Kretschmar; Peterson, J.;
 Schneider; Strinden; Wald; Watne

SB 2161 passed and the title was agreed to.

MOTION

REP. MARTINSON MOVED that SB 2162 be placed at the top of the calendar, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2162: A BILL for an Act to amend and reenact subsection 2 of section 55-10-08 of the North Dakota Century Code, relating to the responsibilities of the state or instrumentalities of state government regarding demolition or alteration of any site listed in the state historic sites registry and the procedure for approval or mitigation of any proposed demolition or alteration.

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, 0 NAYS, 14 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Gunsch; Haugland; Kingsbury; Kretschmar; Meyer; Olsen, D.; Peterson, J.; Riehl; Schneider; Timm; Wald; Watne

SB 2162 passed and the title was agreed to.

SB 2232: A BILL for an Act to amend and reenact sections 23-09-03, 23-09-05, 23-09-06, and 23-09-07 of the North Dakota Century Code, relating to fire protection measures in hotels, motels, roominghouses, and lodginghouses; and to repeal section 23-09-04 of the North Dakota Century Code, relating to fire escapes in hotels and lodginghouses.

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 91 YEAS, 0 NAYS, 15 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Gunsch; Kingsbury; Kretschmar; Martin; Nowatzki; Peterson, J.; Richard; Riehl; Riley; Schneider; Tollefson; Wald; Watne

SB 2232 passed and the title was agreed to.

SB 2286: A BILL 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.

Which has been read.

ROLL CALL

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

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

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Gunsch; Kingsbury; Kretschmar; Nowatzki; Peterson, J.; Richard; Riley; Schneider; Wald; Watne

SB 2286 passed and the title was agreed to.

SB 2377: A BILL for an Act to amend and reenact section 24-03-05 of the North Dakota Century Code, relating to closing of roads and penalty for passing over a closed road or removing a barricade.

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

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 13 YEAS, 81 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Brokaw; Enget; Halmrast; Hill; Linderman; O'Connell; O'Shea; Rydell; Sauter; Stofferahn; Vander Vorst; Wentz; Williams, W.

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Gates; Gertholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Retzer; Rice; Riehl; Schindler; Schmidt; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Whalen; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Frey; Gullickson; Kingsbury;
Kretschmar; Nowatzki; Peterson, J.; Richard; Riley;
Schneider; Starke; Wald; Watne

SB 2377 was declared lost.

SB 2061: A BILL for an Act to amend and reenact section 5-02-10 of the North Dakota Century Code, relating to the suspension or revocation of a retail liquor license for violation of the games of chance law.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 33 YEAS, 62 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Brokaw; Conmy; DeMers; Enget; Gates; Halmrast; Hanson, L.; Haugland; Hoffner; Keller; Kelly; Klundt; Knudson; Lang; Linderman; Lipsiea; Nalewaja; Oban; Pederson, R.; Sauter; Schindler; Shaw; Shockman; Solberg, O.; Solberg, R.; Starke; Ulmer; Vander Vorst; Wentz; Williams, A.; Williams, W.; Winkelman

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Dalrymple; Dorso; Dotzenrod; Eckroth; Gerntholz; Goetz; Graba; Gunsch; Hamerlik; Hanson, O.; Hausauer, A.; Hedstrom; Hill; Hughes; Kent; Kloubec; Koland; Kuchera; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Martin; Melby; Meyer; Moore; Murphy; Myrdal; Nicholas; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Riehl; Rydell; Schmidt; Shide; Skjerven; Smette; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Wald; Whalen; Williams, C.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Frey; Gullickson; Kingsbury; Kretschmar; Martinson; Mertens; Peterson, J.; Richard; Riley; Schneider; Watne

SB 2061 was declared lost.

SB 2077: A BILL for an Act to amend and reenact section 26-17.1-16 or in the alternative section 26.1-26-32 as created by Senate Bill No. 2078 as approved by the forty-ninth legislative assembly, and section 26.1-01-07 of the North Dakota Century Code, relating to fees charged by the commissioner of insurance.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Anderson, C.; Frey; Gullickson; Kelly; Kretschmar; Martinson; Mertens; Peterson, J.; Rice; Richard; Riley; Schneider; Watne

SB 2077 passed and the title was agreed to.

SB 2141: A BILL for an Act to amend and reenact section 16.1-11-27 of the North Dakota Century Code, relating to arrangement of names on ballots and voting machines.

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, 8 NAYS, 6 ABSENT AND NOT VOTING.

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

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

NAYS: DeMers; Dorso; Goetz; Gunsch; Halmrast; O'Connell; Olson, A.; Wald

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Peterson, J.; Schneider; Watne

SB 2141 passed and the title was agreed to.

SB 2145: A BILL for an Act to amend and reenact section 16.1-11-14 of the North Dakota Century Code, relating to application to place a name on the ballot in the primary election.

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Peterson, J.; Schneider; Watne

SB 2145 passed and the title was agreed to.

SB 2147: A BILL for an Act to amend and reenact section 16.1-12-02 of the North Dakota Century Code, relating to a single column on the ballot for independent candidates.

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Olsen, D.; Peterson, J.; Schneider; Timm

SB 2147 passed and the title was agreed to.

SB 2189: A BILL for an Act to create and enact a new subsection to section 54-18-04 of the North Dakota Century Code, relating to the powers and duties of the industrial commission in operating the North Dakota mill and elevator association.

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Hill; Kretschmar; Kuchera; Peterson, J.; Schneider; Timm

SB 2189 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that SB 2319 be laid over until Monday, March 11, 1985, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2285: A BILL for an Act to amend and reenact sections 11-17-10, 27-07.1-08, and 27-08.1-07 of the North Dakota Century Code, relating to retention and disposition schedules for district court and county court records.

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

NAYS: Halmrast; Klundt; Stofferahn

ABSENT AND NOT VOTING: Frey; Gullickson; Hanson, O.; Kretschmar; Kuchera; Martin; Peterson, J.; Retzer; Schneider; Williams, W.

SB 2285 passed and the title was agreed to.

SB 2333: A BILL for an Act to amend and reenact sections 13-03.1-03 and 13-03.1-15 of the North Dakota Century Code, relating to the maximum loan ceiling for consumer finance loan businesses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 63 YEAS, 37 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Berg, R.; Brokaw; Cleveland; Conmy; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Haugland; Hedstrom; Hill; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Melby; Meyer; Moore; Nalewaja; Nicholas; Nowatzki; Olson, V.; O'Shea; Payne; Pederson, R.; Rice; Riehl; Rydell; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Thompson; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Winkelman; Speaker Hausauer, R.

NAYS: Anderson, R.; Belter; Berg, G.; Dalrymple; DeMers; Dorso; Gunsch; Hanson, L.; Hanson, O.; Hausauer, A.; Hoffner; Hughes; Kelly; Kingsbury; Laughlin; Lipsiea; Martinson; Mertens; Murphy; Myrdal; Oban; O'Connell; Olsen, D.; Olson, A.; Opedahl; Richard; Riley; Sauter; Schindler; Schmidt; Solberg, O.; Strinden; Timm; Ulmer; Williams, C.; Williams, W.; Wold

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Peterson, J.; Retzer; Schneider

SB 2333 passed and the title was agreed to.

SB 2344: A BILL for an Act to amend and reenact section 5-01-08 of the North Dakota Century Code, relating to the penalty for minors in possession of alcoholic beverages and for entering licensed premises where alcoholic beverages are sold.

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 29 YEAS, 69 NAYS, 8 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Dotzenrod; Enget; Hamerlik; Hanson, L.; Hausauer, A.; Hughes; Koland; Lang; Lloyd; Martinson; Meyer; Murphy; Nowatzki; O'Connell; Opedahl; O'Shea; Pederson, R.; Riehl; Schmidt; Shockman; Stofferahn; Strinden; Thompson; Timm; Unhjem; Vander Vorst; Wald; Winkelman

NAYS: Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Gates; Gerntholz; Graba; Gunsch; Halmrast; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kingsbury; Kloubec; Klundt; Knudson; Kuchera; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Martin; Melby; Mertens; Moore; Myrdal; Nalewaja; Nicholas; Oban; Olsen, D.; Olson, A.; Olson, V.; Payne; Rice; Richard; Riley; Sauter; Schindler; Shaw; Shide; Skjeiven; Smette; Solberg, O.; Solberg, R.; Starke; Tollefson; Ulmer; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Frey; Coetz; Gullickson; Kretschmar; Peterson, J.; Retzer; Rydell; Schneider

SB 2344 was declared lost.

MOTION

REP. STRINDEN MOVED that the House waive the reading of the title to SB 2347, which motion prevailed.

SB 2347: A BILL for an Act to amend and reenact subsection 2 of section 57-02-08.1 of the North Dakota Century Code, relating to property tax credits for a person sixty-five years of age or older, or for any person who is permanently and totally disabled, if that person rents living quarters and has an income of ten thousand dollars or less per annum.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Goetz; Gullickson; Gunsch; Kretschmar; Peterson, J.; Retzer; Rydell; Schneider

SB 2347 passed and the title was agreed to.

SB 2372: A BILL for an Act to amend and reenact subsection 13 of section 11-11-14 and subsection 10 of section 58-06-01 of the North Dakota Century Code, relating to the authority of boards of county commissioners and boards of township supervisors to grant rights of way for water or wastewater systems; 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 90 YEAS, 9 NAYS, 7 ABSENT AND NOT VOTING.

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

Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Mertens; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Shaw; Shide; Shockman; Skjervem; Smette; Solberg, O.; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Anderson, R.; Gunsch; Hughes; Keller; Murphy; Olson, A.; Solberg, R.; Starke

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar; Peterson, J.; Retzer; Rydell; Schneider

SB 2372 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2376: A BILL for an Act to repeal chapters 54-47 and 54-48 of the North Dakota Century Code, relating to continuity of state and local government in the event of a disaster caused by enemy attack.

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 74 YEAS, 27 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Haugland; Hill; Hoffner; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Knudson; Koland; Lang; Larson; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Mertens; Meyer; Moore; Murphy; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Opedahl; O'Shea; Payne; Pederson, R.; Rice; Richard; Riehl; Riley; Rydell; Sauter; Shockman; Smette; Solberg, O.; Starke; Stofferahn; Strinden; Thompson; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Anderson, C.; Brokaw; Eckroth; Enget; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Kent; Kuchera; Laughlin; Martinson; Melby; Myrdal; Olson, D.; Olson, V.; Retzer; Schindler; Schmidt; Shaw; Shide;

Skjerven; Solberg, R.; Timm; Whalen; Williams, A.;
Williams, W.

ABSENT AND NOT VOTING: Frey; Gullickson; Kretschmar;
Peterson, J.; Schneider

SB 2376 passed and the title was agreed to.

SB 2378: A BILL for an Act to repeal chapter 43-27 of the North Dakota Century Code, relating to the board of examiners in watchmaking and the regulation of watchmakers.

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Goetz; Gullickson;
Kretschmar; Peterson, J.; Schneider; Wald

SB 2378 passed and the title was agreed to.

MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby SB 2051 was passed, which motion prevailed.

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REP. STRINDEN MOVED that SB 2051 be laid over one legislative day, which motion prevailed.

REP. STRINDEN MOVED that the House stand in recess for fifteen minutes, which motion prevailed.

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

REPORT OF PROCEDURAL COMMITTEE

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

HB 1648, HB 1649

REP. HEDSTROM, Chairman

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

MOTION

REP. HOFFNER MOVED that SB 2379 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2380: A BILL for an Act to create and enact a new section to chapter 37-17.1 of the North Dakota Century Code, relating to the expenditure of disaster planning funds.

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, 52 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Enget; Gates; Graba; Halmrast; Hamerlik; Hanson, L.; Hill; Hoffner; Kelly; Klundt; Larson; Linderman; Lindgren; Meyer; Moore; Murphy; Nalewaja; Oban; O'Connell; Richard; Riehl; Rydell; Sauter; Shockman; Solberg, O.; Solberg, R.; Starke; Ulmer; Unhjem; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

NAYS: Anderson, C.; Anderson, R.; Belter; Dotzenrod; Eckroth; Gerntholz; Goetz; Gunsch; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Keller; Kent; Kloubec; Knudson; Koland; Kuchera; Lang; Laughlin; Lautenschlager; Lipsiea; Lloyd; Martinson; Melby; Myrdal; Nicholas; Nowatzki; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Schindler; Schmidt; Shaw; Shide; Skjerven; Smette; Strinden; Thompson; Timm; Tollefson; Vander Vorst; Wald; Watne; Whalen; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Frey; Gullickson; Haugland; Kingsbury; Kretschmar; Martin; Mertens; Peterson, J.; Riley; Schneider; Stofferahn; Wentz

SB 2380 was declared lost.

MOTION

REP. KOLAND MOVED that the House waive the reading of the title to SB 2382, which motion prevailed.

SB 2382: A BILL for an Act to create and enact a new section to chapter 48-11 of the North Dakota Century Code, relating to a special operating fund to be administered by the capitol arts and historic preservation advisory committee; and providing limited continuing appropriation authority to expend moneys received as gifts and grants.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 1 NAY, 12 ABSENT AND NOT VOTING.

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

NAYS: Murphy

ABSENT AND NOT VOTING: Frey; Gullickson; Kingsbury; Kretschmar; Martin; Mertens; Peterson, J.; Riley; Schneider; Skjerven; Stofferahn; Wentz

SB 2382 passed and the title was agreed to.

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MOTION

REP. STRINDEN MOVED that SB 2383 be laid over one legislative day, which motion prevailed.

MESSAGE TO THE SENATE
HOUSE CHAMBER

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

HB 1648, HB 1649, HB 1654

ROY GILBREATH, Chief Clerk

SECOND READING OF SENATE BILLS

SB 2384: A BILL for an Act to create and enact a new subsection to section 57-02-08.1 of the North Dakota Century Code, relating to the homestead credit and farm structures exempt from taxation; and to provide an effective date.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Frey; Gullickson; Haugland; Kingsbury; Kretschmar; Martin; Mertens; Nicholas; Peterson, J.; Schneider; Stofferahn; Wentz

SB 2384 passed and the title was agreed to.

SB 2388: A BILL for an Act to create and enact a new subsection to section 54-52-01 and a new section to chapter 54-52 of the North Dakota Century Code, relating to the definition of law enforcement officer and to employee and employer contributions by and for law enforcement officers under the public employees retirement system; and to amend and reenact subsection 3 of section 54-52-05 and subsections 2, 3, and 4 of section 54-52-17 of the North Dakota Century Code, relating to retirement benefits of law enforcement officers under the public employees retirement system.

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 45 YEAS, 51 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Cleveland; Conmy; DeMers; Eckroth; Enget; Gates; Gertholz; Goetz; Graba; Hanson, L.; Haugland; Hausauer, A.; Hudstrom; Hill; Hoffner; Hughes; Kelly; Kent; Larson; Lautenschlager; Lindgren; Myrdal; Nicholas; Nowatzki; Oban; O'Connell; Olson, A.; Pederson, R.; Rice; Richard; Riley; Rydell; Sauter; Shaw; Smette; Solberg, R.; Tollefson; Ulmer; Vander Vorst; Wald; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Dalrymple; Dorso; Dotzenrod; Gunsch; Halmrast; Hamerlik; Hanson, O.; Keller; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Laughlin; Linderman; Lipsiea; Lloyd; Martinson; Melby; Meyer; Moore; Murphy; Nalewaja; Olsen, D.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Riehl; Schindler; Schmidt; Shide; Shockman; Skjerven; Solberg, O.; Starke; Strinden; Thompson; Timm; Unhjem; Watne; Whalen; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Frey; Gullickson; Kingsbury; Kretschmar; Martin; Mertens; Peterson, J.; Schneider; Stofferahn; Wentz

SB 2388 was declared lost.

SB 2392: A BILL for an Act to provide disclosure requirements for persons who produce or sell toxic or hazardous substances in the state to the state fire marshal and local fire departments; and to provide 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 80 YEAS, 14 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; Conmy; Dairymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hedstrom; Hill; Hoffner; Keller; Kelly; Kent; Kloubec; Klundt; Knudson; Koland; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Shaw; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold

NAYS: Anderson, R.; Gunsch; Hausauer, A.; Hughes; Murphy; O'Connell; Olsen, D.; Pederson, R.; Schindler; Schmidt; Shide; Thompson; Timm; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Frey; Gullickson; Hanson, O.; Kingsbury; Kretschmar; Martin; Mertens; Peterson, J.; Schneider; Stofferahn; Wentz; Whalen

SB 2392 passed and the title was agreed to.

SB 2393: A BILL for an Act to create and enact a new subsection to section 11-18-03 of the North Dakota Century Code, relating to recording of instruments by the register of deeds.

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, 3 NAYS, 13 ABSENT AND NOT VOTING.

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

Payne; Pederson, R.; Retzer; Rice; Richard; Riehl;
 Riley; Rydell; Sauter; Schindler; Schmidt; Shaw; Shide;
 Shockman; Skjerven; Smette; Solberg, R.; Starke;
 Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst;
 Watne; Williams, A.; Williams, C.; Williams, W.;
 Winkelman; Wold; Speaker Hausauer, R.

NAYS: Gunsch; Melby; Solberg, O.

ABSENT AND NOT VOTING: Dorso; Frey; Gullickson;
 Kretschmar; Martin; Mertens; Peterson, J.; Schneider;
 Stofferahn; Strinden; Wald; Wentz; Whalen

SB 2393 passed and the title was agreed to.

SB 2399: A BILL for an Act to repeal section 39-27-19 of the
 North Dakota Century Code, relating to handhold devices for
 passengers on motorcycles.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Dorso; Frey; Gullickson;
 Kretschmar; Martin; Mertens; Peterson, J.; Schneider;
 Stofferahn; Wentz; Whalen

SB 2399 passed and the title was agreed to.

SB 2407: A BILL for an Act to amend and reenact section 12-44.1-02 of the North Dakota Century Code, relating to jail contracts.

Which has been read.

ROLL CALL

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

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

NAYS: None

ABSENT AND NOT VOTING: Dorso; Frey; Gullickson; Kretschmar; Martin; Peterson, J.; Schneider; Stofferahn; Unhjem; Wentz; Whalen

SB 2407 passed and the title was agreed to.

SB 2416: A BILL for an Act to amend and reenact section 44-08-04.2 of the North Dakota Century Code, relating to travel advances for state officers and employees.

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, 6 NAYS, 12 ABSENT AND NOT VOTING.

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

Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.;
 Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner;
 Hughes; Keller; Kelly; Kent; Kloubec; Klundt; Knudson;
 Koland; Kuchera; Lang; Larson; Laughlin;
 Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd;
 Martinson; Melby; Meyer; Moore; Murphy; Myrdal;
 Nalewaja; Nicholas; Nowatzki; Oban; O'Connell;
 Olson, A.; Olson, V.; Opedahl; O'Shea; Fayne;
 Pederson, R.; Retzer; Rice; Richard; Riehl; Rydell;
 Sauter; Schindler; Schmidt; Shaw; Shockman; Skjerven;
 Smette; Solberg, R.; Starke; Strinden; Thompson; Timm;
 Tollefson; Ulmer; Vander Vorst; Wald; Watne;
 Williams, A.; Williams, C.; Williams, W.; Winkelman;
 Wold; Speaker Hausauer, R.

NAYS: Gunsch; Kingsbury; Olsen, D.; Riley; Shide;
 Solberg, O.

ABSENT AND NOT VOTING: Berg, G.; Frey; Gullickson;
 Kretschmar; Martin; Mertens; Peterson, J.; Schneider;
 Stofferahn; Unhjem; Wentz; Whalen

SB 2416 passed and the title was agreed to.

SB 2447: A BILL for an Act to amend and reenact section
 39-22-05.2 of the North Dakota Century Code, relating to
 performance bonds of contracts to sell motor vehicles to
 governmental agencies.

Which has been read.

ROLL CALL

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

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

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

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Frey; Gullickson; Kretschmar; Martin; Mertens; Schneider; Stofferahn; Unhjem; Wentz; Whalen

SB 2447 passed and the title was agreed to.

SB 2462: A BILL for an Act to amend and reenact sections 15-10-12 and 54-16-03 of the North Dakota Century Code, relating to authority of the institutions of higher education and the emergency commission to expend funds.

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 27 YEAS, 69 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Dotzenrod; Gunsch; Hanson, O.; Hausauer, A.; Hedstrom; Hughes; Keller; Kingsbury; Kloubec; Kuchera; Lang; Lipslea; Martinson; Melby; Murphy; Pederson, R.; Schindler; Shockman; Skjerven; Strinden; Thompson; Vander Vorst; Wald; Whalen

NAYS: Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hill; Hoffner; Kelly; Kent; Klundt; Knudson; Koland; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Meyer; Moore; Myrdal; Nalewaja; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Shaw; Shide; Smette; Solberg, O.; Solberg, R.; Starke; Timm; Tollefson; Ulmer; Unhjem; Watne; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Berg, G.; Brokaw; Frey; Gullickson; Kretschmar; Martin; Mertens; Schneider; Stofferahn; Wentz

SB 2462 was declared lost.

SB 2483: A BILL for an Act to amend and reenact sections 4-10.2-03 and 4-10.2-04 of the North Dakota Century Code, relating to membership and districts of the North Dakota state sunflower council.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 93 YEAS, 0 NAYS, 13 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Frey; Goetz; Gullickson; Knudson; Kretschmar; Martin; Mertens; Schneider; Stofferahn; Wald; Watne; Wentz

SB 2483 passed and the title was agreed to.

SB 2496: A BILL for an Act to create and enact section 54-17-07.8 of the North Dakota Century Code, relating to the confidentiality of state housing finance agency records.

Which has been read.

ROLL CALL

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

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Gunsch;

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

NAYS: Conmy; Kuchera; O'Connell; Ulmer

ABSENT AND NOT VOTING: Berg, G.; Frey; Gullickson; Knudson; Kretschmar; Martin; Mertens; Peterson, J.; Schneider; Stofferahn; Strinden; Watne; Wentz

SB 2496 passed and the title was agreed to.

SB 2506: A BILL for an Act to allow the North Dakota centennial commission to sell commemorative centennial license plates, to suspend the requirement of two license plates on certain motor vehicles during the issuance of the commemorative license plates, and to authorize the motor vehicle registrar to contract to obtain the commemorative license plates; and to provide an appropriation.

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, 4 NAYS, 10 ABSENT AND NOT VOTING.

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

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

NAYS: DeMers; Hamerlik; Murphy; Shockman

ABSENT AND NOT VOTING: Frey; Gullickson; Knudson;
Kretschmar; Martin; Mertens; Schneider; Stofferahn;
Watne; Wentz

SB 2506 passed and the title was agreed to.

RECOGNITION

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

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4002: A concurrent resolution urging the Department of Human Services to revise its long-term care facility Medicaid reimbursement system.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4002 was declared adopted on a voice vote.

MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby SCR 4002 was adopted.

REP. STRINDEN MOVED that SCR 4002 be laid over one legislative day, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4003: A concurrent resolution urging long-term care facilities in this state to develop a long-term care facility code of ethics that includes guidelines to promote uniformity in the basis for charging for ancillary services and miscellaneous supplies.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4003 was declared adopted on a voice vote.

MOTIONS

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

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be on the Ninth order of business, and at the conclusion of the Ninth order, the House stand adjourned until 12:30 p.m., Friday, March 8, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2055 has had the same under consideration and recommends by a vote of 10 YEAS, 3 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. HAUGLAND, Chairman

SB 2055 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 2072 has had the same under consideration and recommends by a vote of 8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 10, overstrike the word "his" and insert immediately thereafter the words "the attorney general's"

On page 2, line 19, overstrike the words "by him"

On page 2, line 20, overstrike the word "his" and insert immediately thereafter the word "the"

On page 2, line 26, overstrike the word "his" and insert immediately thereafter the words "the member's"

And renumber the lines accordingly

REP. MARTINSON, Chairman

SB 2072 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 2086 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 5, after the first comma insert the number "4-22-51,"

On page 3 of the engrossed bill, after line 14, insert the following new section:

"SECTION 2. AMENDMENT. Section 4-22-51 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

4-22-51. **Soil conservation trust lands.** The state of North Dakota hereby accepts and declares to be held in trust for the soil conservation districts of the state for use in carrying out the soil conservation program those certain tracts or parcels of land lying and being in the county of Burleigh and state of North Dakota and more particularly described as follows:

Township one hundred thirty-eight north, range eighty west, fifth principal meridian: west one-half of section fifteen- west one-half section sixteen- and that portion of the southeast quarter of section sixteen described as follows: beginning at the southeast corner of said section sixteen, thence running north on the east line of said section 660 feet; thence west parallel with the south line of said section 2310 feet; thence south 660 feet to a point on the south line of said section 2310 feet west of the southeast corner of said section; thence east along the south line of said section 2310 feet to the place of beginning; containing thirty-five acres, more or less.

Subject, however, to the following rights, easements, exceptions and reservations:

1. Easements for existing or established roads, highways and public utilities, if any.
2. Right reserved by the Department of the Army "to enter thereon and remove gravel and use the established rubbish disposal area as long as any part of Fort Lincoln Military Reservation is used by the Department of the Army".
3. Reservation to the United States of America and its assigns of an undivided three-fourths interest in all coal, oil, gas, and other minerals, including three-fourths of all sand, gravel, stone, clay and similar materials, in or under such property, together with the usual mining rights, powers, and privileges, including the right at any and all times, to enter upon the land and use such parts of the surface as may be necessary in prospecting for, mining, saving and removing said minerals or materials, provided that such quantities of sand, gravel, stone, clay and similar materials, as may be required, may be utilized in the operation or improvement of the said lands.

The said lands, having been conveyed to the state of North Dakota by the United States of America for use in carrying out the soil conservation program of the soil conservation districts of the state, are further subject to the condition that they shall be used for public purposes and if at any time cease to be so used shall revert to and become revested in the United States.

The control, custody, possession, supervision, management, and operation of the said trust lands is hereby vested in the North Dakota Association of Soil Conservation Districts for use in carrying out the soil conservation program of the soil conservation districts of the state and the said association in such control, custody, possession, supervision, management, and operation shall hold all accumulations of personal property or surplus funds derived from said lands in trust for the soil conservation districts of the state for use in carrying out the soil conservation program."

And renumber the lines, sections, and accordingly

REP. CONMY, Chairman

SB 2086 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2097 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2097 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 2104 has had the same under consideration and recommends by a vote of 20 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2104 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2127 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, after the word "limitations" insert the words "; and to provide an effective date"

On page 2 of the engrossed bill, after line 2, insert the following new section:

"SECTION 2. EFFECTIVE DATE. This Act becomes effective on July 1, 1986."

And renumber the lines accordingly

REP. KLOUBEC, Chairman

Engrossed SB 2127 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2136 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2136 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2137 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2137 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 2144 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 1 of the engrossed bill, line 12, overstrike the word "he" and insert immediately thereafter the words "the secretary of state"

On page 1 of the engrossed bill, line 14, overstrike the word "his" and insert immediately thereafter the words "the applicant's"

And renumber the lines accordingly

REP. CONMY, Chairman

SB 2144 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2163 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. TIMM, Chairman

SB 2163 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2202 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2202 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 2205 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

SB 2205 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 2214 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. TIMM, Chairman

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

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2238 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. NICHOLAS, Chairman

SB 2238 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2266 has had the same under consideration and recommends by a vote of 9 YEAS, 0 NAYS, 8 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2266 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 2278 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 1, line 2, delete the numerals "11-19-17,"

On page 4, delete lines 14 through 19

On page 7, line 1, overstrike the second word "Records" and insert immediately thereafter the words "Unless otherwise authorized by rules of the supreme court, records"

On page 7, line 3, overstrike the words "No other"

On page 7, line 4, overstrike the word "records", and overstrike the words "or papers need be kept."

On page 9, line 21, immediately after the period insert the words "No filing fee may be charged or collected by the clerk of district court for entering an assignment of a judgment."

On page 12, line 10, overstrike the words "legal voters" and insert immediately thereafter the words "qualified electors"

On page 12, line 11, immediately after the word "city" insert the following: "as determined by the vote cast for the office of governor at the last gubernatorial election, have signed such petition expressing their", after the word "desire" insert the word "that", remove the overstrike over the word "such", delete the word "the", and immediately after the word "name" insert the words "be granted"

On page 13, line 21, overstrike the words "of fifty cents" and insert immediately thereafter the words "as prescribed in subsection 3 of section 11-17-04"

On page 13, line 28, overstrike the words "of not more than one dollar" and insert immediately thereafter the words "as prescribed in subsection 3 of section 11-17-04"

On page 14, line 20, delete the word "is", and overstrike the word "one"

On page 14, line 21, overstrike the word "dollar" and insert immediately thereafter the words "is as prescribed by subsection 3 of section 11-17-04"

And renumber the lines, sections, and pages accordingly

REP. CONMY, Chairman

SB 2275 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 2282 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 1, line 1, delete the word "section" and insert in lieu thereof the words and numerals "sections 27-05-02 and"

On page 1, after line 5, insert the following new section:

"SECTION 1. AMENDMENT. Section 27-05-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

27-05-02. Election and term of office of district judges. There shall be elected in each judicial district of this state the number of judges for such district provided for by law. Any judge so elected shall take office on the first Monday in January next succeeding his election and shall hold office for six years or until his successor is elected and has qualified."

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

SB 2282 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2283 has had the same under consideration and recommends by a vote of 12 YEAS, 3 NAYS, 2 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. NICHOLAS, Chairman

SB 2283 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Agriculture to which was referred SB 2290 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. NICHOLAS, Chairman

SB 2290 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 2305 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

SB 2305 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 2329 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 23, delete the word "his" and insert in lieu thereof the words "the inmate's"

On page 2 of the engrossed bill, line 1, delete the word "his" and insert in lieu thereof the words "the inmate's"

On page 2 of the engrossed bill, line 4, delete the word "his"

And renumber the lines accordingly

REP. MARTINSON, Chairman

SB 2329 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred Engrossed SB 2330 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 3 of the engrossed bill, line 28, delete the words "who reside in the"

On page 3 of the engrossed bill, line 29, delete the words "same household"

And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

Engrossed SB 2330 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred Engrossed SB 2337 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

Engrossed SB 2337 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 2342 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. LANG, Chairman

SB 2342 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 2356 has had the same under consideration and recommends by a vote of 8 YEAS, 6 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 10, delete the word "two" and insert in lieu thereof the word "one", and delete the words "five hundred"

And renumber the lines accordingly

REP. A. HAUSAUER, Chairman

SB 2356 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2361 has had the same under consideration and recommends by a vote of 12 YEAS, 1 NAY, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. OLSON, Chairman

SB 2361 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 2409 has had the same under consideration and recommends by a vote of 13 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 3, remove the overstrike over lines 24 through 29

On page 3, line 30, remove the overstrike over the words "~~more than~~", after the word "~~twenty~~" insert the word "thirty", and remove the overstrike over the words "~~thousand dollars during each of~~"

On page 3, remove the overstrike over lines 31 through 34

On page 4, remove the overstrike over lines 1 and 2

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

SB 2409 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Education to which was referred SB 2415 has had the same under consideration and recommends by a vote of 11 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 3 of the engrossed bill, line 17, overstrike the words "February twenty-eighth" and insert immediately thereafter the words "March thirty-first"

And renumber the lines accordingly

REP. KNUDSON, Chairman

SB 2415 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SB 2423 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2423 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 Engrossed SB 2433 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. LANG, Chairman

Engrossed SB 2433 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 2438 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 1, line 10, overstrike the word "twelve" and insert immediately thereafter the word "six"

On page 1, line 17, overstrike the word "twelve" and insert immediately thereafter the word "six"

And renumber the lines accordingly

REP. CONMY, Chairman

SB 2438 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Political Subdivisions to which was referred SB 2451 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. LANG, Chairman

SB 2451 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 2488 has had the same under consideration and recommends by a vote of 12 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2488 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2499 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. OLSON, Chairman

SB 2499 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 SCR 4026 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and BE PLACED ON THE CONSENT CALENDAR:

On page 1, line 1, after the word "study" insert the words "the equity of the rate of and exemptions from the coal severance tax, the equity of the farm residence property tax exemption, and"

On page 1, after line 4, insert the following new paragraph:

"WHEREAS, the rate of the coal severance tax and existing and alternative exemptions from the coal severance tax should be studied with regard to the competitive

position of the North Dakota coal industry and the industries which utilize North Dakota coal; and"

On page 1, after line 6, insert the following new paragraph:

"WHEREAS, the equity of the farm residence exemption should be reexamined in light of the difficulty of applying the exemption and recent changes in the assessment of agricultural property; and"

On page 2, line 4, after the word "study" insert the words "the equity of the rate of and exemptions from the coal severance tax;"

On page 2, line 9, after the word "limitations" insert the words "; and the equity of the farm residence exemption from property taxes in light of the difficulty of applying the exemption and recent changes in the assessment of agricultural property"

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

SCR 4026 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

FIRST READING OF HOUSE BILL

Rep. Strinden introduced:

(Approved by the Committee on Delayed Bills)

HB 1657: A BILL for an Act to amend and reenact section 57-01-02.1 of the North Dakota Century Code, relating to tax collection agreements with home rule cities.

Was read the first time and referred to the Committee on Finance and Taxation.

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

ROY GILBREATH, Chief Clerk