

FRIDAY, MARCH 15, 1985

1903

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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FORTY-SEVENTH DAY

Bismarck, March 15, 1985

The House convened at 12:30 p.m., with Acting Speaker Conny presiding.

The prayer was offered by Reverend Brad Peterson, Sunne Lutheran Church, Wilton, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Dalrymple, Gullickson, Kelly, Mertens, Nicholas, C. Williams, Speaker R. Hausauer.

A quorum was declared by the Acting Speaker.

REVISION AND CORRECTION OF THE JOURNAL

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

REP. KENT, Chairman

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

COMMUNICATION

State of North Dakota
EXECUTIVE OFFICE
Bismarck

March 15, 1985

The Honorable Roy Hausauer
Speaker of the House
North Dakota House of Representatives
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

House Bill 1256 provides for exemptions from property taxes for a new single family residential property, condominiums and townhouses, to a maximum of seventy-five thousand dollars of the full value.

Significant concern has been expressed as to whether this bill's predecessor accomplished the purpose for which it was intended.

Instead, in several municipalities, the property tax base was reduced, few new dwellings were built and a great deal of disagreement resulted.

In addition, because there are numerous homes for sale throughout the State at this time, I question whether, even if this bill has its intended effect, it is necessary.

While I have significant doubts about the effectiveness of this legislation, I also realize that the bill allows a local option, that is, it is not mandatory, and there is room for a difference of opinion on the need for the bill.

Therefore, I have permitted House Bill 1256 to become law without my signature.

Sincerely,

GEORGE A. SINNER
Governor

DOCTOR OF THE DAY SCHEDULE

March 18	- Donald J. Martindale, M.D. Family Practice Resident	- Fargo
March 19	- Clayton E. Jensen, M.D. Family Practice	- Fargo
March 21	- Harold W. Evans, M.D. Internal Medicine	- Grand Forks
March 22	- Dennis E. Wolf, M.D. Family Practice	- Dickinson

SIXTH ORDER OF BUSINESS

REP. CONMY MOVED that the amendments to SB 2068 as recommended by the Committee on Judiciary as printed on pages 1894-1895 of the House Journal be adopted, and when so adopted, recommends that SB 2068 DO PASS, which motion prevailed.

SB 2068 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. D. OLSEN MOVED that the House reconsider its action whereby the Committee Report on SB 2375 was accepted and SB 2375 was placed on the Sixth order of business.

REP. STRINDEN MOVED that the proposed amendments to SB 2375 be laid on the table.

RULING BY THE ACTING SPEAKER

ACTING SPEAKER CONMY RULED that in accordance with House Rule 311, Rep. Strinden's motion was in order.

The question then was on the motion of Rep. Strinden, that the proposed amendments to SB 2375 be laid on the table, which motion prevailed on a verification vote.

MESSAGES TO THE SENATE
HOUSE CHAMBER

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

SB 2067, SB 2242, SB 2281, SB 2319, SB 2332, SB 2389,
SB 2425, SB 2426, SB 2451, SB 2472, SB 2476

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 2351, SB 2383, SB 2487

ROY GILBREATH, Chief Clerk

SIXTH ORDER OF BUSINESS

REP. CONMY MOVED that the amendments to SB 2390 as recommended by the Committee on Judiciary as printed on pages 1896-1897 of the House Journal be adopted, and when so adopted, recommends that SB 2390 DO PASS, which motion prevailed.

SB 2390 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 2466 as recommended by the Committee on Finance and Taxation as printed on page 1898 of the House Journal be adopted, and when so adopted, recommends that SB 2466 DO PASS, which motion prevailed.

SB 2466 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2480 as recommended by the Committee on Judiciary as printed on pages 1898-1899 of the House Journal be adopted, and when so adopted, recommends that SB 2480 DO PASS, which motion prevailed.

SB 2480 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that SB 2325, SB 2386, SB 2391, SB 2398, and SB 2449 be laid over one legislative day, which motion prevailed.

MESSAGES FROM THE SENATE
SENATE CHAMBER

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

HE 1123, HB 1191, HB 1483, HB 1509, HB 1525, HB 1586
LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to transmit herewith the following which the Senate has passed and your favorable consideration is requested on:

SCR 4067

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1081, HB 1202, and HB 1540 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1081

On page 3 of the engrossed bill, line 10, immediately after the word "chapter" insert the following words: "for prior tax years in which the sheriff's affidavit under section 57-22-09 has not been filed"

On page 3 of the engrossed bill, line 31, remove the overstrike over the words "for the preceding year"

On page 5 of the engrossed bill, line 31, delete the word "and" and insert in lieu thereof the word "or"

On page 5 of the engrossed bill, line 34, after the period insert the following sentence: "While the mobile home is being transported, a permit must be displayed on the mobile home or the owner must provide the mover with a current tax release statement."

And renumber the lines accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1202

On page 9 of the engrossed bill, line 8, delete the words "The lien terminates when the liability of the"

On page 9 of the engrossed bill, line 9, delete the words "warehouseman to the receipt holder terminates."

On page 9 of the engrossed bill, line 11, delete the words "upon sale of" and insert in lieu thereof the words "as to grain sold"

On page 9 of the engrossed bill, line 12, delete the words "the grain"

On page 9 of the engrossed bill, line 13, after the period insert the following sentence: "Such sale does not discharge the lien in favor of an individual receipt holder in the remaining grain in the warehouse."

And renumber the lines and pages accordingly

SENATE AMENDMENTS TO ENGROSSED HB 1540

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to create and enact a new chapter to title 65 of the North Dakota Century Code to provide for an employee information program concerning the use of hazardous substances in the workplace, inspections and enforcement by the workmen's compensation bureau, and responsibilities of the department of health and the state laboratories department.

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

SECTION 1. A new chapter to title 65 of the North Dakota Century Code is hereby created and enacted to read as follows:

Employee information program. Each employer shall implement an employee information program designed to inform employees about hazardous substances to which they are exposed. This information must include the nature of the hazards, appropriate work practices, protective measures, and emergency procedures. "Hazardous substance" means a chemical or substance or mixture of chemicals or substances which is defined as a hazardous substance under the federal Comprehensive Environmental Responses Compensation, and Liability Act of 1980, as amended [Pub. L. 96-510; 94 Stat. 2767; 42 U.S.C. 9601 et seq.] and meets or exceeds the listed reportable quantity for that substance.

Inspection and duties of the bureau.

1. The bureau may conduct inspections of workplaces where toxic or hazardous substances are used, manufactured, or stored.
2. The bureau may issue citations for any violations of this Act. The bureau may issue a stop order pursuant to chapter 28-32 to anyone not in compliance with this Act.
3. The bureau shall investigate any complaint which alleges that employees have been ordered to work with toxic or hazardous substances which have not

been included in the employee information program under this Act.

4. The bureau shall adopt appropriate practices and procedures to protect information identified as trade secrets from improper use or dissemination beyond the purposes of this Act.
5. The bureau may, upon written application by the employer, authorize variances from the provisions of this Act which are not contrary to the public interest or the intent of this Act.
6. The bureau shall grant a variance from the requirements of this Act to an employer who demonstrates that the employer is regulated under federal or other laws of this state which require employee information programs dealing with hazardous substances and that such programs have been implemented.

Employees' rights. Employees or their designated representatives may request, and the employer or employers shall provide, any information relating to toxic or hazardous substances which the employer is required to provide under this Act.

Role of department of health and state laboratories department. The department of health and the state laboratories department shall:

1. Review and make recommendations to the bureau for modifications in the information required to be provided to employees under this Act.
2. Provide technical assistance to employers and the bureau on establishing safety procedures to minimize the public environmental and occupational health hazards from the use of hazardous chemicals and provide aid and assistance to small employers, vendors, sellers, or dispensers in complying with this Act.
3. Upon request of the bureau, examine information claimed to be a trade secret under this Act.
4. Provide and review on a continuous schedule, but at least annually, for the purposes of this Act, listings of hazardous substances that could likely be found in a workplace in this state."

And renumber the lines and pages 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 1255, HB 1568, HB 1616

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to inform you that the Senate does not concur in the House amendments to SB 2204 and SB 2223 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2204: Sens. Stenehjem, Christensen, Heinrich

SB 2223: Sens. Kilander, Parker, Lashkowitz

LEO LEIDHOLM, Secretary

MOTIONS

REP. STRINDEN MOVED that the House reconsider its action whereby the committee report was accepted and SB 2301 was placed on the Fourteenth order of business, which motion prevailed.

REP. STRINDEN MOVED that SB 2301 be rereferred to the Committee on Finance and Taxation, which motion prevailed.

ACTING SPEAKER CONMY ANNOUNCED that SB 2301 was rereferred to the Committee on Finance and Taxation.

REP. MARTIN MOVED that the House reconsider its action whereby the committee report was accepted and SCR 4005 was placed on the Fourteenth order of business on the calendar, which motion prevailed.

REP. MARTIN MOVED that SCR 4005 be rereferred to the Committee on Joint Constitutional Revision, which motion prevailed.

ACTING SPEAKER CONMY ANNOUNCED that SCR 4005 was rereferred to the Committee on Joint Constitutional Revision.

POINT OF PERSONAL PRIVILEGE

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

Acting Speaker Conmy and members of the Assembly: Jim Sears, a senior at Minnewaukan High School, is sitting with me today. He recently was selected as one of North Dakota's representatives by the John Philip Sousa Foundation to be a participant in the John Philip Sousa Honor Band of Washington, D.C. The Honor Band is composed of 100 members representing the 50 states and will play in concert during the second week of May 1985, in Washington, D.C. May Jim Sears stand and be recognized by the assembly?

MOTION

REP. STRINDEN MOVED that a committee of one be appointed to escort Jim Sears to the rostrum.

ACTING SPEAKER CONMY APPOINTED Rep. Klundt to such committee and Jim Sears was escorted to the rostrum.

MOTION

REP. MARTINSON MOVED that the House reconsider its action whereby the amendments to SB 2375 were laid on the table, and that the motion to reconsider be laid on the table, which motion prevailed.

REQUEST

REP. MARTINSON REQUESTED a recorded roll call vote on the motion to reconsider its action whereby the amendments to SB 2375 were laid on the table, and that the motion to reconsider be laid on the table, which request was granted.

ROLL CALL

The question being on the motion that the House reconsider its action whereby the amendments to SB 2375 were laid on the table and that the motion to reconsider be laid on the table, the roll was called and there were 76 YEAS, 19 NAYS, 11 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kent; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, A.; Opedahl; Payne; Peterson, J.; Rice; Riley; Rydell; Sauter; Schmidt; Schnaider; Shaw; Shide; Smette; Solberg, R.; Strinden; Timm; Tollefson; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Brokaw; Frey; Hill; Klundt; Melby; Murphy; O'Connell; Olson, V.; O'Shea; Pederson, R.; Retzer; Richard; Riehl; Schindler; Shockman; Skjerven; Starke; Stofferahn; Ulmer

ABSENT AND NOT VOTING: Berg, G.; Dalrymple; Gullickson; Kelly; Kingsbury; Mertens; Nicholas; Solberg, O.; Thompson; Wald; Speaker Hausauer, R.

So the motion to reconsider its action whereby the amendments to SB 2375 were laid on the table, and that the motion to reconsider be laid on the table prevailed.

MOTION

REP. TIMM MOVED that SCR 4068 be placed at the head of the calendar, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTION

SCR 4068: A concurrent resolution urging Congress to take appropriate steps to ensure continued and improved AMTRAK passenger service.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4068 was declared adopted on a voice vote.

SECOND READING OF SENATE BILLS

SB 2095: A BILL for an Act to create the Tenneco plant impact assistance interstate compact.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 92 YEAS, 0 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Brokaw; Cleveland; 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; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Rydell; Sauter; Schindler; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Stofferahn; Strinden; Timm; Ulmer; Unhjem; Vander Vorst; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Kelly; Kingsbury; Mertens; Nicholas; Oban; Riley; Schmidt; Solberg, O.; Thompson; Tollefson; Wald; Speaker Hausauer, R.

SB 2095 passed and the title was agreed to.

SB 2193: A BILL for an Act to amend and reenact section 6-09-02 of the North Dakota Century Code, relating to the operation and business of the Bank of North Dakota.

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 2 YEAS, 92 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Dotzenrod; Lautenschlager

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

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Kelly; Kingsbury; Mertens; Nicholas; Riley; Solberg, O.; Thompson; Wald; Whalen; Speaker Hausauer, R.

SB 2193 was declared lost.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2374, which motion prevailed.

SB 2374: A BILL for an Act to create and enact two new subsections to section 43-41-02 and a new subsection to section 43-41-06 of the North Dakota Century Code, relating to exceptions to the social work practice licensing requirements and the waiver of licensing requirements for certain social workers; and to amend and reenact subsection 5 of section 43-41-01 and section 43-41-05 of the North Dakota Century Code, relating to the definition

of social work practice and licensing requirements for the private practice of social work.

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 90 YEAS, 4 NAYS, 12 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Hanson, O.; Laughlin; O'Shea

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Kelly; Kingsbury; Mertens; Murphy; Nicholas; Solberg, O.; Thompson; Wald; Whalen; Speaker Hausauer, R.

SB 2374 passed and the title was agreed to.

SB 2037: A BILL for an Act to transfer moneys from the accumulated and undivided profits of the North Dakota mill and elevator association to the general fund of the state of North Dakota.

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, G.; Berg, R.; Brokaw; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kent; Kloubec; Klundt; Knudson; Koland; Kretschmar;

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

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gullickson;
 Hanson, O.; Kelly; Kingsbury; Mertens; Nicholas;
 Peterson, J.; Solberg, O.; Strinden; Thompson; Wald;
 Speaker Hausauer, R.

SB 2037 passed and the title was agreed to.

SB 2173: A BILL for an Act to adopt the Uniform Fraudulent Transfer Act, relating to fraudulent property transfers; to amend and reenact section 13-01-03 of the North Dakota Century Code, relating to creditor preferences; and to repeal sections 13-01-05, 13-01-06, 13-01-07, 13-01-08, 13-01-09, and chapter 13-02 of the North Dakota Century Code, relating to fraudulent property transfers.

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, 2 NAYS, 14 ABSENT AND NOT VOTING.

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

NAYS: Brokaw; Wald

ABSENT AND NOT VOTING: Dalrymple; Gullickson;
Hanson, O.; Kelly; Kent; Kingsbury; Mertens; Meyer;
Nicholas; Nowatzki; Skjerven; Strinden; Thompson;
Speaker Hausauer, R.

SB 2173 passed and the title was agreed to.

SB 2183: A BILL for an Act to adopt the Uniform Limited Partnership Act (1976), relating to limited partnerships; to amend and reenact sections 45-12-01 and 45-12-04 of the North Dakota Century Code, relating to existing limited partnerships and citation of partnership acts; and to repeal chapter 45-10 of the North Dakota Century Code, relating to the Uniform Limited Partnership Act.

Which has been read.

ROLL CALL

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

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

NAYS: Brokaw

ABSENT AND NOT VOTING: Dalrymple; Gullickson;
Hanson, O.; Kelly; Kent; Kingsbury; Kuchera; Mertens;
Meyer; Nicholas; Nowatzki; Strinden; Thompson; Ulmer;
Speaker Hausauer, R.

SB 2183 passed and the title was agreed to.

SB 2196: A BILL for an Act to provide for the purchase of stock in an export trading company by the Bank of North Dakota.

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, 3 NAYS, 14 ABSENT AND NOT VOTING.

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

NAYS: Hughes; Shockman; Solberg, O.

ABSENT AND NOT VOTING: Dalrymple; Cullickson; Hanson, O.; Kelly; Kent; Kingsbury; Kuchera; Mertens; Meyer; Nicholas; Strinden; Thompson; Timm; Speaker Hausauer, R.

SB 2196 passed and the title was agreed to.

SB 2262: A BILL for an Act to amend and reenact section 14-07.1-02 and subsection 2 of section 14-07.1-03 of the North Dakota Century Code, relating to adult abuse protection orders; and to declare an emergency.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 0 NAYS, 15 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gullickson;
 Hanson, O.; Kelly; Kent; Kingsbury; Kuchera; Mertens;
 Meyer; Nicholas; Strinden; Thompson; Wald; Whalen;
 Speaker Hausauer, R.

SB 2262 passed, the title was agreed to, and the emergency clause was declared carried.

SB 2311: A BILL for an Act to provide that information be provided to state employees concerning state contributions to employee health and retirement benefit programs.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 92 YEAS, 1 NAY, 13 ABSENT AND NOT VOTING.

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

NAYS: Frey

ABSENT AND NOT VOTING: Dalrymple; Dorso; Gullickson; Kelly; Kent; Kingsbury; Kuchera; Mertens; Meyer; Nicholas; Thompson; Wald; Speaker Hausauer, R.

SB 2311 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2359, which motion prevailed.

SB 2359: A BILL for an Act to amend and reenact sections 26-18-07 and 26-18-08 of the North Dakota Century Code, or in the alternative to amend and reenact sections 26.1-39-04 and 26.1-39-05 of the North Dakota Century Code as created and enacted by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, relating to the measure of indemnity on fire insurance policies, the payment of the face value of an insurance policy on a loss, to nonapplication to personal property, the right of insurer to replace property in lieu of a cash payment, and the right of an insurer to offer a special endorsement.

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

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Kelly; Kent; Kingsbury; Kuchera; Mertens; Nicholas; Thompson; Wald; Speaker Hausauer, R.

SB 2359 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2395, which motion prevailed.

SB 2395: A BILL for an Act to create and enact a new section to chapter 26-06, or in the alternative to create and enact a new section to chapter 26.1-36 as created by Senate Bill No. 2078, as approved by the forty-ninth legislative assembly, and a new subdivision to subsection 9 of section 26.1-04-03 of the North Dakota Century Code, relating to a standard health insurance claim form, claim payment time limits, and unfair insurance practices.

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, G.; Berg, R.; Brokaw; Cleveland; 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; Kloubec; Klundt; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Kelly; Kent; Kingsbury; Knudson; Mertens; Meyer; Nicholas; Richard; Wentz; Williams, C.; Speaker Hausauer, R.

SB 2395 passed and the title was agreed to.

SB 2406: A BILL for an Act to create and enact two new subsections to section 6-01-02 and a new section to chapter 6-02 of the North Dakota Century Code, relating to

definitions of national banks and financial institutions and qualifications of banks; and to amend and reenact subsection 2 of section 6-01-02 of the North Dakota Century Code, relating to the definition of banks.

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

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Hausauer, A.; Kelly; Kent; Kingsbury; Mertens; Nicholas; Richard; Williams, C.; Speaker Hausauer, R.

SB 2406 passed and the title was agreed to.

SB 2446: A BILL for an Act to amend and reenact section 23-06-03.1 of the North Dakota Century Code, relating to deposit of funds for pre-need funeral service contracts.

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, 0 NAYS, 16 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Dorso; Frey; Gullickson; Kelly; Kent; Kingsbury; Larson; Mertens; Nicholas; Peterson, J.; Riehl; Wald; Williams, C.; Speaker Hausauer, R.

SB 2446 passed and the title was agreed to.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SB 2463, which motion prevailed.

SB 2463: A BILL for an Act to create and enact a new chapter to title 23 and a new section to chapter 23-09 of the North Dakota Century Code, relating to bed and breakfast facility regulation, and to hotels, lodginghouses, restaurants, and boardinghouses; and to amend and reenact section 19-02-24 of the North Dakota Century Code, relating to rooms in which food is stored not to be used for living quarters.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 55 YEAS, 41 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Brokaw; DeMers; Dotzenrod; Eckroth; Enget; Halmrast; Hamerlik; Haugland; Hoffner; Keller; Kloubec; Klundt; Knudson; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Lindgren; Lloyd; Martin; Martinson; Meyer; Moore; Myrdal; Nalewaja; Oban; O'Connell; Olsen, D.; Olson, A.; O'Shea; Payne; Retzer; Richard; Riehl; Riley; Sauter; Schneider; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Unhjem; Vander Vorst; Wentz; Williams, A.; Williams, C.; Williams, W.; Wold; Acting Speaker Conmy

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Cleveland; Dorso; Gates; Gerntholz; Goetz; Graba; Gunsch; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Hill; Hughes; Koland; Linderman; Lipsiea; Melby; Murphy; Nowatzki; Olson, V.; Opedahl; Pederson, R.; Peterson, J.; Rice; Rydell; Schindler; Schmidt; Shaw; Skjerven; Strinden; Thompson; Timm; Ulmer; Wald; Watne; Whalen; Winkelman

ABSENT AND NOT VOTING: Berg, R.; Dalrymple; Frey; Gullickson; Kelly; Kent; Kingsbury; Mertens; Nicholas; Speaker Hausauer, R.

SB 2463 passed and the title was agreed to.

SB 2467: A BILL for an Act to create and enact a new section to chapter 6-03 of the North Dakota Century Code, relating to a banking association's power and the authority to invest in assets and obligations.

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 20 YEAS, 76 NAYS, 10 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Frey; Gerntholz; Hamerlik; Hill; Hughes; Keller; Kuchera; Murphy; O'Connell; O'Shea; Rice; Riley; Schmidt; Schneider; Skjerven; Strinden; Unhjem; Winkelman; Acting Speaker Conmy

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Brokaw; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Gates; Goetz; Graba; Gunsch; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hoffner; Kloubec; Klundt; Knudson; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Myrdal; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, A.; Olson, V.; Opedahl; Payne; Pederson, R.; Peterson, J.; Retzer; Riehl; Rydell; Sauter; Schindler; Shaw; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Thompson; Timm; Tollefson; Ulmer; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Wold

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Kelly; Kent; Kingsbury; Mertens; Nicholas; Richard; Williams, C.; Speaker Hausauer, R.

SB 2467 was declared lost.

SB 2488: A BILL for an Act to amend and reenact section 50-11-06.6 of the North Dakota Century Code, relating to information which must be furnished by the department of human services or county social service boards to foster care providers.

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, G.; Berg, R.; Brokaw; Cleveland; 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; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Retzer; Rice; Riehl; Riley; Rydell; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: None

ABSENT AND NOT VOTING: Dalrymple; Cullickson; Kelly; Kent; Kingsbury; Mertens; Nicholas; Peterson, J.; Richard; Ulmer; Wentz; Williams, C.; Speaker Hausauer, R.

SB 2488 passed and the title was agreed to.

RECOGNITION

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

SECOND READING OF SENATE BILL

SB 2499: A BILL for an Act to provide for investigation of benefits of increasing the capacity of the lower Red River.

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, 1 NAY, 11 ABSENT AND NOT VOTING.

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

NAYS: Frey

ABSENT AND NOT VOTING: Dalrymple; Gullickson; Kelly; Kent; Kingsbury; Mertens; Nicholas; Tollefson; Williams, C.; Wold; Speaker Hausauer, R.

SB 2499 passed and the title was agreed to.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS

SCR 4004: A concurrent resolution urging the United States Department of Education to approve the application for federal funds for a postsecondary special education program at the North Dakota State University-Bottineau Branch.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4004 was declared adopted on a voice vote.

SCR 4017: A concurrent resolution urging Congress and the Internal Revenue Service to remove the restrictions of the Tax Reform Act of 1984 upon farmers and small businessmen which require adequate contemporaneous records to substantiate the business purpose of travel deductions.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4017 was declared adopted on a voice vote.

SCR 4024: A concurrent resolution urging the President of the United States, the Secretary of Agriculture, and the members of the North Dakota Congressional Delegation to make a united effort to bring the farm credit crisis, the need for full agricultural parity, and the need for a balanced federal budget to the attention of elected officials.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4024 was declared adopted on a voice vote.

SCR 4030: A concurrent resolution directing the Legislative Council to study the Bank of North Dakota's loan programs.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 85 YEAS, 6 NAYS, 15 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Hausauer, A.; Hedstrom; Hoffner; Hughes; Keller; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipslea; Martin; 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; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, R.; Starke; Strinden; Thompson; Timm; Tollefson; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Wold

NAYS: Haugland; Lloyd; Peterson, J.; Solberg, O.; Stofferahn; Acting Speaker Conmy

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gullickson;
Gunsch; Hill; Kelly; Kent; Kingsbury; Martinson;
Mertens; Nicholas; Ulmer; Williams, C.; Winkelman;
Speaker Hausauer, R.

SCR 4030 was declared adopted.

SCR 4031: A concurrent resolution urging the Congress of the United States to amend the Interstate Commerce Act to allow states to collect sales or use taxes from outstate sellers.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4031 was declared adopted on a voice vote.

SCR 4034: A concurrent resolution directing the Legislative Council to study the life insurance needs of persons born with incurable diseases.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 64 YEAS, 27 NAYS, 15 ABSENT AND NOT VOTING.

YEAS: Anderson, R.; Berg, G.; Cleveland; Eckroth; Enget; Frey; Gates; Gerntholz; Graba; Halmrast; Hamerlik; Hanson, L.; Haugland; Hausauer, A.; Hill; Hoffner; Klundt; Koland; Kretschmar; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lloyd; Martin; Martinson; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; Opedahl; O'Shea; Retzer; Richard; Riehl; Riley; Rydell; Sauter; Schmidt; Schneider; Shaw; Shide; Shockman; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Tollefson; Vander Vorst; Watne; Williams, A.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Anderson, C.; Belter; Berg, R.; DeMers; Dorso; Dotzenrod; Goetz; Gunsch; Hanson, O.; Hedstrom; Hughes; Keller; Knudson; Melby; Olson, A.; Payne; Pederson, R.; Peterson, J.; Rice; Schindler; Skjerven; Strinden; Thompson; Timm; Unhjem; Wald; Whalen

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gullickson; Kelly; Kent; Kingsbury; Kloubec; Kuchera; Lipsiea;

Mertens; Nicholas; Ulmer; Wentz; Williams, C.;
Speaker Hausauer, R.

SCR 4034 was declared adopted.

SCR 4035: A concurrent resolution urging the Secretary of the Interior, the director of the National Park Service, and the regional director of the National Park Service to take all steps necessary to secure funding for the development of the Knife River Indian Villages National Historic Site.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4035 was declared adopted on a voice vote.

SCR 4038: A concurrent resolution recognizing the importance of fine arts as part of basic school curricula and encouraging the inclusion of fine arts education in the schools' curricula.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4038 was declared adopted on a voice vote.

SCR 4042: A concurrent resolution urging Congress and the Secretary of the Treasury to provide for the withholding of state income tax from federal employees who elect to have state income tax withheld from their wages.

Which has been read.

The question being on the final adoption of the resolution.

SCR 4042 was declared adopted on a voice vote.

MOTION

REP. KRETSCHMAR MOVED that the House waive the reading of the title to SCR 4047, which motion prevailed.

SCR 4047: A concurrent resolution directing the Legislative Council to establish a jobs development commission composed of legislators, officials from the executive branch of

government, officials from higher education, and representatives of private industry to study methods and to coordinate efforts to initiate and sustain new economic development and to spur the creation of new employment opportunities for the citizens of this state.

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 86 YEAS, 4 NAYS, 16 ABSENT AND NOT VOTING.

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

NAYS: Hanson, O.; Murphy; O'Connell; Thompson

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gerntholz; Gullickson; Hausauer, A.; Kelly; Kent; Kingsbury; Laughlin; Mertens; Nicholas; Rydell; Ulmer; Williams, C.; Winkelman; Speaker Hausauer, R.

SCR 4047 was declared adopted.

SCR 4048: A concurrent resolution directing the Legislative Council to study the feasibility of and the various means and methods of, as well as the timing involved in, the development and transition to a "one university" system encompassing all state institutions of higher education in the state of North Dakota.

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

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 21 YEAS, 69 NAYS, 16 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Berg, R.; DeMers; Eckroth; Hanson, L.; Larson; Laughlin; Lindgren; Melby; Murphy; Myrdal; O'Connell; Opedahl; Sauter; Shaw; Solberg, R.; Stofferahn; Ulmer; Vander Vorst; Whalen

NAYS: Belter; Berg, G.; Cleveland; Dorso; Dotzenrod; Enget; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Hughes; Keller; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Lautenschlager; Linderman; Lipsiea; Lloyd; Martin; Martinson; Meyer; Moore; Nalewaja; Nowatzki; Oban; Olsen, D.; Olson, V.; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Schindler; Schmidt; Schneider; Shide; Shockman; Skjerven; Smette; Solberg, O.; Starke; Strinden; Thompson; Timm; Tollefson; Wald; Watne; Wentz; Williams, A.; Williams, W.; Wold; Acting Speaker Conmy

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gerntholz; Gullickson; Hausauer, A.; Kelly; Kent; Kingsbury; Mertens; Nicholas; Olson, A.; Rydell; Unhjem; Williams, C.; Winkelman; Speaker Hausauer, R.

SCR 4048 was declared lost.

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

Which has been read.

ROLL CALL

The question being on the final adoption of the resolution, the roll was called and there were 75 YEAS, 17 NAYS, 14 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, G.; Berg, R.; Cleveland; DeMers; Dorso; Eckroth; Enget; Gates; Goetz; Graba; Gunsch; Hamerlik; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Kloubec; Koland; Kretschmar; Kuchera; Lang; Larson; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice;

Richard; Riehl; Riley; Sauter; Schindler; Shaw; Shide; Shockman; Skjerven; Smette; Stofferahn; Strinden; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Frey; Halmrast; Hanson, L.; Hanson, O.; Keller; Klundt; Knudson; Laughlin; Lautenschlager; Linderman; Meyer; Schneider; Solberg, O.; Solberg, R.; Starke; Thompson; Watne

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Dotzenrod; Gerntholz; Gullickson; Kelly; Kent; Kingsbury; Mertens; Nicholas; Rydell; Schmidt; Williams, C.; Speaker Hausauer, R.

SCR 4052 was declared adopted.

MOTION

REP. STRINDEN MOVED that SCR 4011 be removed from the Consent Calendar and placed on the Fourteenth order of business, which motion prevailed.

SECOND READING OF SENATE CONCURRENT RESOLUTIONS ON CONSENT CALENDAR

- SCR 4006: A concurrent resolution directing the Department of Labor, the North Dakota Workmen's Compensation Bureau, and Job Service North Dakota to coordinate their efforts in providing labor and employment services to the people of North Dakota.
- SCR 4007: A concurrent resolution expressing support of the state of North Dakota for a regional airport authority serving the areas of Moorhead, Minnesota, and Fargo, North Dakota, and of East Grand Forks, Minnesota, and Grand Forks, North Dakota, and urging the Minnesota Legislature to enact legislation authorizing creation of regional airport authorities serving those two pairs of cities.
- SCR 4008: A concurrent resolution expressing support of the state of North Dakota for establishing regional airport authorities serving the areas along the border between North Dakota and South Dakota, and urging the South Dakota Legislature to enact legislation authorizing creation of regional airport authorities serving border cities.
- SCR 4009: A concurrent resolution expressing support of the state of North Dakota for establishing regional airport authorities serving the areas along the border between North Dakota and Montana, and urging the Montana Legislature to enact legislation authorizing creation of regional airport authorities serving border cities.

- SCR 4013: A concurrent resolution directing the Legislative Council to study methods to encourage the use of modern energy saving construction techniques including use of super insulation and the feasibility and desirability of requiring use of such techniques in future construction.
- SCR 4026: A concurrent resolution directing the Legislative Council to study the equity of the rate of and exemptions from the coal severance tax, the equity of the farm residence property tax exemption, and recent changes in classification and assessment of real property for purposes of ad valorem taxation and the effects of these changes upon mill levy limitations imposed by law on political subdivisions.
- SCR 4036: A concurrent resolution directing the Legislative Council to study problems associated with, and to compile information regarding, the protection and rejuvenation of shelterbelts.
- SCR 4046: A concurrent resolution directing the Legislative Council to study the problems presented by lobbyists, representing special interest organizations, who refuse to divulge the membership or sources of financial support of the special interest organizations.
- SCR 4050: A concurrent resolution directing the Legislative Council to study existing and alternative methods of unitary taxation.
- SCR 4053: A concurrent resolution directing the Legislative Council to study sales and purchases of power produced by producers of small amounts of power.
- SCR 4054: A concurrent resolution directing the Legislative Council to study the regulatory and enforcement authority of the State Highway Department, the Highway Patrol, and the Motor Vehicle Department.
- SCR 4055: A concurrent resolution directing the Legislative Council to study motor carrier laws and regulations as they relate to the trucking industry.
- SCR 4058: A concurrent resolution directing the Legislative Council to study the feasibility of allowing the conducting of various games of chance, on an infrequent basis, by small charitable organizations, and to study the licensing process applicable to such events.
- SCR 4062: A concurrent resolution directing the Legislative Council to study the financial basis under which airports in this state and elsewhere operate, including the manner and degree in which scheduled air carriers are the source

of the cost of airports, and the extent to which scheduled airlines should help bear these costs.

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

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

Which have been read.

ROLL CALL

The question being on the final adoption of the resolutions, 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.; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; Shaw; Shide; Shockman; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Stofferahn; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Meyer

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gerntholz; Gullickson; Kelly; Kent; Kingsbury; Mertens; Nicholas; Rydell; Williams, C.; Speaker Hausauer, R.

So the resolutions were adopted and the titles were agreed to.

MOTION

REP. STRINDEN MOVED that HB 1655 be placed at the top of the Eleventh order on the calendar for second reading and final passage, which motion prevailed.

SECOND READING OF HOUSE BILL

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

Which has been read.

ROLL CALL

The question being on the final passage of the bill, the roll was called and there were 91 YEAS, 3 NAYS, 12 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Berg, R.; Cleveland; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Hughes; Keller; Kloubec; Klundt; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Laughlin; Lautenschlager; Linderman; Lindgren; Lipsiea; Lloyd; Martin; Martinson; Melby; Meyer; Moore; Murphy; Myrdal; Nalewaja; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Richard; Riehl; Riley; Sauter; Schindler; Schmidt; Schneider; 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, W.; Winkelman; Wold; Acting Speaker Conmy

NAYS: Anderson, R.; Hanson, L.; Timm

ABSENT AND NOT VOTING: Brokaw; Dalrymple; Gerntholz; Gullickson; Kelly; Kent; Kingsbury; Mertens; Nicholas; Rydell; Williams, C.; Speaker Hausauer, R.

HB 1655 passed and the title was agreed to.

MOTIONS

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

REP. KRETSCHMAR MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House be

on the Thirteenth order of business, and at the conclusion of the Thirteenth order, the House stand adjourned until 1:00 p.m., Monday, March 18, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on Education to which was referred HCR 3094 has had the same under consideration and recommends by a vote of 12 YEAS, 5 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 6, after the comma insert the following: "and to study admissions and tuition policies for foreign and nonresident students,"

On page 1, after line 20, insert the following:

"WHEREAS, the number of foreign students, students participating in the Minnesota-North Dakota reciprocity program, and other nonresident students are an important part of the educational, cultural, and financial makeup of the several institutions; and"

On page 2, after line 5, insert the following:

"BE IT FURTHER RESOLVED, that this study of the alternative system of higher education in North Dakota include a thorough examination of admissions and tuition policies for foreign students and all nonresident students; and"

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

HCR 3094 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 Engrossed SB 2065 has had the same under consideration and recommends by a vote of 14 YEAS, 3 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, after the numerals "15-27.4" insert the words and numerals "and a new section to chapter 15-40.1"

On page 1 of the engrossed bill, line 3, delete the word "and" and insert in lieu thereof a comma

On page 1 of the engrossed bill, line 4, after the word "dissolution" insert the words ", and school transportation requirements"

- On page 1 of the engrossed bill, line 8, after the word "repeal" insert the words "section 15-34.2-06.1 and"
- On page 1 of the engrossed bill, line 9, after the word "to" insert the words "optional school transportation and"
- On page 1 of the engrossed bill, line 10, after the semicolon insert the words "to provide an effective date;"
- On page 32 of the engrossed bill, after line 3, insert the following new section:

"SECTION 7. A new section to chapter 15-40.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

School district transportation required - Contractual arrangements permitted.

1. Every school district, whether reorganized or not, shall provide or make contractual arrangements for the transportation of all school age children residing within the district and outside the city limits of the city in which the school they are assigned to attend is located. The transportation must be provided to a public school or schools in another school district if the district does not operate a school for those children. The transportation required by this section must be provided at no cost to the children or the children's parents or guardians.
2. A school board may contract with a child's parents or guardian or with a private carrier to provide the transportation required by subsection 1."

- On page 33 of the engrossed bill, line 29, delete the word "Chapter" and insert in lieu thereof the words "Section 15-34.2-06.1 and chapter"
- On page 33 of the engrossed bill, line 30, delete the word "is" and insert in lieu thereof the word "are"
- On page 33 of the engrossed bill, after line 30, insert the following new section:

"EFFECTIVE DATE. Section 7 of this Act becomes effective on July 1, 1987, and the repeal of section 15-34.2-06.1 is effective on July 1, 1987."

- On page 7 of the engrossed bill, line 25, after the word "the" insert the word "qualified"
- On page 16 of the engrossed bill, line 5, after the word "the" insert the word "qualified"
- On page 24 of the engrossed bill, line 26, after the word "the" insert the word "qualified"
- On page 25 of the engrossed bill, line 18, after the word "the" insert the word "qualified"
- On page 25 of the engrossed bill, line 21, delete the word "containing" and insert in lieu thereof the words "signed by"
- On page 25 of the engrossed bill, line 22, delete the word "signatures" and insert in lieu thereof the words "qualified electors", and after the word "of" insert the words "qualified electors"
- On page 25 of the engrossed bill, line 26, delete the word "persons" and insert in lieu thereof the words "qualified electors"
- On page 25 of the engrossed bill, line 27, after the word "signatures" insert the words "of qualified electors"
- On page 25 of the engrossed bill, line 28, after the word "twenty-five" insert the word "qualified"
- On page 25 of the engrossed bill, line 29, after the word "the" insert the word "qualified"
- On page 25 of the engrossed bill, line 31, after the word "twenty-five" insert the word "qualified"
- On page 25 of the engrossed bill, line 32, after the word "of" insert the word "qualified"
- On page 25 of the engrossed bill, line 33, after the second word "the" insert the word "qualified"
- On page 11 of the engrossed bill, line 24, after the period insert the words "The state board shall not approve any proposed annexation petition which does not require the school district receiving annexed territory, regardless of whether the school district is reorganized or not, to provide for the transportation to and from appropriate public schools within the district of all school age children residing within the territory to be annexed and who are also outside the city limits of the city in which the school they are assigned to attend is located. The transportation of those children in the annexed territory"

must be provided at no cost to the children or the children's parents or guardians."

And renumber the lines and pages accordingly

REP. KNUDSON, Chairman

Engrossed SB 2065 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 2075 has had the same under consideration and recommends by a vote of 8 YEAS, 7 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 4, line 11, after the word "used" insert the word "primarily"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

SB 2075 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 2089 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. HAUGLAND, Chairman

SB 2089 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 Engrossed SB 2180 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 4, delete the second word "and"

On page 1 of the engrossed bill, line 7, immediately after the word "spouses" insert the following: "; and to provide an effective date"

On page 19 of the engrossed bill, after line 14, insert the following new section:

"SECTION 21. EFFECTIVE DATE. This Act becomes effective on July 1, 1987."

And renumber the lines and pages accordingly

REP. CONMY, Chairman

Engrossed SB 2180 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 2194 has had the same under consideration and recommends by a vote of 7 YEAS, 6 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 23, delete the words "written notice shall be given to" and insert in lieu thereof the words "the state engineer shall request written permission from the landowner to enter the property. If the landowner refuses to give written permission, or fails to respond within five days of the request, the state engineer may request the district court of the district containing the property for an order authorizing the state engineer to enter the property to inspect or investigate the alleged violation"

On page 2, line 24, delete the words "the landowner five days prior to making entry upon land"

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

SB 2194 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 2234 has had the same under consideration and recommends by a vote of 15 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, line 2, remove the overstrike over the word "~~and~~"

On page 3, remove the overstrike on lines 3 through 5

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

SB 2234 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 Engrossed SB 2273 has had the same under consideration and recommends by a vote of 13 YEAS, 4 NAYS, 0 ABSENT AND NOT

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

On page 1 of the engrossed bill, line 1, after the numerals "55-11-04" insert the commas and numerals ", 55-11-05,"

On page 1 of the engrossed bill, line 3, after the word "program" insert the words "and acquisition of nature preserves and natural areas"

On page 1 of the engrossed bill, immediately following line 16, insert the following new section:

"SECTION 2. AMENDMENT. Section 55-11-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

55-11-05. Acquisition of nature preserves and natural areas. The department is authorized and empowered, for and on behalf of the state of North Dakota, to acquire nature preserves by gift, devise, ~~or~~ exchange, or purchase. The department may acquire the fee simple interest in a natural area or any one or more lesser estates, interests, and rights therein, including, without limitation upon the generality of the foregoing by reason of specification, a leasehold estate, an easement either appurtenant or in gross and either granting the state specified rights of use or denying to the grantor specified rights of use, or both."

On page 1 of the engrossed bill, line 21, overstrike the word "highway", after the overstruck word "~~department~~" insert the word "agricultural", and overstrike the word "forest"

On page 1 of the engrossed bill, line 22, delete the comma and words ", and four"

On page 1 of the engrossed bill, delete line 23

On page 1 of the engrossed bill, line 24, delete the words "director of the department"

On page 1 of the engrossed bill, line 25, remove the overstrike over the word "~~Sueh~~", and delete the words "Meetings with these eight advisers must be held at"

On page 1 of the engrossed bill, line 26, delete the words "regular times established by the department. The"

On page 1 of the engrossed bill, line 28, remove the overstrike over the word "~~shall~~"

And renumber the lines, sections, and pages accordingly

REP. A. OLSON, Chairman

Engrossed SB 2273 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2308 has had the same under consideration and recommends by a vote of 21 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2308 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Industry, Business and Labor to which was referred SB 2313 has had the same under consideration and recommends by a vote of 14 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 20, after the numeral and period "4." insert the following:

"No creditor may charge, receive, or collect a late payment charge on medical or hospital bills.

5."

And renumber the lines and pages accordingly

REP. KLOUBEC, Chairman

SB 2313 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred Engrossed SB 2324 has had the same under consideration and recommends by a vote of 9 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 11, delete the words "during which the ballots are"

On page 2 of the engrossed bill, delete lines 12 through 17

On page 2 of the engrossed bill, line 18, delete the word "recount" and insert in lieu thereof the following: "the county auditor shall take appropriate steps to safeguard the ballots"

And renumber the lines accordingly

REP. CONMY, Chairman

Engrossed SB 2324 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 2338 has had the same under consideration and recommends by a vote of 10 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 1 of the engrossed bill, line 2, delete the numerals "20.1-03" and insert in lieu thereof the numerals "20.1-08"

On page 1 of the engrossed bill, line 4, after the word "elk" insert the words "; and to provide an expiration date"

On page 1 of the engrossed bill, line 11, delete the word "one-half" and insert in lieu thereof the word "one-quarter", and delete the numerals "129.50" and insert in lieu thereof the numerals "64.75"

On page 1 of the engrossed bill, line 16, delete the words "within the"

On page 1 of the engrossed bill, line 17, delete the words "district or unit in which" and insert in lieu thereof the word "on"

On page 1 of the engrossed bill, line 18, delete the words "is located"

On page 2 of the engrossed bill, after line 22, insert the following new section:

"SECTION 3. EXPIRATION DATE. This Act is effective through June 30, 1987, and after that date is ineffective."

And renumber the lines and pages accordingly

REP. A. OLSON, Chairman

SB 2338 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2343 has had the same under consideration and recommends by a vote of 16 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 1 of the engrossed bill, line 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to provide for the adoption of the water's edge combination approach to unitary taxation for corporate income tax purposes; and to provide an effective date."

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

SECTION 1. Definitions. For purposes of this Act:

1. "Affiliated corporation" means a corporation which is a member of a group of two or more corporations more than fifty percent of the voting stock of each member of which is directly or indirectly owned by a common owner or by common owners, either corporate or noncorporate, or by one or more of the member corporations of the group.
 2. "Affiliated group" includes all affiliated corporations and their parent.
 3. "Combined report" means an accounting method which reflects the activities and functionally related income of an affiliated group which conducts a unitary business within and without this state.
 4. "Functionally related income" means income which arises out of, is used in, or is otherwise connected with, a taxpayer's unitary business operations, but does not include:
 - a. Section 78 gross-up of foreign taxes computed for the federal foreign tax credit.
 - b. The amount received during the income year by a taxpayer by way of dividends from any eighty percent or more owned corporation which is either:
 - (1) Organized or incorporated outside any state of the United States.
 - (2) Eighty percent or more of whose total business activity, determined above, is conducted outside any state of the United States.
- "Functionally related income" includes in the income base fifteen percent of the amount received during the income year by a taxpayer by way of dividends received from a corporation ownership of which is less than eighty percent and which is incorporated outside any state of the United States. This shall be in lieu of the attribution of expenses to these dividends.
5. "Multinational corporation" means a corporation that conducts a unitary business through

subsidiary or affiliated corporations at least one of which is incorporated in a country foreign to that of the parent.

6. "Tax haven corporation" means any corporation which is incorporated in a country that either does not impose an income tax or imposes an income tax at a rate lower than sixty-five percent of the federal tax rate on the federally defined income tax base and either of the following apply:
 - a. Fifty percent or more of either the corporation's sales or purchases or payments of income or expenses, exclusive of payments for intangible property, or payments of eighty percent or more of all expenses are made directly or indirectly to one or more members of a water's edge group.
 - b. The corporation performs no significant economic activity.

It is presumed that a tax haven corporation is a member of the combinable unitary group.

7.
 - a. "Threshold level of business activity in the United States" means activity in excess of twenty percent of a business's averaged apportioned activities.
 - b. For purposes of this subsection "averaged apportioned activities" means an equally weighted average of a business's property, payroll, and sales.
8. "Unitary business or combinable unitary group" means either a multicorporate or a monocorporate business among the components of which there is a flow of value. A flow of value may be evidenced by functional integration, centralization of management, and economies of scale.
9. "United States corporation" means any corporation incorporated in the United States.
10. "Water's edge combination" or "water's edge combined group" includes those of the following corporations which are a part of a unitary business:
 - a. Corporations included or includable in a consolidated return for federal corporate income tax purposes, excluding United States

corporations with more than eighty percent of their payroll and property outside the United States.

- b. United States possession corporations.
 - c. Any corporation incorporated in any United States possession or territory.
 - d. Domestic international sales corporations or foreign sales corporations.
 - e. Tax haven corporations.
 - f. Foreign corporations having at least a threshold level of business activity in the United States.
 - g. United States corporations, not included in subdivision a, more than fifty percent of the voting stock of which is owned or controlled, directly or indirectly, by another United States corporation.
11. "Worldwide combination" or "worldwide combined reporting" means the use of a combined report with respect to an affiliated group irrespective of the country or countries in which any member of the affiliated group is incorporated or conducts business activities, and conducts a unitary business.

SECTION 2. Employment of water's edge combination. The state tax commissioner may require a multinational corporation to file a water's edge combined report pursuant to the provisions of this Act. However, no multinational corporation or any affiliate of a multinational corporation shall be required to file a worldwide combined report.

SECTION 3. Rules. The state tax commissioner may issue rules for the efficient enforcement of this Act.

SECTION 4. EFFECTIVE DATE. This Act is effective for taxable years beginning after December 31, 1987."

And renumber the lines and pages accordingly

REP. A. HAUSAUER, Chairman

Engrossed SB 2343 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred Engrossed SB 2345 has had the same under consideration and recommends by a vote of 16 YEAS, 0 NAYS, 1 ABSENT AND NOT

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

On page 1 of the engrossed bill, line 1, after the word "enact" insert the words and numerals "a new subsection to section 57-02-08 and"

On page 1 of the engrossed bill, line 2, after the word "to" insert the words "an exemption from ad valorem taxes for certain athletic and recreational facilities and"

On page 1 of the engrossed bill, after line 6, insert the following new section:

"SECTION 1. A new subsection to section 57-02-08 of the North Dakota Century Code is hereby created and enacted to read as follows:

Property owned by a nonprofit corporation organized for the purpose of promoting public athletic or recreational activities if the property is subject to a lease to a political subdivision with an option to purchase."

On page 1 of the engrossed bill, line 11, after the word "levy" insert the words "the lesser of"

On page 1 of the engrossed bill, line 12, after the comma insert the word "or", and after the word "the" insert the words "amount in dollars"

On page 1 of the engrossed bill, line 13, delete the words "percentage increase", after the numeral "2" insert the word and numeral "or 3", and delete the words "more than the"

On page 1 of the engrossed bill, delete lines 14 through 19

On page 1 of the engrossed bill, line 20, delete the word "less"

On page 1 of the engrossed bill, line 23, delete the word "four" and insert in lieu thereof the word "one"

On page 1 of the engrossed bill, line 25, delete the word "four" and insert in lieu thereof the word "one"

On page 3 of the engrossed bill, line 1, delete the words "after the effective date of the Act, but" and insert in lieu thereof a period

On page 3 of the engrossed bill, delete lines 2 through 4

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

On page 3 of the engrossed bill, line 23, delete the word "four" and insert in lieu thereof the word "one"

On page 3 of the engrossed bill, line 31, delete the word "This" and insert in lieu thereof the words "Section 1 of this Act is effective for taxable years beginning after December 31, 1984, and section 2 of this"

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

Engrossed SB 2345 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2349 has had the same under consideration and recommends by a vote of 21 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2349 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 2355 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the engrossed bill, line 19, delete the words "one week" and insert in lieu thereof the words "five business days"

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

Engrossed SB 2355 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 2360 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 2, delete the words "or in the alternative section 5 of House Bill"

On page 1 of the engrossed bill, line 3, delete the words "No. 1082 as approved by the forty-ninth legislative assembly"

- On page 1 of the engrossed bill, line 7, delete the words "If House Bill No. 1082 is not" and insert in lieu thereof the word "Section"
- On page 1 of the engrossed bill, delete line 8
- On page 1 of the engrossed bill, line 9, delete the words "effective, section"
- On page 1 of the engrossed bill, line 16, overstrike the words "Membership of such"
- On page 1 of the engrossed bill, overstrike line 17
- On page 1 of the engrossed bill, line 18, overstrike the words "appointed from the board of county commissioners", and delete the words "in a county with a"
- On page 1 of the engrossed bill, delete lines 19 through 22
- On page 1 of the engrossed bill, line 23, delete the words "commissioners are elected from districts in the county", and overstrike the words ", and two from"
- On page 1 of the engrossed bill, overstrike line 24
- On page 1 of the engrossed bill, line 25, overstrike the words "county to serve for their respective terms of elective office" and insert immediately thereafter the following: "In counties with three-member boards of county commissioners, the planning commission consists of seven members, of whom at least one must be appointed from the governing body of the city that is the county seat, and of whom at most one may be appointed from the board of county commissioners. In counties with five-member boards of county commissioners the planning commission consists of nine members, of whom at least two must be appointed from the governing body of the city that is the county seat, and of whom at most two may be appointed from the board of county commissioners. The term of an ex officio member is coterminous with the member's term in the underlying office."
- On page 1 of the engrossed bill, line 26, after the period insert the following sentence: "In counties that elect county commissioners from districts, at least one at large member of the planning commission must be appointed from each district."
- On page 2 of the engrossed bill, delete lines 6 through 33
- And renumber the lines and pages accordingly

REP. LANG, Chairman

Engrossed SB 2360 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred Reengrossed SB 2436 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2 of the reengrossed bill, line 17, delete the word "and" and insert in lieu thereof the following: the use of process color printing, presses larger than eleven by seventeen inches [27.94 by 43.18 centimeters], die cutting, snap out forms, continuous forms, perfect binding, and the production in excess of ten thousand impressions of any page or fifty thousand impressions in the aggregate of items consisting of multiple pages."

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

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

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

And renumber the lines and pages accordingly

REP. MARTINSON, Chairman

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

MR. SPEAKER: A majority of your Committee on Finance and Taxation to which was referred SB 2443 has had the same under consideration and recommends that the same DO PASS.

Rep. R. Anderson
Rep. Enget
Rep. Kent
Rep. Linderman
Rep. Martin
Rep. A. Olson
Rep. Richard
Rep. Riehl
Rep. Sauter
Rep. Watne

REP. A. HAUSAUER, Chairman

The report of the minority places SB 2443 on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: A minority of your **Committee on Finance and Taxation** to which was referred SB 2443 has had the same under consideration and recommends that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 2, line 8, remove the overstrike over the words "~~one-half of one percentage point~~"

On page 2, line 9, remove the overstrike over the word "~~below~~"

And renumber the lines and pages accordingly

Rep. A. Hausauer
Rep. Moore
Rep. Gates
Rep. Goetz
Rep. Hughes
Rep. Schneider
Rep. Timm

REP. A. HAUSAUER, Chairman

The report of the minority 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 2444 has had the same under consideration and recommends by a vote of 8 YEAS, 3 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 27, immediately after the word "appealed" insert the words "pursuant to section 50-06-05.1"

And renumber the lines accordingly

REP. CONMY, Chairman

SB 2444 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your **Committee on Judiciary** to which was referred Engrossed SB 2464 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 1, delete the word "section" and insert in lieu thereof the word "sections", and after the numerals "44-11-02" insert the numerals ", 44-11-10, and 44-11-13"

On page 1 of the engrossed bill, line 3, after the word "official" insert the words ", the fees of the special commissioner and payment of stenographer's expenses, and payment of costs upon dismissal and the filing of an indemnity bond with regard to gubernatorial removal of public officials"

On page 1 of the engrossed bill, line 13, after the comma insert the following: "or upon the relation of ten percent of the qualified electors voting at the preceding general election for the office of governor in the state, county, or district in which the person charged is an officer, whichever is least,"

On page 1 of the engrossed bill, after line 21, insert the following new sections:

"SECTION 2. AMENDMENT. Section 44-11-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

44-11-10. Fees of special commissioner - Stenographer - Witnesses. The fees of the special commissioner provided for by this chapter shall be ~~six~~ one hundred dollars per day, and in addition thereto, he shall receive his mileage from his residence to the place of trial the same as is allowed by law to sheriffs. He ~~shall have power to~~ may employ a stenographer, ~~who shall be paid fifteen cents per folio for the original transcript of testimony and five cents per folio for copies required and pay the expenses of the stenographer.~~ Such expenses shall be itemized by the commissioner and filed with his report and findings and audited and allowed by the governor. Witnesses giving testimony before such commissioner, the number to be limited by the commissioner, shall be allowed the same fees as witnesses in district court. In proceedings to remove a county officer, such fees shall be paid by the county upon allowance by the board of county commissioners in the same manner as other claims against the county, and if a municipal or township officer, then by the city council, board of city commissioners, or board of township supervisors, in the same manner as other claims against the municipality are paid.

SECTION 3. AMENDMENT. Section 44-11-13 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

44-11-13. Costs on dismissal of charges - Bond. When charges are preferred against any of the officers mentioned in section 44-11-01 by qualified ~~voters~~ electors other than the state's attorney or attorney general, as provided in section 44-11-02, and upon such hearing it shall appear that such charges were not preferred in good faith, then

all of the costs of the proceedings under this chapter, not exceeding the sum of ~~three~~ five hundred dollars, in the discretion of the governor, may be taxed to the persons making such charges. When such charges are made by such relators there shall be filed, together with such charges, a good and sufficient indemnity bond in the sum of ~~three~~ five hundred dollars, to be approved by the governor, binding such relators to the payment of such costs upon the failure to maintain such charges as herein provided."

And renumber the lines and pages accordingly

REP. CONMY, Chairman

Engrossed SB 2464 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SB 2471 has had the same under consideration and recommends by a vote of 10 YEAS, 2 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "reenact" insert the words "subsection 3 of section 38-08-14 and"

On page 1, line 2, after the word "to" insert the words "the suspension of orders of the industrial commission and fixing the amount of supersedeas bonds and"

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

"SECTION 1. AMENDMENT. Subsection 3 of section 38-08-14 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. At the time of filing the notice of appeal, if an application for the suspension of the order is filed, the commission ~~shall~~ may enter an order ~~suspending the order complained of and fixing the amount of the supersedeas bond.~~ Within ten days after the entry of an order by the commission which suspends the order complained of and fixes the amount of the bond, the appellant must file with the commission a supersedeas bond in the required amount and with proper surety. Upon approval of the bond, the order of the commission shall suspend suspending the order complained of is effective until its final disposition upon appeal. The bond shall run in favor of the commission for the use and benefit of any person who may suffer damage by reason of the suspension of the order in the event the same is affirmed by the district court. If the order of the commission is not superseded, it shall continue

in force and effect as if no appeal was pending, unless a stay is ordered by the court to which the appeal is taken under section 28-32-20."

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

SB 2471 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 2478 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 22, after the period insert the following sentence: "Nothing in this section shall deny the telephone company reimbursement for the value of their services or damage to their facilities resulting from their compliance with such order."

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

SB 2478 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 SCR 4032 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 and BE PLACED ON THE CONSENT CALENDAR.

REP. HAUGLAND, Chairman

SCR 4032 was placed on the Tenth 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 SCR 4037 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

SCR 4037 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

FIRST READING OF SENATE CONCURRENT RESOLUTION

SCR 4067: A concurrent resolution urging the Congress of the United States to appropriate funds for the restoration of the Fort Union fur trading post on the North Dakota-Montana border.

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

FRIDAY, MARCH 15, 1985

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

ROY GILBREATH, Chief Clerk