

MONDAY, MARCH 18, 1985

1955

JOURNAL OF THE HOUSE

Forty-ninth Legislative Assembly

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FORTY-EIGHTH DAY

The House convened at 1:00 p.m., with Speaker R. Hausauer presiding. Bismarck, March 18, 1985

The prayer was offered by Reverend Grael Gannon, First Presbyterian Reformed Church, Bismarck, North Dakota.

ROLL CALL

The roll was called and all Representatives were present, except Representatives Gullickson, Kent, Lipsiea, Martin.

A quorum was declared by the Speaker.

REVISION AND CORRECTION OF THE JOURNAL

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

On page 1935 delete line 41

On page 1936 delete line 31

REP. KENT, Chairman

REP. MYRDAL 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
House Chambers
State Capitol
Bismarck, North Dakota 58505

Dear Mr. Speaker:

This is to inform you that on March 14, 1985, I signed the following:

HB 1044, HB 1058, HB 1059, HB 1066, HB 1068, HB 1073,
 HB 1075, HB 1079, HB 1088, HB 1093, HB 1095, HB 1101,
 HB 1107, HB 1111, HB 1113, HB 1115, HB 1117, HB 1118,
 HB 1121, HB 1122, HB 1124, HB 1125, HB 1129, HB 1131,
 HB 1132, HB 1136, HB 1137, HB 1142, HB 1150, HB 1160,
 HB 1162, HB 1163, HB 1164, HB 1166, HB 1167, HB 1174,
 HB 1178, HB 1181, HB 1183, HB 1184, HB 1186, HB 1187,
 HB 1188, HB 1192, HB 1198, HB 1206, HB 1227, HB 1238,
 HB 1245, HB 1260, HB 1264, HB 1268, HB 1270, HB 1273,
 HB 1297, HB 1300, HB 1304, HB 1315, HB 1319, HB 1320,
 HB 1321, HB 1326, HB 1331, HB 1343, HB 1345, HB 1346,
 HB 1355, HB 1361, HB 1373, HB 1389, HB 1396, HB 1407,
 HB 1411, HB 1433, HB 1449, HB 1469, HB 1470, HB 1479,
 HB 1501, HB 1502, HB 1529, HB 1544, HB 1548, HB 1549,
 HB 1566, and HB 1603.

Sincerely,

GEORGE A. SINNER
 Governor

CONSIDERATION OF MESSAGE FROM SENATE

REP. A. OLSON MOVED that the House do not concur in the Senate amendments to HB 1077, which motion prevailed.

APPOINTMENT OF A CONFERENCE COMMITTEE

THE ACTING SPEAKER APPOINTED as a Conference Committee on HB 1077:

Reps. A. Olson, Schindler, Watne

CONSIDERATION OF MESSAGES FROM SENATE

REP. J. PETERSON MOVED that the House do concur in the Senate amendments to HB 1388, which motion prevailed.

HB 1388 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1606, which motion prevailed.

HB 1606 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the House do concur in the Senate amendments to HB 1635, which motion prevailed.

HB 1635 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KLOUBEC MOVED that the House do concur in the Senate amendments to HB 1540, which motion prevailed.

HB 1540 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

MOTIONS

REP. MARTINSON MOVED that the House reconsider its action whereby the Committee Report was accepted and SB 2436 was placed on the Sixth order of business on the calendar, which motion prevailed.

REP. MARTINSON MOVED that SB 2436 be rereferred to the Committee on State and Federal Government, which motion prevailed.

ANNOUNCEMENT

SPEAKER R. HAUSAUER ANNOUNCED that SB 2436 was rereferred to the Committee on State and Federal Government.

RECOGNITION

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

MOTION

REP. STRINDEN MOVED that SB 2349 be removed from the Fourteenth order on the calendar and be rereferred to the Committee on Appropriations, which motion prevailed.

SPEAKER R. HAUSAUER ANNOUNCED that SB 2349 was rereferred to the Committee on Appropriations.

APPOINTMENTS OF CONFERENCE COMMITTEES

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2116:

Reps. Wentz, Conmy, R. Solberg

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2153:

Reps. V. Olson, Belter, C. Williams

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2267:

Reps. D. Olsen, Nalewaja, Hoffner

THE SPEAKER ANNOUNCED the following appointment to a Conference Committee on SB 2279:

Reps. Rydell, Hamerlik, Klundt

SIXTH ORDER OF BUSINESS

REP. KNUDSON MOVED that the amendments to HCR 3094 as recommended by the Committee on Education as printed on page 1934 of

the House Journal be adopted, and when so adopted, recommends that HCR 3094 DO PASS, which motion prevailed.

HCR 3094 was placed on the Eleventh order of business on the calendar for the succeeding legislative day.

REP. KNUDSON MOVED that the amendments to SB 2065 as recommended by the Committee on Education as printed on pages 1934-1937 of the House Journal be adopted, and when so adopted, recommends that SB 2065 DO PASS.

REQUEST

REP. SCHINDLER REQUESTED that the question of the adoption of the amendments to SB 2065 be divided to have the sections voted on separately in the following manner, which request was granted as per Rule 316 which states that the Division of the Question must be supported by twelve members.

DIVISION A

- 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"
- And renumber the lines and pages accordingly

DIVISION B

- 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

DIVISION C

- 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 and numerals "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 and numerals "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."

And renumber the lines, sections, and pages accordingly

The question being on the motion to adopt the Division A amendments to SB 2065.

The motion to adopt the Division A amendments to SB 2065 prevailed.

REQUEST

REP. J. PETERSON REQUESTED a recorded roll call vote on the motion to adopt the Division B amendments to SB 2065, which request was granted.

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

MONDAY, MARCH 18, 1985

1961

ROLL CALL

The question being on the motion to adopt the Division B amendments to SB 2065, the roll was called and there were 57 YEAS, 43 NAYS, 6 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Belter; Berg, G.; Brokaw; Conmy; Dotzenrod; Eckroth; Gerntholz; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hedstrom; Hill; Hoffner; Kelly; Knudson; Kretschmar; Kuchera; Lang; Laughlin; Lautenschlager; Linderman; Lloyd; Melby; Mertens; Murphy; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Pederson, R.; Peterson, J.; Retzer; Richard; Rydell; Schindler; Schmidt; Shaw; Shide; Smette; Solberg, O.; Stofferahn; Thompson; Ulmer; Unhjem; Watne; Whalen; Williams, A.; Williams, C.; Williams, W.; Winkelman

NAYS: Anderson, R.; Berg, R.; Cleveland; Dalrymple; DeMers; Dorso; Enget; Frey; Gates; Goetz; Graba; Gunsch; Hamerlik; Hausauer, A.; Hughes; Keller; Kingsbury; Kloubec; Klundt; Koland; Larson; Lindgren; Martinson; Meyer; Moore; Myrdal; Nalewaja; Payne; Rice; Riley; Sauter; Schneider; Skjerven; Solberg, R.; Starke; Strinden; Timm; Tollefson; Vander Vorst; Wald; Wentz; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea; Martin; Riehl; Shockman

So the motion to adopt the Division B amendments to SB 2065 prevailed.

REQUEST

REP. J. PETERSON REQUESTED a recorded roll call vote on the motion to adopt the Division C amendments to SB 2065, which request was granted.

ROLL CALL

The question being on the motion to adopt the Division C amendments to SB 2065, the roll was called and there were 42 YEAS, 59 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Berg, G.; Brokaw; Eckroth; Halmrast; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hoffner; Knudson; Kretschmar; Kuchera; Lang; Lautenschlager; Lloyd; Martinson; Melby; Mertens; Murphy; Nicholas; Nowatzki; Oban; O'Connell; Olsen, D.; Olson, V.; O'Shea; Pederson, R.; Peterson, J.; Retzer; Richard; Rydell; Schindler; Schmidt; Shaw; Shockman; Stofferahn; Thompson; Unhjem; Williams, W.; Winkelman

NAYS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Cleveland; Conmy; Dalrymple; DeMers; Dorso; Dotzenrod; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch;

Hamerlik; Hughes; Keller; Kelly; Kingsbury; Kloubec; Klundt; Koland; Larson; Laughlin; Linderman; Lindgren; Meyer; Moore; Myrdal; Nalewaja; Olson, A.; Opedahl; Payne; Rice; Riehl; Riley; Sauter; Schneider; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Starke; Strinden; Timm; Tollefson; Vander Vorst; Wald; Watne; Wentz; Whalen; Williams, A.; Williams, C.; Wold; Speaker Hausauer, R.

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea; Martin; Ulmer

So the motion to adopt the Division C amendments to SB 2065 failed.

The question then was on the adoption of the amendments to SB 2065, including Divisions A and B and excluding Division C, with title amended appropriately and lines, sections, and pages renumbered accordingly.

The proposed amendments to SB 2065, including Divisions A and B and excluding Division C to SB 2065 were adopted.

SB 2065, including Divisions A and B and excluding Division C, was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

SIXTH ORDER OF BUSINESS

REP. HAUGLAND MOVED that the amendments to SB 2075 as recommended by the **Committee on Social Services and Veterans Affairs** as printed on page 1937 of the House Journal be adopted, and when so adopted, recommends that SB 2075 DO PASS, which motion prevailed.

SB 2075 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MOTION

REP. STRINDEN MOVED that SB 2343 and SB 2443 on the Sixth order of business 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:

HB 1390, HB 1648, HB 1649, HCR 3074

LEO LEIDHOLM, Secretary

SENATE CHAMBER

MR. SPEAKER: I have the honor to return herewith HB 1218 and HB 1645 which the Senate has amended:

SENATE AMENDMENTS TO ENGROSSED HB 1218

- On page 1 of the engrossed bill, line 21, delete the words "from each" and insert in lieu thereof the words ", computed on an annual basis"
- On page 1 of the engrossed bill, line 22, delete the words "such occasion"
- On page 1 of the engrossed bill, line 24, overstrike the words "from each"
- On page 1 of the engrossed bill, line 25, overstrike the words "such occasion"
- On page 2 of the engrossed bill, line 1, after the word "site" insert the words ", computed on an annual basis"
- And renumber the lines and pages accordingly

SENATE AMENDMENTS TO HB 1645

- On page 2, after line 7, insert the following new section:

"SECTION 4. APPROPRIATION. There is hereby appropriated any private or other moneys that may be available to carry out the purposes of section 3 of this Act. To the extent such moneys are received, the general fund expenditures pursuant to the provisions of section 3 of this Act shall be reduced."

- And renumber the lines, sections, and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The amendment allows for acceptance and use of any private and other moneys that become available for the Milton Young statue, with a corresponding decrease of the amount necessary from the general fund if other such moneys become available.

- On page 1, line 3, delete the word "and"

On page 1, line 5, after the word "grounds" insert the words ", and to direct the capitol grounds planning commission, the state historical board, and the capitol arts and historic preservation committee to develop and recommend plans for the permanent, public recognition of the Honorable William Langer and Carl Ben Eielson"

- On page 1, after line 28, insert the following section:

"SECTION 3. Recognition of Langer and Eielson. The capitol grounds planning commission, the state historical board, and the capitol arts and historic preservation

advisory committee shall, independently, develop plans for the permanent, public recognition of the Honorable William Langer and Carl Ben Eielson, to be prominently located on the capitol grounds, or in the heritage center building or the state capitol. The capitol grounds planning commission, the state historical board, and the capitol arts and historic preservation advisory committee shall report their findings and recommendations, together with any legislation required to implement the recommendations, to the fiftieth legislative assembly."

And renumber the lines, sections, and pages accordingly

In lieu of the amendments to House Bill No. 1645 adopted by the Senate as found on page 1337 of the Senate Journal, House Bill No. 1645 is amended as follows:

On page 2, line 1, delete the word "out"

On page 2, delete line 2

On page 2, line 3, delete the words "otherwise appropriated," after the numerals "\$100,000" insert the words "of private funds", and delete the words "so much thereof" and insert in lieu thereof the words "such greater amounts of moneys from private sources"

On page 2, line 4, delete the word "necessary" and insert in lieu thereof the word "available"

On page 2, line 8, delete the word "out" and insert in lieu thereof the word "the"

On page 2, delete lines 9 and 10

On page 2, line 11, after the numerals "\$60,000" insert the words "of private funds", and delete the words "so much thereof as may be necessary" and insert in lieu thereof the words "such greater amounts of moneys from private sources as may be available"

And renumber the lines and pages accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

The general fund and Capitol building fund amounts are deleted. Any moneys from private sources that become available are appropriated for the Milton R. Young and Brynhild Haugland statues.

LEO LEIDHOLM, Secretary

MONDAY, MARCH 18, 1985

1965

MESSAGES TO THE SENATE
HOUSE CHAMBER

MADAM PRESIDENT: I have the honor to inform you that the House does not concur in the Senate amendments to HB 1077 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1077: Reps. A. Olson, Schindler, Watne
ROY GILBREATH, Chief Clerk

HOUSE CHAMBER

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

SB 2116: Reps. Wentz, Conmy, R. Solberg
SB 2153: Reps. V. Olson, Belter, C. Williams
SB 2267: Reps. D. Olsen, Nalewaja, Hoffner
SB 2279: Reps. Rydeil, Hamerlik, Klundt
ROY GILBREATH, Chief Clerk

SIXTH ORDER OF BUSINESS

REP. CONMY MOVED that the amendments to SB 2180 as recommended by the Committee on Judiciary as printed on pages 1937-1938 of the House Journal be adopted, and when so adopted, recommends that SB 2180 DO PASS, which motion prevailed.

SB 2180 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to SB 2194 as recommended by the Committee on Natural Resources as printed on page 1938 of the House Journal be adopted, and when so adopted, recommends that SB 2194 DO PASS, which motion prevailed.

SB 2194 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to SB 2234 as recommended by the Committee on Natural Resources as printed on page 1938 of the House Journal be adopted, and when so adopted, recommends that SB 2234 DO PASS, which motion prevailed.

SB 2234 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to SB 2273 as recommended by the Committee on Natural Resources as printed on page 1939 of the House Journal be adopted, and when so adopted, recommends that SB 2273 DO PASS, which motion prevailed.

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

REP. KLOUBEC MOVED that the amendments to SB 2313 as recommended by the **Committee on Industry, Business and Labor** as printed on page 1940 of the House Journal be adopted, and when so adopted, recommends that SB 2313 DO PASS, which motion prevailed.

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

REP. CONMY MOVED that the amendments to SB 2324 as recommended by the **Committee on Judiciary** as printed on page 1940 of the House Journal be adopted, and when so adopted, recommends that SB 2324 DO PASS, which motion prevailed.

SB 2324 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. A. OLSON MOVED that the amendments to SB 2338 as recommended by the **Committee on Natural Resources** as printed on page 1941 of the House Journal be adopted, and when so adopted, recommends that SB 2338 DO PASS, which motion prevailed.

SB 2338 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 2345 as recommended by the **Committee on Finance and Taxation** as printed on pages 1945-1946 of the House Journal be adopted, and when so adopted, recommends that SB 2345 DO PASS, which motion prevailed.

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

REP. KLOUBEC MOVED that the amendments to SB 2355 as recommended by the **Committee on Industry, Business and Labor** as printed on page 1946 of the House Journal be adopted, and when so adopted, recommends that SB 2355 DO PASS, which motion prevailed.

SB 2355 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. LANG MOVED that the amendments to SB 2360 as recommended by the **Committee on Political Subdivisions** as printed on pages 1946-1947 of the House Journal be adopted, and when so adopted, recommends that SB 2360 DO PASS, which motion prevailed.

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

REP. CONMY MOVED that the amendments to SB 2444 as recommended by the **Committee on Judiciary** as printed on page 1949 of the House Journal be adopted, and when so adopted, recommends that SB 2444 DO PASS, which motion prevailed.

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

REP. CONMY MOVED that the amendments to SB 2464 as recommended by the Committee on Judiciary as printed on pages 1949-1951 of the House Journal be adopted, and when so adopted, recommends that SB 2464 DO PASS, which motion prevailed.

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

REP. MARTINSON MOVED that the amendments to SB 2471 as recommended by the Committee on State and Federal Government as printed on pages 1951-1952 of the House Journal be adopted, and when so adopted, recommends that SB 2471 DO PASS, which motion prevailed.

SB 2471 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

REP. CONMY MOVED that the amendments to SB 2478 as recommended by the Committee on Judiciary as printed on page 1952 of the House Journal be adopted, and when so adopted, recommends that SB 2478 DO PASS, which motion prevailed.

SB 2478 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

POINT OF PERSONAL PRIVILEGE

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

Mr. Speaker: I would like to congratulate Linton on their success in the Class B Basketball Tournament.

I would also like to congratulate my own team, the Newburg Eagles, on winning second place. They had only two losses in 54 games, both of them to Linton in the championship games.

I'm proud also of Chris Lamoureux, who was named Mr. Basketball. I'm especially proud that our school system is one in which three small towns, Maxbass, Newburg, and Kramer, have joined together to form one very excellent school, both academically and in their sports and music programs. The people in those communities realized that we could merge to form one system with very little difficulty and hard feelings.

SECOND READING OF SENATE BILLS

SB 2068: A BILL for an Act to amend and reenact section 16.1-13-22 of the North Dakota Century Code, relating to the stamping of the election ballot.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 99 YEAS, 2 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: Hamerlik; O'Connell

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea; Stofferahn; Wold

SB 2068 passed and the title was agreed to.

SB 2325: A BILL for an Act to amend and reenact section 40-24-11 of the North Dakota Century Code, relating to the payment of special assessments.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea; Olson, A.; Timm

SB 2325 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that that portion of House Rule No. 507 pertaining to when bills must be reported out of committee in the second house be suspended, which motion prevailed.

SECOND READING OF SENATE BILLS

SB 2386: A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code, relating to the disclosure of customer financial institution records; and to provide a penalty.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 80 YEAS, 21 NAYS, 5 ABSENT AND NOT VOTING.

YEAS: Anderson, C.; Anderson, R.; Belter; Berg, R.; Conny; Dalrymple; DeMers; Dorso; Dotzenrod; Eckroth; Enget; Frey; Gates; Gerntholz; Goetz; Graba; Gunsch; Halmrast; Hamerlik; Hanson, L.; Hanson, O.; Haugland; Hausauer, A.; Hedstrom; Hill; Hughes; Kelly; Kingsbury; Kloubec; Knudson; Koland; Kretschmar; Kuchera; Lang; Larson; Linderman; Lindgren; Martinson; Melby; Moore; Murphy; Myrdal; Nalewaja; Nicholas; O'Connell; Olsen, D.; Olson, A.; Olson, V.; Opedahl; O'Shea; Payne; Pederson, R.; Peterson, J.; Retzer; Rice; Riley; Rydell; Schindler; Schmidt; Shaw; Shide; Skjerven; Smette; Solberg, O.; Solberg, R.; Strinden; Thompson; Timm; Tollefson; Ulmer; Unhjem; Vander Vorst; Wald; Wentz; Whalen; Williams, A.; Williams, C.; Winkelman; Wold; Speaker Hausauer, R.

NAYS: Berg, G.; Brokaw; Hoffner; Keller; Klundt; Laughlin; Lautenschlager; Lloyd; Mertens; Meyer; Nowatzki; Oban; Richard; Riehl; Sauter; Schneider; Shockman; Starke; Stofferahn; Watne; Williams, W.

ABSENT AND NOT VOTING: Cleveland; Gullickson; Kent; Lipsiea; Martin

SB 2386 passed and the title was agreed to.

SB 2390: A BILL for an Act to create and enact a new chapter to title 12.1 of the North Dakota Century Code, relating to the prohibition of sexual performances by children; and to amend and reenact section 14-10-06 of the North Dakota Century Code, relating to contributing to the deprivation of a minor.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea; Martin; Watne

SB 2390 passed and the title was agreed to.

SB 2466: A BILL for an Act to amend and reenact subsection 2 of section 57-02-08.1 of the North Dakota Century Code, relating to the homestead credit for rent paid by persons living in government subsidized low or middle income housing; and to provide an effective date.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 94 YEAS, 8 NAYS, 4 ABSENT AND NOT VOTING.

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

NAYS: Frey; Hedstrom; Kelly; Klundt; Mertens; O'Shea; Schneider; Williams, W.

ABSENT AND NOT VOTING: Gullickson; Kent; Lipsiea; Strinden

SB 2466 passed and the title was agreed to.

SB 2480: A BILL for an Act to amend and reenact section 12.1-27.1-01 of the North Dakota Century Code, relating to obscenity, definitions, and classification of offenses.

Which has been read.

ROLL CALL

The question being on the final passage of the bill, as amended, the roll was called and there were 101 YEAS, 0 NAYS, 5 ABSENT AND NOT VOTING.

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

NAYS: None

ABSENT AND NOT VOTING: Berg, G.; Gullickson; Kent; Lipsiea; Meyer

SB 2480 passed and the title was agreed to.

MOTION

REP. STRINDEN MOVED that the rules be suspended and that SB 2068, SB 2325, SB 2386, SB 2390, SB 2466, and SB 2480 be messaged to the Senate immediately, which motion prevailed.

MESSAGE TO THE SENATE HOUSE CHAMBER

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

SB 2068, SB 2325, SB 2386, SB 2390, SB 2466, SB 2480

ROY GILBREATH, Chief Clerk

MOTIONS

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

REP. STRINDEN MOVED that the House be on the Fifth order of business, and at the conclusion of the Fifth order, the House stand adjourned until 9:00 a.m., Tuesday, March 19, 1985, which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER: Your Committee on State and Federal Government to which was referred HB 1656 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the word "three" and insert in lieu thereof the word "five"

On page 1, line 3, after the word "to" insert the words "payment and waiver of payment of expenses of care and treatment for"

On page 1, line 7, delete the first word "and" and insert in lieu thereof the word "for"

On page 3, following line 25, insert the following new sections:

"SECTION 5. A new section to chapter 25-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Expenses chargeable against guardianship estate of patient - Restrictions. The expenses incurred by the state for the care and treatment of any patient over twenty-one years of age at the Grafton state school shall be charged against the guardianship estate of such patient, if he has such an estate, subject to the following restrictions:

1. No part of such estate shall be taken for such purpose if the patient has dependents within the United States dependent upon the estate for support and the taking of all or a portion of such estate would result in undue hardship to such dependents.
2. No real property belonging to such estate shall be sold during the lifetime of the patient except for the maintenance and support of his or her dependents, unless it is shown that the sale of such property will not result in undue hardship to such dependents, and in either such event, it shall be sold only upon the order of the county court having jurisdiction of the estate, with the consent of the director of institutions.
3. No personal property belonging to such estate shall be sold within five years from the date upon which the patient was sent to the state school unless such property is ordered sold by the county court having jurisdiction of the estate for the reason that such property is

likely to deteriorate in value during the time herein specified.

4. No claim shall be made to recover from the estate of a former resident of the state school who has left the state school and married, and leaves a spouse or issue dependent upon such estate.

SECTION 6. A new section to chapter 25-04 of the North Dakota Century Code is hereby created and enacted to read as follows:

Waiver of payment - Use of income tax data - Confidentiality - Definition.

1. The patient, former patient, personal representative, or guardian may make application to the supervising department to pay less than the costs or none of the costs incurred by the state for the patient's care and treatment at the state school. Such application shall be accompanied by proof of the patient's or the estate of the patient's inability to pay. Upon receipt of such application, the supervising department shall direct the county social service board of the county from which the patient was admitted to determine whether the patient, former patient, or the patient's estate is able to pay all, a portion, or none of the expenses incurred by the state for such patient's care and treatment. The supervising department shall approve, reject, or amend the determination made by the county social service board. The determination made by the supervising department may be appealed to the district court of the county of residence of the patient. Any patient, former patient, guardian, or personal representative who seeks relief from the payment of the cost of care and treatment by filing an application for relief of payment, shall do so with the understanding that the supervising department may, in its discretion, and to its satisfaction, verify any statement made in such application for relief of payment by a request for information from financial institutions, including commercial banks. Notwithstanding the provisions of section 57-38-57, this verification may include a review of such applicant's state income tax return or any other document or report submitted to or held by any office or department of the state of North Dakota or any of its political subdivisions.

2. When any official or employee of the state school who, pursuant to subsection 1, obtains income tax information or other tax information from the state tax commissioner the confidentiality of which is protected by law, such official or employee shall not divulge such information except to the extent necessary for the administration of this chapter or when otherwise directed by judicial order or when otherwise provided by law.
3. As used in this chapter, "supervising department" means the director of institutions, or the director's designee."

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

HB 1656 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 2056 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO NOT PASS.

REP. CONMY, Chairman

SB 2056 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred Engrossed SB 2109 has had the same under consideration and recommends by a vote of 8 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO NOT PASS:

On page 2 of the engrossed bill, line 2, after the word "the" insert the word "seventh"

On page 2 of the engrossed bill, line 6, delete the words ", at a minimum,"

And renumber the lines accordingly
REP. TIMM, Chairman

Engrossed SB 2109 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 rereferred SB 2151 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. KNUDSON, Chairman

SB 2151 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2170 has had the same under consideration and recommends by a vote of 9 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 1, delete the word "sections" and insert in lieu thereof the word "section", and delete the word "and"

On page 1, line 2, delete the numerals "39-04-36"

On page 1, line 3, delete the words "and transfer of motor vehicle registration"

On page 2, delete lines 22 through 35

On page 3, delete lines 1 through 14

And renumber the lines and pages accordingly

REP. TIMM, Chairman

SB 2170 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 2172 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2172 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2174 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2174 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2179 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2179 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Judiciary to which was referred SB 2181 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2181 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Natural Resources to which was referred SB 2228 has had the same under consideration and recommends by a vote of 11 YEAS, 2 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 1, after the word "create" insert the words "and enact"

On page 1, line 9, after the word "personally" insert the words "in civil litigation involving private parties", and delete the word "his" and insert in lieu thereof the words "the engineer's"

On page 1, line 10, delete the word "he" and insert in lieu thereof the words "the engineer"

On page 1, line 14, delete the words "Under this subsection, water resource boards"

On page 1, delete line 15

And renumber the lines accordingly

REP. A. OLSON, Chairman

SB 2228 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 2287 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2287 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred Reengrossed SB 2304 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 NOT PASS:

On page 1 of the reengrossed bill, line 1, delete the numerals "39-21" and insert in lieu thereof the numerals "18-01"

- On page 1 of the reengrossed bill, line 6, delete the numerals "39-21" and insert in lieu thereof the numerals "18-01"
- On page 1 of the reengrossed bill, line 8, delete the word "- Penalty"
- On page 1 of the reengrossed bill, line 11, delete the word "department" and insert in lieu thereof the words "state fire marshal"
- On page 1 of the reengrossed bill, delete lines 21 through 23 and insert in lieu thereof the words "Fuel dealers furnishing propane or any other flammable compressed gas used to power a vehicle shall furnish a decal to the owner or user of that vehicle. The decal must be attached to the right rear bumper or bumper area of that vehicle or, if no such area exists on a particular vehicle, then to the right rear side of that vehicle."

And renumber the lines and pages accordingly

REP. TIMM, Chairman

Reengrossed SB 2304 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 rereferred SB 2342 has had the same under consideration and recommends by a vote of 15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 10, remove the overstrike over the word "~~shall~~" and delete the word "may"

On page 2, line 4, delete the word "may" and insert in lieu thereof the word "shall"

And renumber the lines and pages accordingly

REP. LANG, Chairman

SB 2342 was placed on the Sixth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2354 has had the same under consideration and recommends by a vote of 8 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the word "sections" and insert in lieu thereof the word "section", and delete the numerals "57-43.1-36,"

On page 1, line 3, delete the word "sections" and insert in lieu thereof the word "section", and delete the word and numerals "and 57-43.2-29"

On page 2, delete lines 1 through 13

On page 3, delete lines 27 through 35

On page 4, delete lines 1 through 5

And renumber the lines, sections, and pages accordingly

REP. TIMM, Chairman

SB 2354 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 2364 has had the same under consideration and recommends by a vote of 11 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 4 of the engrossed bill, line 23, delete the underscored comma

On page 4 of the engrossed bill, line 24, delete the word "but" and insert in lieu thereof the words ". The increase in salary necessary to meet the minimum may be spread over a two-year period with a minimum of a fifty percent increase for the first year. In addition,"

And renumber the lines and pages accordingly

REP. LANG, Chairman

Engrossed SB 2364 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 rereferred SB 2381 has had the same under consideration and recommends by a vote of 19 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2381 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Appropriations to which was referred SB 2400 has had the same under consideration and recommends by a vote of 20 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. J. PETERSON, Chairman

SB 2400 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Transportation to which was referred SB 2405 has had the same under consideration and recommends by a vote of 13 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 of the engrossed bill, line 2, delete the words and numerals "and section 39-06-37"

On page 1 of the engrossed bill, line 4, delete the words ", and to required driver education for certain"

On page 1 of the engrossed bill, line 5, delete the words "motor vehicle operators with suspended licenses"

On page 2 of the engrossed bill, delete lines 12 through 35

On page 3 of the engrossed bill, delete lines 1 through 17

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

SB 2405 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 Engrossed SB 2410 has had the same under consideration and recommends by a vote of 11 YEAS, 3 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 8, after the comma insert the words "the commissioner of agriculture,", and after the word "director" insert the word "of"

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

Engrossed SB 2410 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 2417 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2417 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred Engrossed SB 2430 has had the same under consideration and recommends by a vote of 11 YEAS, 1 NAY,

4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 10, after the word "nominated" insert the word "annually", and after the word "by" insert the words "the adjutant general and the director of institutions from"

On page 1 of the engrossed bill, line 19, delete the words "at least" and insert in lieu thereof the words "up to"

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

Engrossed SB 2430 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 2432 has had the same under consideration and recommends by a vote of 10 YEAS, 1 NAY, 3 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1, line 2, delete the words "a restriction on the"

On page 1, line 9, delete the word "only"

On page 1, line 10, immediately after the numerals "32-09.1-03" insert the following: "and in this chapter"

And renumber the lines accordingly

REP. CONMY, Chairman

SB 2432 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 2442 has had the same under consideration and recommends by a vote of 11 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the reengrossed bill, line 2, after the semicolon insert the words "to create and enact a new subdivision to subsection 6 of section 28-32-01 of the North Dakota Century Code, relating to a definition of rules adopted by certain agencies;"

On page 2 of the reengrossed bill, line 28, delete the word "fifteen" and insert in lieu thereof the word "twenty-one"

On page 3 of the reengrossed bill, line 2, delete the word "regulation" and insert in lieu thereof the word "rule"

On page 5 of the reengrossed bill, after line 28, insert the following:

"SECTION 6. A new subdivision to subsection 6 of section 28-32-01 of the 1983 Supplement to the North Dakota Century Code is hereby created and enacted to read as follows:

A rule adopted by an agency selection committee under section 3 of this Act."

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

Reengrossed SB 2442 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 2477 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 1, after the words "A BILL" delete the remainder of the bill and insert in lieu thereof the following: "for an Act to amend and reenact section 40-22-29 of the North Dakota Century Code, relating to limitations on awards of bids for improvements by special assessment.

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

SECTION 1. AMENDMENT. Section 40-22-29 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

40-22-29. Engineer's statement of estimated cost required - Governing body to enter into contracts. Before adopting or rejecting any bid filed under the provisions of this chapter, the governing body shall require the engineer for the municipality to make a careful and detailed statement of the estimated cost of the work. The governing body may not award the contract to any bidder if the engineer's estimate prepared pursuant to this section exceeds the engineer's estimate prepared pursuant to section 40-22-10 by forty percent or more. If all bids are not rejected, the governing body shall award the contract to the lowest responsible bidder, upon the basis of cash payment for the work, if such bidder has furnished the certified check and bidder's bond required under the provisions of this chapter."

And renumber the lines and pages accordingly

REP. LANG, Chairman

Engrossed SB 2477 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 2479 has had the same under consideration and recommends by a vote of 13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SB 2479 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 2485 has had the same under consideration and recommends by a vote of 9 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING that the same DO PASS.

REP. KLOUBEC, Chairman

SB 2485 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 2498 has had the same under consideration and recommends by a vote of 10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS:

On page 1 of the engrossed bill, line 1, immediately after the word "to" insert the following: "create and enact subsection 3 of section 19-03.1-13 of the North Dakota Century Code, relating to definitions of certain controlled substances; and to"

On page 15 of the engrossed bill, after line 23, insert the following new section:

"SECTION 5. Subsection 3 of section 19-03.1-13 of the North Dakota Century Code is hereby created and enacted to read as follows:

3. Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation containing any of the following narcotic drugs and their salts:

a. Buprenorphine.

b. Reserved."

And renumber the lines, sections, and pages accordingly

REP. CONMY, Chairman

Engrossed SB 2498 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 SCR 4040 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. CONMY, Chairman

SCR 4040 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Finance and Taxation to which was referred SCR 4044 has had the same under consideration and recommends by a vote of 10 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING that the same DO PASS.

REP. A. HAUSAUER, Chairman

SCR 4044 was placed on the Fourteenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on Social Services and Veterans Affairs to which was referred SCR 4056 has had the same under consideration and recommends by a vote of 14 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING that the same BE AMENDED AS FOLLOWS and when so amended, recommends the same DO PASS and BE PLACED ON THE CONSENT CALENDAR:

On page 1, line 5, delete the word "is" and insert in lieu thereof the words "appears to be"

On page 1, delete lines 13 through 16

On page 2, line 4, after the second word "the" insert the word ", reporting,", and after the word "investigation" insert a comma

And renumber the lines and pages accordingly

REP. HAUGLAND, Chairman

SCR 4056 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 SCR 4060 has had the same under consideration and recommends by a vote of 7 YEAS, 4 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS.

REP. CONMY, Chairman

SCR 4060 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 SCR 4061 has had the same under consideration and recommends by a

MONDAY, MARCH 18, 1985

1985

vote of 11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. CONMY, Chairman

SCR 4061 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

MR. SPEAKER: Your Committee on State and Federal Government to which was referred SCR 4067 has had the same under consideration and recommends by a vote of 12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING that the same DO PASS and BE PLACED ON THE CONSENT CALENDAR.

REP. MARTINSON, Chairman

SCR 4067 was placed on the Tenth order of business on the calendar for the succeeding legislative day.

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

ROY GILBREATH, Chief Clerk